




**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> Patton Clay Mine	<b>MINE/PROSPECTING ID#:</b> M-1998-067	<b>MINERAL:</b> Clay (general)	<b>COUNTY:</b> Fremont
<b>INSPECTION TYPE:</b> Surety Release Inspection	<b>WEATHER:</b> Windy	<b>INSP. DATE:</b> January 9, 2025	<b>INSP. TIME:</b> 11:00
<b>OPERATOR:</b> Summit Brick & Tile Co.	<b>OPERATOR REPRESENTATIVE:</b> N/A	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Surety Release Requested	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$29,500.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Jocelyn Carter	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> January 22, 2025	

**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>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>N</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</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>Y</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 Patton Clay Mine, Permit No. M-1998-067, was inspected by me, Jocelyn Carter, on behalf of the Division of Reclamation, Mining, and Safety (Division/DRMS) on January 9, 2025. Summit Brick & Tile Co. is the operating party for this permit, no one was available to accompany me during this inspection. The purpose of this inspection was in accordance with the Acreage Reduction Request (AR-1) filed with the December 2, 2024, and Rule 4.17.2(2). The weather at the time of the inspection were cold temperatures with high wind gusts, there were snow events in the days prior to the inspection causing additional movement of snow and drifting conditions.

Patton Clay Mine is a 112c operation extracting clay for the purpose of manufacturing bricks and is located approximately 7 miles to the northwest of the City of Canon City in Fremont County, Colorado. To access the site from the intersection of Hwy 50 and County Road 69, travel north on County Rd for 4.2 miles, at Shaws Park Trail head west for 1.1 miles, at Shaws Park Path head west and the entrance to the mine site is on the road after approximately 290 feet. According to the Operator, the mine sign that had been posted at this entrance has been removed by the landowners.

No mining activity was taking place during this inspection. The post mining land use for the permitted area is rangeland. Of the 280.0 acres that are permitted, 80.0 are privately owned and the remaining are on State and Federally owned lands. The 80.0 acres that are privately owned are the same acres being requested for release in the AR-1 application, located in the northeast section of the permit area. The only disturbance caused by the mining operation occurred in the northeast section, in the area designated as "Area F".

The inspection for the AR-1 application was limited to this portion of the permit area and the area being requested for release. The determination of the success of reclamation of the area disturbed by mining activity was made based off the site visit that occurred on January 9, 2025, (reported here) and the site visit report from October 9, 2024. According to the inspection report of the October 9, 2024, site visit, the reclamation success was adequate for the post mine land use and there were no issues with noxious weeds or erosion observed. During the January 9, 2025, site visit, there did appear to be an area just to the south of Area F where some excavating activities had been done. The excavated area was measured to be approximately 0.21 acres and two feet deep (see Photos #1 and #2). There was a building permit posted at the site, near the excavated area (see Photo #3), that was not present during the October 9, 2024, visit. According to past conversations with the Operator, the landowner had approached the Summit Brick & Tile CO. to inform them that they would be building on the lands near the reclamation area.

The Division does feel it is appropriate to approve the AR-1 application but will require the Operator to provide documentation from the landowner stating that the land disturbances observed during the January 9, 2025, site visit was not mine related. Given the assessment made by the Division on the October 9, 2024, site visit, the areas that have been disturbed by mining have been sufficiently reclaimed by the Operator.

Photos taken during this inspection are included in this report along with a map created for the inspection and the map included in the AR-1 application. Any questions regarding this inspection report should be directed to me by email at [Jocelyn.carter@state.co.us](mailto:Jocelyn.carter@state.co.us) or by phone at (720) 666-1065.

### **Reclamation Plan/ Compliance**

According to satellite imagery, of the 80.0 acres that are being requested for release, approximately 3.5 acres have been disturbed by mining activity. The location of the disturbance is in the northeast portion, referred to as Area F in permit files and maps. Records indicate that the reclamation of this disturbance began in November of

2021 with the most recent reclamation activity of seeding occurring in May of 2022. At the time of this inspection, the condition of the vegetation could not be adequately assessed due to the ground conditions and the presence of snow. However, when the site was visited on October 9, 2024, the re-vegetation appeared to be adequate with no issues regarding noxious weeds. There were no erosional issues that were observed during the October visit and the land appeared to be stable for use as rangeland.

### **PHOTOGRAPHS**



Photo #1: View of the excavation disturbance observed, looking to the southeast from the south portion of Area F.



Photo #2: View of the excavation area observed, looking to the northwest from the southern portion of Area F.



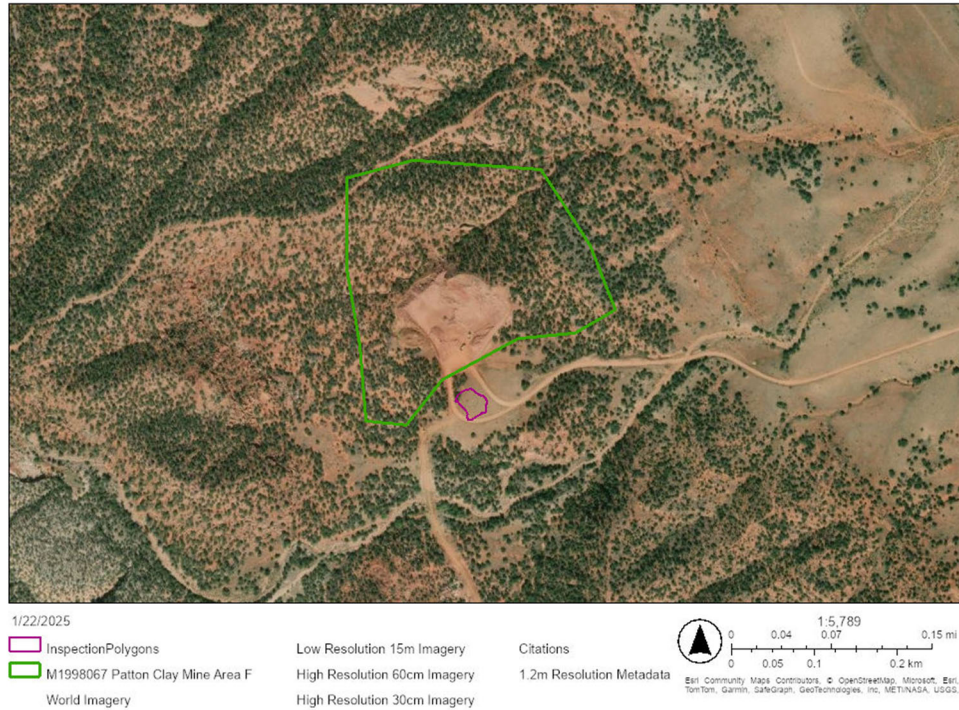


Photo #3: View of the building permit observed on site with the excavated area and material seen beyond it to the left in the picture; looking to the northwest of the southern portion of Area F.



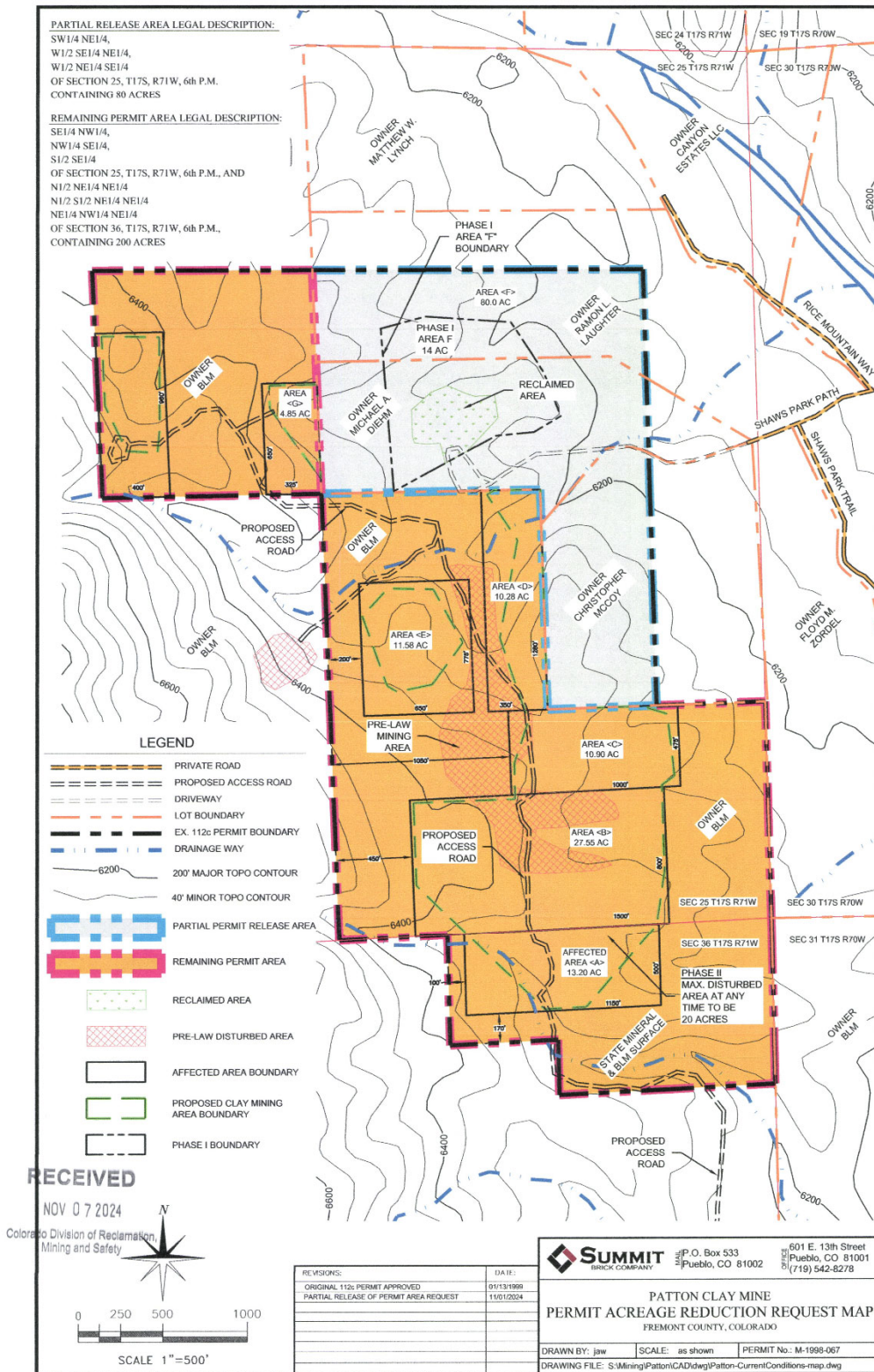
Photo #4: View of the reclaimed hillside of the mining disturbance of Area F; the tracks that can be seen in the foreground are part of the excavated area near the posted building permit.

Patton Clay Mine M1998067



Map #1: Inspection Map, Area F is shown in green, the excavated area is shown in purple. The background imagery of the Esri program that was used to create this map is older and shows the extent of where the mining operation took place in Area F.





Map #2: The map that was submitted with the AR-1 application, for reference only.

**Inspection Contact Address**

N/A

Summit Brick & Tile Co.

P.O. Box 533

Pueblo, CO 81002

CC: Amy Eschberger, DRMS  
Matt Welte, Summit Brick and Tile Co.