




**MINERALS PROGRAM INSPECTION REPORT**  
**PHONE: (303) 866-3567**

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

<b>MINE NAME:</b> Derr Pit	<b>MINE/PROSPECTING ID#:</b> M-2008-017	<b>MINERAL:</b> Sand, gravel	<b>COUNTY:</b> Weld
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> March 8, 2023	<b>INSP. TIME:</b> 11:00
<b>OPERATOR:</b> Broken Arrow Investments LLC	<b>OPERATOR REPRESENTATIVE:</b> Kelly Hodge	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$753,487.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Eric Scott	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> March 9, 2023	

**GENERAL INSPECTION TOPICS**

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>NA</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>NA</u>	(RV) REVEGETATION---- <u>NA</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>NA</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>NA</u>	(ST) STIPULATIONS----- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>Y</u>	(OD) OFF-SITE DAMAGE----- <u>NA</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

## **OBSERVATIONS**

This was a monitoring inspection conducted by Eric Scott of DRMS of the Derr Pit (M2008-017). DRMS met on-site with permittee consultant JC York to tour the site. Permittee representative Kelly Hodge was also present for the inspection. The site identification sign was present at the site entrance (Photo 1), and the permit boundary was clearly marked with white PVC pipe.

At the time of this inspection, mining, processing, and loading activity were taking place primarily in Phases 1 and 2 of the slurry wall lined area (Phases 1 through 4) on the southwest area of the permit (photo ). Mining activity has been extended to the north center, unlined, area of the permit within Phase 6 (photo ?), but not to a depth that will expose groundwater - as previously approved.

On January 30, 2023, DRMS received a request for a Technical Revision to expand mining activity into Phase 7 without exposing groundwater. This would allow concurrent mining of cells 5, 6, and 7 without exposure of groundwater, and enable a bench to be created to facilitate the installation of the slurry wall around these cells. Based on existing data, these phases may be mined to a depth of approximately 35–40 feet b.g.s. before groundwater is encountered.

An adequacy review letter has been sent out for this revision, as additional information for the mining and reclamation plans is required, and the reclamation bond amount will need to be revised accordingly. The applicant has requested an extension of the decision date for TR8 to March 31, 2023 to address adequacy issues.

Other than minor housekeeping issues (trash on site, empty oil containers, tires, etc.) activity at the site appeared to be progressing according to the currently approved mining plan. No other issues were noted during this inspection.

### **Inspection Contact Address**

Kelly Hodge  
Broken Arrow Investments LLC  
801 8<sup>th</sup> St Suite 130  
Greeley, CO 80631

## PHOTOGRAPHS



**Photo 1 – Site identification sign at site entrance**



**Photo 2 – Recently excavated area in Phase 6 above GW level looking SE from west side of excavation.**



**Photo 3 – Recently excavated area in Phase 6 above GW level looking NE from west side of excavation.**



**Photo 4 – Looking west into Phases 1 and 2 in slurry wall lined area from east permit boundary.**