




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.

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| MINE NAME: Patton Clay Mine | MINE/PROSPECTING ID#: M-1998-067 | MINERAL: Clay (general) | COUNTY: Fremont |
| INSPECTION TYPE: Monitoring | WEATHER: Clear | INSP. DATE: February 23, 2023 | INSP. TIME: 12:40 |
| OPERATOR: Summit Brick & Tile Co. | OPERATOR REPRESENTATIVE: Mark Jesik | TYPE OF OPERATION: 112c - Construction Regular Operation | |
| REASON FOR INSPECTION: Normal I&E Program | BOND CALCULATION TYPE: | BOND AMOUNT: \$29,500.00 | |
| DATE OF COMPLAINT: NA | POST INSP. CONTACTS: None | JOINT INSP. AGENCY: None | |
| INSPECTOR(S): Timothy Cazier, P.E. | INSPECTOR'S SIGNATURE:  | SIGNATURE DATE: January 24, 2024 | |

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.

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

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

OBSERVATIONS

This inspection was conducted by Tim Cazier (DRMS) as part of the regular monitoring program to assess compliance with the approved mine reclamation permit. The Permittee (Summit Brick & Tile Co.) was represented by Mr. Mark Jesik during the inspection. Ms. Sophia Randall representing the Bureau of Land Management (BLM) was present for the inspection close out meeting. The Patton Clay Mine is accessed from Co Road 69, approximately seven miles northwest of Cañon City. This is a 112c clay mine. The mine was not operating at the time of the inspection. There was four to five inches of fresh snow on the ground and the temperature was 12°F. As the snow cover prevented most typical inspection observations, this report focuses primarily on a file review.

Availability of Records: Annual reports are current, having been filed through January 2024, stating the last mining activity was on September 22, 2023. The previous inspection was on August 1, 2018. The approved post-mine land use is rangeland. There are no open infractions. The surface and minerals are a mix of privately owned, and BLM and State Land Board (SLB) managed land (see **attached map**).

The 2024 annual report stated the land currently disturbed by mining (Area F) has been sold again and subdivided. A DRMS review of County assessor records confirms the ownership of Area F has changed at least twice since it was owned by Bradley Ranches LLC. The supplemental information included with the 2024 annual report also summarizes the Permittee's ongoing efforts to pursue a lease with the newest landowner and commits to completing reclamation (consisting of weed management and establishing vegetation as per the approved permit) if a new lease cannot be obtained. Potential alternate access to permitted areas other than Area F are also referenced in this supplemental information.

Backfilling and Grading: Backfill and grading for Area F, the only area disturbed to date, appeared to have been completed (see **Photos A and B**).

Financial Warranty: The \$29,500 bond held by the DRMS was last updated in 1998 as a phased bond for a maximum 20 acres of disturbance. As only 3.27 acres have been disturbed and the grading appears to have been completed, this amount is adequate for the observed mine disturbance.

Fish and Wildlife: No impact to wildlife was observed.

Gen. Compliance with Mine Plan: No evidence of the mine plan not being in compliance was observed. Mr. Jesik stated the future mining plan was uncertain citing the aforementioned land ownership issues.

Off-site Damage: The operation appeared to be confined to the permit boundary, based on Google Earth review and site observations.

Roads: Due to landownership changes, the site was accessed using a new road, constructed for the subdivision.

Right of Entry: As discussed above, the right of entry for the privately owned area is uncertain, and if alternate access roads are not improved, it is unlikely that mining the BLM or SLB areas will be practicable. The Permittee has committed to keeping the DRMS apprised of developments.

Reclamation Success: Only Area F was inspected. Grading appeared to be completed at 3H:1V or flatter. Mr. Jesik stated the stockpiled topsoil had been spread over the site and that it had been seeded in 2022. This could

not be confirmed due to the snow cover.

Revegetation: A weed control plan was approved by the DRMS as TR-1 in 2019.

Support Facilities On-site: No equipment remained on site at the time of the inspection.

Signs and Markers: Due to the access road change, the location where the permit sign has been posted during previous inspections could not be accessed to confirm it was still there. The DRMS recommends placing a new sign near Area F.

Permit Stipulations: Prior to conducting any mining in areas B, C, D, E, G, and H, the operator will submit an updated mining plan map which clearly details the mining plan as per areas A and F of the current Mine Plan Map.

Structures: No new structures were observed within 200 feet of the affected area.

Post Inspection Meeting: No problems were cited. Mr. Jesik committed to keeping the DRMS informed on the future access and mine plans, which has been included as supplemental information in the annual reports.

Please contact Tim Cazier (303)328-5229 or email at tim.cazier@state.co.us if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1. Regraded Area F highwall (looking NE).

PHOTOGRAPHS (cont.)



Photo 2. Regraded Area F highwall (looking east).

Inspection Contact Address

Mark Jesik
Summit Brick & Tile Co.
P.O. Box 533
Pueblo, CO 81002

Enclosure: Landownership map






ec: DRMS file
Hunter Ridley, DRMS
Julie Welte, Summit Brick & Tile
Ray Ogle, BLM
Ben Teschner, SLB

M-98-67 / Patton Clay Mine

Satellite imagery from 10/5/2019

Red shaded areas are BLM Minerals - provided by the BLM

Legend (non-shaded areas are private)

-  Disturbed Area - BLM measured
-  M-98-67 Affected Area Boundaries
-  M-98-67 Clay Area Boundary
-  M-98-67 SLB Area
-  Marker Locations provided by Operator

