




**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><br>Burton Pit                         | <b>MINE/PROSPECTING ID#:</b><br>M-1987-013   | <b>MINERAL:</b><br>Sand and gravel                                 | <b>COUNTY:</b><br>Rio Grande |
| <b>INSPECTION TYPE:</b><br>Monitoring                   | <b>WEATHER:</b> Clear  | <b>INSP. DATE:</b><br>March 25, 2025                               | <b>INSP. TIME:</b><br>14:00  |
| <b>OPERATOR:</b><br>Southway Construction Company, Inc. | <b>OPERATOR REPRESENTATIVE:</b><br>Paul Bottini  | <b>TYPE OF OPERATION:</b><br>112c - Construction Regular Operation |                              |
| <b>REASON FOR INSPECTION:</b><br>Normal I&E Program     | <b>BOND CALCULATION TYPE:</b>  | <b>BOND AMOUNT:</b><br>\$52,785.00                                 |                              |
| <b>DATE OF COMPLAINT:</b><br>NA                         | <b>POST INSP. CONTACTS:</b><br>None  | <b>JOINT INSP. AGENCY:</b><br>None                                 |                              |
| <b>INSPECTOR(S):</b><br>Todd Jesse                      | <b>INSPECTOR'S SIGNATURE:</b><br> | <b>SIGNATURE DATE:</b><br>April 2, 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>Y</u>    | (RD) ROADS----- <u>Y</u>        |
| (HB) HYDROLOGIC BALANCE----- <u>Y</u>      | (BG) BACKFILL & GRADING----- <u>N</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>N</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 report was conducted as part of Acreage Reduction request submitted by Southway Construction Company Inc. (Southway) on February 21<sup>st</sup>, 2025. The Burton Pit is a 112c Operation operated by Southway Construction Company, Inc. The site is located less than one mile northwest of the town of Del Norte, CO at an elevation of approximately 7,980 feet. Public access is controlled by gate off Co Rd 15 and the site consists of 13.44 acres to be reclaimed for the post mine land use of rangeland. The previous inspection occurred in 2020 and the Division holds a \$52,785.00 financial warranty on the site. Paul Bottini a representative of Southway and Jodi Schreiber representing the consulting firm PFM Consulting LLC were present for the inspection. Landowners were also present for the inspection. Robert Burton representing Burton Farms LLLP and Jay Yeager of the Rio Grande Canal Company (property owner of the northeast portion of the permit) were present for the inspection. In 2022, a 110c Operation run by Burton Farms LLLP, was permitted over the existing 112c operated by Southway Construction Company. The release request submitted in February will release the portions of the Burton Pit permit that overlaps with the newly permitted Burton Farms LLLP. An additional release request was submitted in March to release the remaining portion of the permit that is still on Burton property. This additional release acreage was undisturbed. All acreage that is being requested for release is either undisturbed or covered by another permit.

### **Financial Warranty:**

The financial warranty will not be recalculated at this time. Southway and the canal company stated that they will be submitting a succession of operators from to move the permit into the control of the canal company. The financial warranty will be recalculated during the SO process.

### **Hydrologic Balance:**

It is not expected that the operation encounter groundwater and no groundwater has been exposed within the permit area. There are no surface water features within the permit boundary, but a canal does run along outside of the northeastern boundary. The canal was dry at the time of the inspection. No hydrocarbons are stored within the permit boundary.

### **Gen. Compliance With Mine Plan:**

Southway Construction Company LLC has lost right of entry to the site from the land owners. As a result, the section of the permit area that are on the Burton property will be released and the remaining acreage will be transferred to the canal company. Mining has been conducted according to Slopes of the pit generally appear stable with minor erosional rills in the southwest corner of the pit.

### **Roads:**

The access road is in good condition and will remain post reclamation for the landowner. No signs of excessive erosion or displacement were noted along the road during the inspection.

### **Signs and Markers:**

Permit boundaries and property lines are marked by fence lines and posts. No sign was present, but this will be addressed during the SO process with the new permit holder.

Photos that show the conditions observed during the inspection are included at the end of this report.

All responses to this report should be directed to Todd Jesse with the Division's Active Mines Program at DRMS, Room 215, 1001 E 62<sup>nd</sup> Ave. Denver, CO 80216. Direct contact can be made at the Division's Grand Junction Field Office, by phone at 720-688-0626 or by email at [todd.jesse@state.co.us](mailto:todd.jesse@state.co.us).

## **PHOTOGRAPHS**



Photo 1: View to the north of the gate at the pit entrance on Burton Property. Road will remain post reclamation.



Photo 2: View to the west of property markers between Burton property (left of fence) and canal company property (right of fence)





Photo 3: View to the south of undisturbed ground on north end of Burton property.  
Fence line is property line.



Photo 4: View to the south of mining area on Burton property.





Photo 5: View to the north of the permit area on canal company property.



Photo 6: View to the south of gate to access the portion of the permit on the canal company property. Process area can be seen in the background.

**Inspection Contact Address**

Paul Bottini  
Southway Construction Company, Inc.  
117 White Pine Dr.  
Alamosa, CO 81101

CC: Robert Burton, Burton Farms LLLP  
Jodi Schreiber, PFM Consulting LLC