




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.

MINE NAME: Sand Creek Mine	MINE/PROSPECTING ID#: M-1992-038	MINERAL: Sand	COUNTY: Adams
INSPECTION TYPE: Surety-Related Inspection	WEATHER: Clear	INSP. DATE: January 23, 2024	INSP. TIME: 10:00
OPERATOR: 4K Equipment, LLC	OPERATOR REPRESENTATIVE: Calvin Kelly	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Surety Related – SO2	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$7,210.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Nikie Gagnon	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: March 14, 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.

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>N</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>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</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>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	

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

OBSERVATIONS

This inspection was conducted following the approval of a Succession of Operator application transferring the permit from Jones Fine Sand to 4K Equipment LLC. Nikie Gagnon, with the Division of Reclamation Mining and Safety (Division), conducted the inspection and was joined by Calvin Kelly representing 4K Equipment LLC (Operator) and Steve O'Brian with Environment Inc. The mine is approximately 0.5 mile north of Byers and accessed via CR46.

General Mine Plan Compliance

The Sand Creek Mine is currently permitted for 45.50 acres with an approved affected acreage of 10 acres. The post mine land use is pastureland. West Bijou creek, an ephemeral drainage, runs through the permit area. The site was not active during this inspection, no evidence of recent mining was observed. The approved mine plan calls for mining sand from the dry creek channel. Mining has been intermittent in recent years, and historic mining at the site left two small pits on the west side of the creek.

West Bijou creek is typically dry, however, this region experienced higher than average precipitation in 2023. High water levels altered the course of the river and eroded the banks within the permit area and the channel follows a wider path into the parcel east of the permit area. The eastern permit boundary now runs down the middle of the creek bed. The active mining area within the creek bed and an older pit on the west side of the creek were observed to be refilled with sand.

Reclamation Plan

Once mining is complete, the approved reclamation plan calls for and grading the creek bed, and grading the slopes to 4H:1V in all mining areas outside the creek bed and reseeding these areas with pasture vegetation. No topsoil is salvaged from the mining area.

In 2019, the former operator was approved under TR1 to backfill the pit slopes on the west side using inert structural fill generated at processing facility owned by Jones Fine Sand. If the new Operator (4K Equipment) intends to import inert structural fill, a Technical Revision and inert fill application will need to be submitted to the Division prior to importing fill.

Roads

A gravel access road ran parallel the southern side of the permit area. However, the high water flows in 2023 washed out the road where it meets the river and left a 9-foot cut where the road enters the eastern side of the permit area. The access road is outside of the permit boundary, however, once mining resumes at this site, the road will need to be rebuilt across the streambed to allow access and support truck traffic.

Mine Sign:

A permit identification sign was in place at the entrance to the site, however Jones Fine Sand is listed as the permittee. Per Rule 3.1.12, the Operator must post a sign that includes the following:

1. Name of the Operator and the operation name;
2. A statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and
3. The permit number.

Within 30 days of this inspection report, please send the Division proof of a new sign posted at the entrance to the site with the current Operator's name. Proof can be in the form of a photo emailed to the Division.

Boundary Markers

Wood stakes with flags were observed marking the permit boundary. The Division is concerned that the boundary markers will be washed away during another high spring runoff since the eastern permit boundary now runs down the center of the streambed. The Operator should be aware that per C.R.S. 34-32.5-116(4)(i), failure to protect areas outside of the affected land will be a violation of the mining permit.

During the inspection, the Operator stated they do not intend to mine this site right away but will likely start up operations in the summer or fall of 2024. The Division would like the Operator to inform us when mining operations resume at this site. At that time, the Division will conduct another inspection and observe how the Operator marks the eastern boundary of the permit area to ensure the mining operation does not enter the adjacent parcel.

Financial Warranty

The Division holds a financial warranty in the amount of \$7,210.00. The reclamation cost estimate was reviewed after this inspection and the Division determined the current bond is sufficient to complete the approved reclamation work at the site.

A subset of photographs taken during the inspection are attached. Please contact Nikie Gagnon (303)866-3567 ext. 8126 or email at nikie.gagnon@state.co.us if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1: Looking west along the southern boundary of the permit area. The southeastern corner permit boundary marker is noted by red arrow in the middle of West Bijou creek.



Photo 2: Looking north down West Bijou creek. The permit boundary is marked with posts in the center of the creek bed (red arrow). The mining area was observed to be refilled with sand.



Photo 3: Access road washed out across the creek. Access road runs parallel to the southern permit area and is outside the permit boundary. Arrow points to a 9' foot high erosion cut where the road entered the permit area.



Photo 4: Area that has been refilled with sediment on the west side of the creek.



Photo 5: Looking at former pit area on the west side of the permit area. Former operator was using inert fill to backfill and grade the slopes in this pit to 4H:1V.



Photo 6: Mine sign posted at the entrance to the site shows Operator as Jones Fine Sand.



Figure 1: Google image dated 3/5/2020. Permit boundary in red and the two pits on the west side of the creek noted by blue arrows. This image does not reflect the current streambed of the river which now tracks wider into the parcel east of the permit boundary. North pit has filled with sediment. South pit will require some grading to achieve the 4H:1V slopes.

Inspection Contact Address

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