




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: Kirtright Pit	MINE/PROSPECTING ID#: M-1986-123	MINERAL: Sand and gravel	COUNTY: Larimer
INSPECTION TYPE: Preoperation Inspection	WEATHER: Clear	INSP. DATE: April 21, 2025	INSP. TIME: 09:00
OPERATOR: Coulson Excavating Company, Inc.	OPERATOR REPRESENTATIVE: Ken Coulson, Peter Wayland	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Preoperation Inspection	BOND CALCULATION TYPE: None	BOND AMOUNT: \$58,400.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Patrick Lennberg Joel Renfro	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 5, 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>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</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>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

OBSERVATIONS

This was a pre-operation inspection of the Kirtright Pit (M1986-123) conducted by Patrick Lennberg and Joel Renfro of the Division of Reclamation, Mining, and Safety (Division/DRMS). The inspection was completed in response to a Board Ordered Amendment Application (AM-1), received by the Division on February 27, 2024. The application was deemed complete for the purpose of filing on June 14, 2024. The site was previously inspected by the Division on June 27, 2023, in response to public inquiries related to mining activities at the site. As a result of the June inspection the Division found a possible violation that resulted in a Mined Land Reclamation Board hearing determining that the Operator had affected land outside the permit boundary. Along with this pre-operation inspection the Division also performed an acreage release inspection (AR-1), details of which are in another inspection report. The Division met with Ken Coulson with Coulson Excavating Company, Inc. and Peter Wayland with Weiland, Inc, representing the Applicant/Operator in the morning. In the afternoon the Division met with Linda O'Brien and Dan Giroux.

This is a 112c operation permitted for 79.80 acres. The permit was for the mining of sand and gravel for construction materials and all mining activities are complete. The permit is located on multiple properties that are owned by Randy Kirtright, Linda O'Brien and Colorado Department of Transportation (CDOT). The permit is in Larimer County. The approved post-mining land use is pasture and wildlife habitat. A mine sign was observed near the entrance to the mine as required by Rule 3.1.12.

Currently, the site consists of multiple irregular shaped pond areas. In the southwestern corner of the permit, on property owned by Randy Kirtright, is the Pre-1981 pond area and is allowed to have 0.79 acres of exposed groundwater, according to the 2024 approved Substitute Water Supply Plan (SWSP). Pond 1, also on Randy Kirtright's property, is about 1 acre in size and is currently proposed to be backfilled to eliminate exposed groundwater. Pond 1 is linked to the Pond 2 area via a narrow steep sided ditch. Pond 2 is located on property owned by the O'Brien Trust. This area is approximately 3 acres in size and has 1.25 acre pond located in the southern area. Pond 3 is approximately 7.4 acres in size and is on land owned by Randy and the O'Brien Trust. Pond 4 is on land owned by Randy and is 10.2 acres in size.

The currently approved permit was to allow for the exposure of groundwater in Ponds 1-4 pending permanent and final augmentation through Water Court. However, during the Water Court proceedings it was determined that the Operator needed to backfill Pond 1 to achieve final augmentation. During the backfilling of Pond 1 the Operator disturbed areas outside the approved permit boundary and a violation was found by the Mined Land Reclamation Board (MLRB/Board). The Board Ordered the Operator to amend the current permit boundary to incorporate the areas that were disturbed outside the permit boundary into a new permit boundary. The Operator has submitted that amendment as described above.

AM-1 proposes to backfill the remaining portions of Pond 1 and narrow ditch up to the O'Brien property line.

Currently, no activity is proposed to occur on the O'Brien property. However, during the inspection the Division noted several stretches along the Pond 2 area where the reclaimed pond slopes are steeper than the required 3H:1V slope. It appears that Randy during the process of leveling out a portion of his land west of Pond 2 has encroached into Pond 2 and created slopes that 1H:1V or steeper. The slopes along the southern portion of Pond 2 are not at the required slope but are well vegetated and appear stable. The slopes along the road that is between Ponds 2 and 3 are also steeper than the required slope and appear to be stable but not

well vegetated. Additionally, there is a corrugated plastic culvert that has been installed under this road that joins Ponds 2 and 3. It is unclear the purpose of this culvert and does not appear to be functioning. Reclamation of the side slopes of Pond 2 and addressing the culvert will have to be managed through the amendment that is under review.

Pond 3 is a shallow pond that has established vegetation around its banks. There appear to be some banks that are steeper than the required slope, but no excessive erosion of the banks was noted.

Pond 4 appears to be deeper than Pond 3 but, like Pond 3, it has some banks that appear to be steeper than the required 3H:1V. Vegetation is well established along the banks and no areas of excess erosion were noted. However, there are four areas along the banks of the eastern shoreline where someone has used a piece of equipment, likely an excavator, to remove established vegetation to the waterline and backfilled the areas with surrounding soil. These areas are very susceptible to erosion and will need to be reclaimed to establish vegetation and to prevent excess erosion.

In the southwestern corner of the Pond 4 area is the location of a future home site for Randy Kirtright. At the time of writing this inspection report the Division has been informed that Larimer County has approved a building permit for this location. Additionally, the Division was made aware that Mr. Kirtright dug a hole in this location and buried a large pile of dead vegetation. This is the same location where the Division noted, in 2022, soil piles had been stockpiled. The piles have since been graded out and now there is a raised area that is approximately 3 feet in height and covers approximately 0.1 acres. The piles came from a berm that was constructed at the north end of Pond 4 in 2021. It was determined that the berm, to prevent flooding of the pond, would direct flooding onto the O'Brien property. The berm material was removed by the Operator and placed in its current location.

During the inspection the Division noted there are three isolated piles of gravel material in the area north of the currently approved and proposed permit boundary. Two of the piles (Pile 1 and 2) are on the easternmost property owned by Randy Kirtright and the other (Pile 3) is on the O'Brien property. Two of the piles (Pile 1 and 3) are north of the proposed/current permit boundary. The other (Pile 2) appears to be on the proposed/current permit boundary. A review of historic aerial imagery, using Google Earth and the Larimer County Assessor's website, shows that these piles were generated during mining operations at the Kirtright Pit that occurred outside the approved permit boundary. Please see Attachment 1. The Operator will have to include these piles and areas affected by mining into the revised permit boundary. After this inspection the Division issued Adequacy Review #3 addressing this concern and others.

Also, the Division was presented with two different scenarios about how the site floods, specifically the flood in 2023. The Operator stated that the site floods when Big Thompson River water backs-up along the drainage swale along the western boundary of the site, on CDOT property, until it overtops the road, near the mine access point, and flows into the site near the area where Pond 1 is located. Ms. O'Brien states that the site floods when river water enters the site from a low area located in the northeastern corner of the eastern parcel adjacent to the Stroh Pit. Clarification of this item is also being sought through Adequacy Review #3.

Vegetative success throughout the site varied. The ponds are mostly surrounded by native willows and cottonwood trees with some grasses and shrubs filling in the gaps. As identified in the report though, some portions along the eastern shore of Pond 4 had been disturbed and will need new vegetation reestablished. The vegetation in the northern portion of the permit appeared sparse with some native grasses and rabbit brush

throughout. The soil appeared sandy and not ideal for facilitating a dense grass ecosystem that could support pastureland. This portion of the site may need additional reclamation work. A single tamarisk stand was identified west of Pond 3, but the Division did not observe any other noxious weeds throughout the site.

No reclamation work or revegetation has occurred in the Pre-1981 disturbance area. It appears that some portions of this area will need to be reclaimed, but the Division is awaiting details of this in the AM-1 adequacy review.

The Division continues to review AM-1 and will calculate the required financial warranty based on responses to review items.

Photographs taken during the inspection are attached.

If you need additional information or have any questions, please contact me by email at patrick.lennberg@state.co.us.

Inspection Contact Address

Ken Coulson
Coulson Excavating Company, Inc.
3609 North County Road 13
Loveland, CO 80538

cc: Jared Ebert DRMS
Joel Renfro, DRMS

Attachment 1: Time Series Photographs of Area North of Permit Boundary

ec: Ken Coulson, Coulson Excavating Company, Inc., ken@coulsonex.com
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Dan Giroux, TerraMax, Inc., DanGiroux@terramax.us

PHOTOGRAPHS



Photo 1: Mine sign located on the scale house near the mine entrance



Photo 2: Scale and house will be removed as part of final reclamation activities



Photo 3: CDOT release area, AR-1, (center left) and topsoil stockpile (center right)



Photo 4: Southern tip of topsoil stockpile, disturbed area not part of release area



Photo 5: Backfilled portion of Pond 1 area, open water portion is center background of photo



Photo 6: Open water portion of Pond 1



Photo 7: Looking SE across the Pre-1981 area



Photo 8: Looking south across the Pre-1981 area



Photo 9: Looking NW across the Pre-1981 area



Photo 10: Looking north across the Pre-1981 area from near Lacy Lane



Photo 11: Narrow steep sided ditch that joins Ponds 1 and 2, planned to be backfilled



Photo 12: Northern portion of Pond 2 looking east



Photo 13: Material has been pushed into the Pond 2 area with steep side slopes prone to erosion, looking north



Photo 14: Material has been pushed into the Pond 2 area with steep side slopes prone to erosion, looking south



Photo 15: Looking north from the SW corner of Pond 4, grade out topsoil material center right of photo



Photo 16: Grade out topsoil material



Photo 17: Pond 4 area looking east



Photo 18: Typical area where vegetation and soil has been removed to waterline on Pond 4



Photo 19: Typical debris pile from material removed to waterline on Pond 4



Photo 20: Northern end of Pond 4 where the berm was constructed in 2021 and removed in 2022



Photo 21: Pile #2 on or very near the currently approve permit boundary



Photo 22: Pile #2 with permit boundary marker



Photo 23: Pile #3 looking west



Photo 24: Pile #1 looking north



Photo 25: Typical shoreline conditions of Pond 3 along the north end



Photo 26: Looking NE across Pond 3

Attachment 1

Kirtright Pit M-1986-123

Aerial Image 1999

2025

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
- M1986123 Kirtright
- Pile
- Pond 2 1.25 acres
- Pond 3 5.93 acres
- Pond 4 9.41 acres
- Proposed AM-1 Permit Boundary

M1986123 Kirtright

Pile 1 2014

Pile 1 2006

Pile 2

Pile 3

Google Earth

Image U.S. Geological Survey

900 ft

N



Larimer County Image 2002

Kirtright Pit M-1986-123

Aerial Image 2004

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
- M1986123 Kirtright
- Pile
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- Pond 3 5.93 acres
- Pond 4 9.41 acres
- Proposed AM-1 Permit Boundary

M1986123 Kirtright

Pile 1 2014

Pile 1 2006
Pile 2

Pile 3

Google Earth

Image USDA/FPAC/GEO

900 ft

N

Kirtright Pit M-1986-123

Aerial Image 2005

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
- M1986123 Kirtright
- Pile
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- Pond 4 9.41 acres
- Proposed AM-1 Permit Boundary

M1986123 Kirtright

Pile 1 2014

Pile 1 2006
Pile 2

Pile 3

Google Earth

Image USDA/FFAO/GEO

900 ft

N

Kirtright Pit M-1986-123

Aerial Image 2006

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
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- Proposed AM-1 Permit Boundary

Pile 1 2014

Pile 1 2006
Pile 2

Pile 3

M1986123 Kirtright

Google Earth

Image © 2025 Maxar Technologies

900 ft

N



Larimer County Image 2009

Kirtright Pit M-1986-123

Aerial Image 2012

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
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- Proposed AM-1 Permit Boundary

M1986123 Kirtright

Pile 1 2014

Pile 1 2006
Pile 2

Pile 3

Google Earth

Image USDA/FFAC/GEO

900 ft

N

Kirtright Pit M-1986-123

Aerial Image 2014

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
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M1986123 Kirtright

Pile 1 2014

Pile 1 2006
Pile 2

Pile 3

Google Earth

Image USDA/FPAC/GEO

900 ft

N

Kirtright Pit M-1986-123

Aerial Image 2025

Legend

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Pile 1 2014

Pile 1 2006

Pile 2

Pile 3

M1986123 Kirtright

Google Earth

Image © 2025 Airbus

900 ft

N