




**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> Falk Pit #1	<b>MINE/PROSPECTING ID#:</b> M-2010-043	<b>MINERAL:</b> Clay (general), grave	<b>COUNTY:</b> Phillips
<b>INSPECTION TYPE:</b> Preoperation Inspection	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> October 22, 2024	<b>INSP. TIME:</b> 11:15
<b>OPERATOR:</b> Chamberlain Concrete	<b>OPERATOR REPRESENTATIVE:</b> Mr. Mason Chamberlain	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	
<b>REASON FOR INSPECTION:</b> Pre-operation Inspection	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$45,807.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Jocelyn Carter Ursula Armstrong	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> November 4, 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>Y</u>	(BG) BACKFILL & GRADING----- <u>NA</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>NA</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>N</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION-- <u>N</u>	(ST) STIPULATIONS----- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</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**

The Falk Pit #1, operated by Chamberlain Concrete, was inspected by me, Jocelyn Carter, on behalf of the Division of Mining, Reclamation, and Safety (Division/DRMS) on October 22, 2024. Ursula Armstrong, with DRMS, also attended the inspection. Mason Chamberlain, representing the Operator, greeted us at the mine site but was unable to stay for the whole inspection. The inspection was conducted for the purpose of the conversion application (CN-1) submitted by the Operator and filed with the Division on August 20, 2024, in accordance with Rule 3.2(7). The weather during the inspection was clear with warm temperatures.

Falk Pit #1 is in Phillips County, approximately 11 miles southeast from the town of Haxtun. To access the site from the intersection of U.S. Highway 6 and Colorado Highway 59 in Haxtun, travel south on Colorado Highway 59 for 8.8 miles, turn and travel east on County Road 12 for 3 miles, turn and travel south on County Road 11 for 1.9 miles, the entrance to the site is on the west side of the road. The permit area is situated along Patent Creek, an ephemeral creek that has flowing water during times of heavy precipitation.

The current permitted area is 9.9 acres, the CN-1 application is requesting an increase of the permitted area of 3.29 acres for a new total of 13.19 acres. The operation extracts gravel, sand, and clay for the purpose of manufacturing concrete. Extraction is done using a loader, scraper, and trucks; no processing of materials is done within the permitted area. The target material is between 10 and 20 feet within the stream bed. A highwall is not created in the mining process, slopes are maintained at 3H:1V or less.

There was no mining activity taking place during the time of the inspection; no equipment was on site and disturbances had vegetation growing in areas of past mining activity. Common mullein was present on the site, a class C noxious weed. This is cited as a problem in this inspection report as there does not appear to be a weed management plan in the current permit or in the proposed CN-1 application. The need for the Operator to include a weed management plan in their mining plan will be addressed in the second adequacy review.

Photos taken during the inspection along with a map created using data collected during the inspection are provided in this report. Questions regarding this inspection should be directed to me, Jocelyn Carter, at [Jocelyn.carter@state.co.us](mailto:Jocelyn.carter@state.co.us) or (720) 666-1065.

## **Records**

Availability of records was reviewed for this inspection. The annual report, map, and fees were submitted to the Division on October 21, 2024; however, these items were due on September 22, 2024. The Division would like to remind the Operator that their annual report, map, and fee are due on the anniversary date, September 22.

## **Hydrological Balance**

There was water in the lowest areas of the stream bed at the time of the inspection, see Photo #14. There was a small precipitation event in the area on October 19, 2024. There was no indication of the hydrologic balance being impacted by the operation.

## **Signs and Markers**

There was a mine sign in accordance with Rule 3.1.12(1), located at the entrance of the permit area, see Photo #1. Metal pickets with white tops, some with pink tape tied to the tops, were located at each of the permit boundary markers, in accordance with Rule 3.1.12.(2); see Photos #3-6. Rule 1.6.2(b) requires an additional notice be posted providing information about the conversion application and where anyone can obtain/review a copy of the conversion application at the County Clerk's or Recorder's office; this sign was also present; see photo #2.

### **Fish & Wildlife**

At the time of the inspection, several different small songbirds were observed on the site and a crane was also observed to be on site near the water. There was evidence of deer and coyote in the area and Mr. Chamberlain warned us of snakes being active in the area as well. A turtle was observed in one of the small bodies of water in addition to some dead salamanders.

The plant life in the area was very diverse. There were several willows and cottonwood trees in the permit area and along the creek cattails and water lilies were observed. On the higher banks, there were a few grasses observed, such as bromes, rice grasses, and wheat grasses in addition to flowering plants like tick sunflowers and thistles. There were also some cacti present in the permit area.

There did not appear to be any negative impacts on the fish and wildlife in the area.

### **Roads**

The road to be used for the operation appeared to be in good condition, see Photo #7.

**PHOTOGRAPHS**



Photo #1: Mine sign at the entrance of the site, per Rule 3.1.12(1).



Photo #2: Notice of conversion application filed with the County Clerk's office, per Rule 1.6.2(b).





Photo #3: Permit boundary marker located in the northeast corner of the permit area; looking towards the northwest. Marker PB2 on the map below.

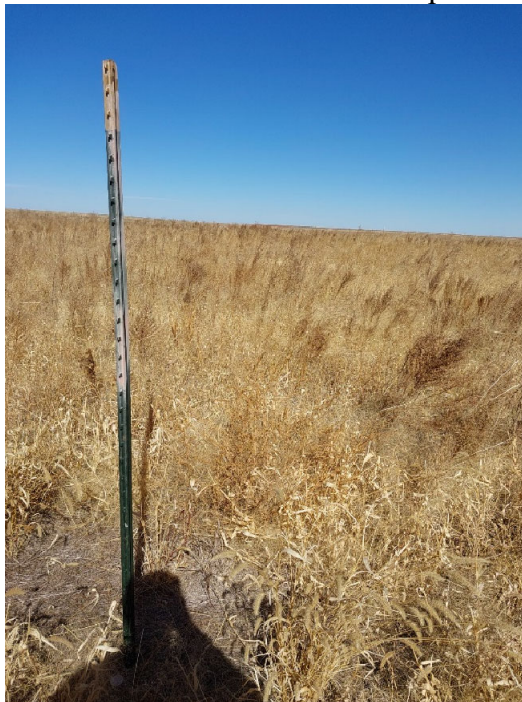


Photo #4: Permit boundary marker located in the northwest portion of the permit area; looking to the north-northeast. Marker PB 1 on the map below.

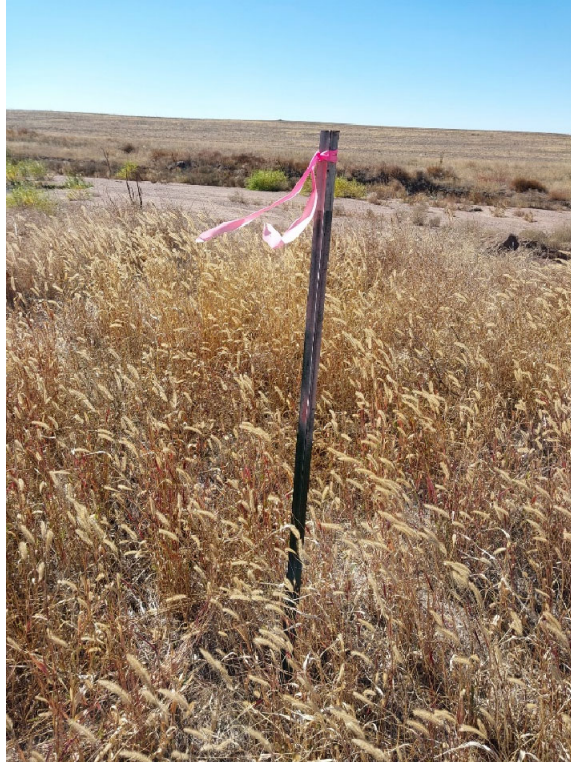


Photo #5: Permit boundary marker located on the northeast side of Patent Creek; looking south-southeast at the permitted area. Marker PB 10 on the map below.



Photo #6: Permit boundary marker located on the southwest portion of the permit area and on the south side of Patent Creek; looking east-northeast at the permitted area. Marker PB 8 on the map below.





Photo #7: View of the road from the mine entrance located at the northeast portion of the permitted area; looking west at the permitted area.



Photo #8: View of the permit area located north of Patent Creek from the northwest portion of the permitted area; looking southeast.



Photo #9: View of Patent Creek from the north side of the bank in the western portion of the permitted area; looking south-southeast.



Photo #10: View of land disturbed by mining operation in Patent Creek from the south side of the creek; looking northwest.





Photo #11: View of the permitted area from the southwest portion of the permitted area; looking northeast.  
Marker PB 6 on the map below.



Photo #12: View of the permitted area from the south-central portion of the permitted area along the south bank of Patent Creek; looking northwest.



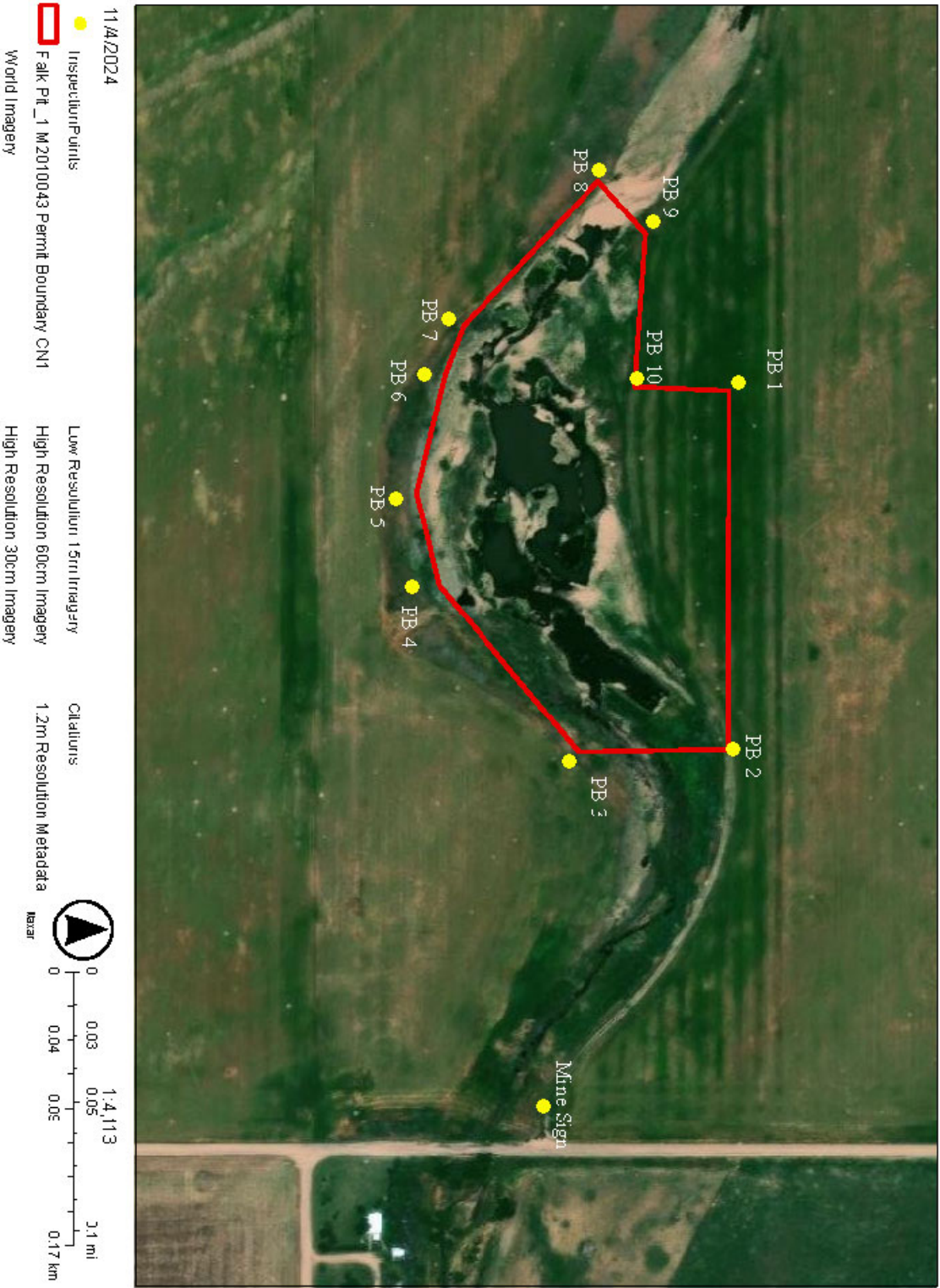
Photo #13: View of land disturbed by the mining operation located in the central portion of the permitted area; looking south.



Photo #14: View of the water held in the lowest portions of Paten Creek; looking west.



Falk Pit #1 M2010043 CN1 2024



Map showing permit boundary locations found during inspection.



**Inspection Contact Address**

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Wray, CO 80758

CC: Corie Flores, Chamberlain Concrete  
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