




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: Ordway Pit	MINE/PROSPECTING ID#: M-2006-054	MINERAL: Sand and gravel	COUNTY: Crowley
INSPECTION TYPE: Surety-Related Inspection	WEATHER: Clear	INSP. DATE: December 12, 2024	INSP. TIME: 10:40
OPERATOR: Mid-States Materials, LLC	OPERATOR REPRESENTATIVE: Philip Porter	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Surety Related	BOND CALCULATION TYPE: Complete	BOND AMOUNT: \$68,828.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Ursula Armstrong	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: January 22, 2025	

The following inspection topics were identified as having Problems or Possible Violations. OPERATORS SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF THE PERMIT AND APPLICABLE RULES AND REGULATIONS. If a Possible Violation is indicated, you will be notified under separate cover as to when the Mined Land Reclamation Board will consider possible enforcement action.

INSPECTION TOPIC: Signs & Markers

PROBLEM #1: A proper mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign in accordance with Rule 3.1.12(1).

CORRECTIVE ACTIONS: The Operator shall, at the entrance of the mine site post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: the name of the Operator, the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

CORRECTIVE ACTION DUE DATE: February 21, 2025

INSPECTION TOPIC: Reclamation Success

PROBLEM #2: Failure to follow approved reclamation plan, or current reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116(1) and Rule 6.4.5. The operator must follow approved reclamation plan or provide sufficient information to describe or identify how the operator intends to conduct reclamation. Specifically, the reclamation plan needs to include information on how the three ponds and truck scale will be reclaimed.

CORRECTIVE ACTIONS: The operator shall submit a Technical Revision, with the required \$216 revision

fee, to update and clarify the current approved reclamation plan in accordance with Rule 6.4.5 to reflect existing and proposed activities by the corrective action date. Additionally, the revision must include an updated reclamation plan map in accordance with Rules 6.2.1(2) and 6.4.5.

CORRECTIVE ACTION DUE DATE: March 23, 2025

OBSERVATIONS

The Ordway Pit (Permit No. M-2006-054) was inspected by Ursula Armstrong of the Division of Reclamation, Mining and Safety (Division) on December 12, 2024. This was a surety-related inspection conducted in response to a Succession of Operators application (SO-3) that was approved by the Division on November 15, 2024. The new operator, Mid-States Materials, LLC, was represented by Philip Porter during the inspection.

The site is located approximately 4.5 northwest of Manzanola, Colorado in Crowley County. The site can be accessed by taking a private dirt road southwest off of Co Rd B for approximately 0.5 mile. The affected land is owned by Arkansas Valley Ranch, LLC, the previous mine operator. The approved post-mining land use for the site is rangeland. **Photos 1-10** taken during the inspection are included with this report.

This is a 112c operation permitted for 115.6 acres to mine rock, sand, gravel and fill dirt, including for use in road construction and maintenance. The operation is extracting material from the top of the terrace at a maximum depth of approximately 10 feet. This is a phased operation which will mine generally from east to west in 10 acre phases, with concurrent reclamation. The approved maximum disturbed acreage at any time is 40 acres. The operation will maintain pit walls at a 3H:1V slope gradient and never have more than 10 acres of unreclaimed active mining area at any time. The approved reclamation plan calls for grading all disturbed slopes to a 3H:1V or flatter gradient, replacing topsoil on disturbed land at an average depth of 5 inches, and revegetating the site with a rangeland seed mixture.

At the time of the inspection, the weather was mild and sunny. A mine permit sign was posted at the southeast entrance to the site. The permit sign has the name of the previous operator, the operation name, and the permit number. It does not include a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, as required by Rule 3.1.12(1) and the operator needs to be updated. A problem is cited for this issue; see Problem #1 in this report for the required corrective actions.

The permit boundary was delineated by large wooden posts at the corners of the boundary. The northern and western permit boundaries are also delineated by fencelines. The site was not active during the inspection and all of the mobile mining equipment used by Arkansas Valley Ranch, LLC had been removed from the site. The truck scale, scale house and mobile office remain at the southeastern corner of the site and Mid-States Materials, LLC plans to utilize these structures. The truck scale is approximately 15 feet in width and 100 feet in length. The scale house and mobile office are considered portable structures.

The large sand and gravel stockpiles located in the southeastern portion of the site are approximately 20-25 feet in height and have a significant amount of vegetation growth indicating they have not been utilized in several years. The three ponds previously observed at the site were likely filled with sediment, but the Division is assuming they are still there based on the approved mining plan. According to the approved plan, two of the ponds are lined and used to recirculate water from the material wash plant. Approximately 12.2 acres in the northeastern portion of the site have been graded to 3H:1V or flatter and appear to have had topsoil replaced. The western portion of the current disturbed area of the site includes several sand and gravel stockpiles leftover from the mobile processing equipment.

The Division is working on recalculating the required financial warranty for this site, but the current reclamation plan is lacking critical information required to complete the recalculation. The reclamation plan and map need to be revised to accurately recalculate the financial warranty. Specifically, the reclamation plan needs to include details on how the operator plans to reclaim the three small ponds (two lined, one unlined) and the truck scale, as well as provide an updated reclamation plan map in accordance with Rule 6.4.5. These items must be submitted in the form of a Technical Revision (see enclosed form) with the associated fee. A problem has been cited for this issue; see Problem #2 in this report for the required corrective actions.

During the inspection, the Division was informed that Mid-States Materials, LLC may want to make some changes to the approved mining plan. The Technical Revision required in Problem #2 would be a good opportunity to update the mining plan as well.

This concludes the report.

Any questions or comments regarding this inspection report should be forwarded to Ursula Armstrong at the Colorado Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, via telephone at 720-793-3031, or via email at ursula.armstrong@state.co.us.

PHOTOGRAPHS



Photo 1. Looking north at the mine identification sign posted at the southeast entrance to the mine.



Photo 2. Looking southeast at the mobile office trailer near the scale at the southeastern corner of the site.



Photo 3. Looking north at the scale in the southeastern corner of the site.



Photo 4. The southwestern corner of the permit boundary delineated with a large wooden pole, looking north.



Photo 5. Looking northwest toward the most recent processing area (off to the left). The photo was taken from the area that has been graded and re-topsoiled (off to the right).



Photo 6. Looking toward the furthest mined highwall to the west. Photo was taken standing in the recent processing area.



Photo 7. View looking east over the recent processing area, taken from the top of the western-most mined slope. Material stockpiles seen in the background.



Photo 8. One of the material stockpiles remaining near the recent processing area, looking east.



Photo 9. Looking south at the material stockpiles in the southeastern corner. Note the large amount of vegetation.



Photo 10. Typical conditions of the surrounding land ahead of mining activities, looking west.

Inspection Contact Address

Michael D. Schimer
Mid-States Materials, LLC
1800 NW Brickyard Road
Topeka, KS 66618

Encl: Technical Revision Form

CC: Philip Porter, Mid-States Materials, LLC
Amy Eschberger, DRMS



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- _____ Site Name: _____

County _____ TR# _____ (DRMS Use only)

Permittee: _____

Operator (If Other than Permittee): _____

Permittee Representative: _____

Please provide a brief description of the proposed revision: _____

As defined by the Minerals Rules, a Technical Revision (TR) is: “a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan.” The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered “filed for review” until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

<u>Permit Type</u>	<u>Required TR Fee</u>	<u>Submitted</u> (mark only one)
110c, 111, 112 construction materials, and 112 quarries	\$216	<input type="checkbox"/>
112 hard rock (not DMO)	\$175	<input type="checkbox"/>
110d, 112d(1, 2 or 3)	\$1006	<input type="checkbox"/>