



April 30, 2025

Jason McGraw
General Shale Brick, Inc.
1845 W. Dartmouth Ave.
Denver, CO 80110

Re: Buffalo No 1, Permit No. M-1978-011, Problems Cited and Corrective Actions Required

On February 13, 2025, the Division of Reclamation, Mining and Safety (Division) conducted a normal monitoring inspection of the Buffalo No 1 site, and the associated inspection report was issued on March 17, 2025. During the inspection, unauthorized mining disturbance was observed in the far eastern portion of the Phase IV permit area. The approved permit for Buffalo No 1 requires the operator to submit an appropriate revision with mining and reclamation plans and maps for Phase IV prior to any mining disturbances occurring in that area. During the inspection, the operator informed the Division that the disturbance in Phase IV was created by another entity without their authorization. The operator also indicated they had lost their legal right of entry to that portion of the permit area, as a new landowner had recently purchased the property. According to Elbert County's online parcel map, the parcel in question (8204400128) is now owned by Nickolas Karpinecz. The Division investigated the unauthorized mining disturbance through a separate file number (M-2025-013) and determined that sufficient evidence had not been provided to support enforcement actions against the third party. Since the mining disturbance is located within the approved Buffalo No 1 permit area, the Division is citing the following problems which need to be addressed by the operator:

INSPECTION TOPIC: Right of Entry

PROBLEM #1: Failure to maintain legal right of entry for all Owners of Record to the affected lands pursuant to Rule 6.4.14.

CORRECTIVE ACTIONS: The operator must provide documentation of their legal right to enter to conduct mining and reclamation on the affected lands. Specifically, the operator shall provide demonstration of their legal right to enter the Phase IV portion of the permit area to, at a minimum, conduct reclamation of the existing mining disturbance. This may include a copy of a lease or a signed statement by the landowner and acknowledged by a Notary Public stating that the operator has the legal right to enter to conduct mining and reclamation.

CORRECTIVE ACTION DUE DATE: May 30, 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. The operator must follow the approved reclamation plan or provide sufficient information to describe or identify how the operator intends to conduct reclamation.

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



revision fee, to include a reclamation plan and an updated bond estimate for reclaiming the existing mining disturbance in Phase IV.

CORRECTIVE ACTION DUE DATE: June 29, 2025

If you have any questions, you may contact me by telephone at 720-793-3031 or by email at ursula.armstrong@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ursula Armstrong", with a stylized flourish at the end.

Ursula Armstrong
Environmental Protection Specialist

cc: Amy Eschberger, DRMS