




**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> Lupton Meadows Gravel Mine	<b>MINE/PROSPECTING ID#:</b> M-2016-076	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Weld
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> March 20, 2025	<b>INSP. TIME:</b> 11:30
<b>OPERATOR:</b> BURNCO Colorado, LLC	<b>OPERATOR REPRESENTATIVE:</b> Joel Bolduc	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$1,921,500.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Nikie Gagnon	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> May 27, 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:** Revegetation

**PROBLEM:** There are state-listed noxious weeds present on site. This is a problem for failure to employ weed control methods for state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule.

**CORRECTIVE ACTIONS:** Implement approved weed control plan and provide proof to the Division that this has been done.

**CORRECTIVE ACTION DUE DATE:** 6/27/2025

**OBSERVATIONS**

The Lupton Meadows Gravel Mine was inspected by Nikie Gagnon, representing the Division of Reclamation, Mining and Safety (Division), as part of the Division's normal monitoring inspection program. Joel Bolduc, representing BURNCO, accompanied the Division during the inspection. The site is located approximately 3 miles north of Ft. Lupton on Weld County Road 25 (WCR 25), approximately 1.6 miles north of the intersection with Highway 18.

### General Mine Plan Compliance:

The Lupton Meadows operation permit area is 100.10 acres. The post mining land use is developed water resources surrounded by upland pasture. A single slurry wall surrounds the four mining pit areas. The final configuration will leave two reservoirs on the east side of WCR25 and two reservoirs on the west side.

### **East Mining Area**

The East Mining Area on the east side of WCR 25 contains two mined pits, a 13.7 acre pit on the south end and an 8.5-acre pit on the north end. Mining is complete in this area. The slopes of the pits were graded to 3:1, however, since reclamation activity in this area stalled, erosion rills are developing on the graded slopes. Deeper rills will need to be repaired prior to topsoiling and seeding. Based on the soil color observed along the top of the south reservoir, stockpiled topsoil was placed around the top of the reservoir; however, other than annual weeds, no desired vegetation is growing on the slope or in the upland areas. Coniferous trees have been planted on the south end.

Around the north reservoir, small (2-ft) topsoil/overburden berms were observed above the slope indicating topsoil has not been placed. Water was observed in the pit. Two spillways are depicted on the approved reclamation plan map. As of the date of this inspection, the spillways have not been installed.

According to the approved 2016 Reclamation Plan, finish grading to 3:1 slope, topsoil placement (minimum of 6 inches) and drill seeding (with approved seed mix) will occur once the resource is completely removed. Each phase will be completed within one to two years from the completion of mining. Based on Division records, mining of the east side was complete in 2021 and only stockpiles of material remained in the pits at that time. During this inspection, the Division observed that the stockpiles have been removed. Therefore, in accordance with Rule 3.1.3, the operator needs to complete grading/repair of the reservoir slopes and complete reclamation of the east area according to the approved plan with all reasonable diligence.

### **West Mining Area**

The West Mining Area on the west side of WCR 25 contains two mining pits, a 26.5-acre pit on the north end and a 25.1-acre pit on the south end. During this inspection, mining activity was observed in both pits. The Division observed a couple of excavators, a haul truck, a loader, a small dozer, a water truck, and a couple of pickups on site.

A 5-acre clay lined water reservoir was observed in the southeast corner of the west side. According to the Operator, the clay liner will be removed during reclamation leaving a single 25.1-acre reservoir on the south side. A portable truck scale and Conex storage box was observed at the entrance to the west side. No concrete foundations for an office or scale were observed. Processing equipment was stored on the west end of the south pit; however, it wasn't set up for use.

During the inspection, Mr. Bolduc informed the Division that an oil and gas well on the north side of the west area was removed and they are currently mining the pad out to enlarge the reservoir. **Prior to seeking a release of the west area, the Operator will need to submit a Technical Revision to update the reclamation plan to show the final configuration of the northwest reservoir.**

Once the mining resource is completely removed from the west side, the operator shall begin final reclamation with all reasonable diligence. The reservoirs shall be sloped to a 3:1 ratio and graded, topsoiled (minimum of 6 inches), and drill seeded with the approved seed mixture. No trees are proposed in the West

Mining Area. Additionally, the reclamation plan depicts two spillways to be installed on the west side of the reservoirs in this area.

#### Topsoil

Topsoil/overburden berms were observed along the northern permit boundary in the west mining area. The berm appeared stable. During the inspection, the operator stated they plan to import topsoil to ensure that there is a minimum of 6 inches of growth medium on the disturbed areas.

#### Hydrology:

During this inspection, the Division observed water in three of the mined pits and in the 5-acre clay lined reservoir. The Substitute Water Supply Plan (WDID 0202659) approved through December 31, 2025 covers 13.1 acres of exposed water inside the slurry wall lined pits and 3 acre-feet/yr for the consumption of water used for dust control. This is consistent with observations during this inspection. A water truck was observed in the pit on the west side. The operator also has an approved well permit, No. 80683-F.

#### Noxious Weeds

The Division observed annual weeds across the site. Additionally, common Mullein was observed on pit slopes on both sides of WCR 25. Common mullein is a List C noxious weed. The approved weed plan states that the operator will control weeds via mechanical methods or herbicides. **As noted in the Problem listed above, the Operator shall implement the approved weed control plan and provide proof to the Division that this has been done by the corrective action date.**

#### Financial Warranty

The Division holds a \$1,921,500.00 corporate surety for the site. The financial warranty was reviewed as a part of the inspection and the Division has determined the bond is adequate.

#### Signs and Markers:

A mine sign was posted at the entrance in the northwest corner, as required by Rule 3.1.12(1). A barbed wire fence was installed around site. Red plastic markers were observed marking the edge of the slurry walls.

This concludes the Division's Inspection Report; a subset of photographs taken during the time of the inspection are included below. If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at 720-527-1640 or by email at [nikie.gagnon@state.co.us](mailto:nikie.gagnon@state.co.us).



## PHOTOGRAPHS



Photo 1: Looking at East Mining Area, south pit. Slopes graded to 3:1.

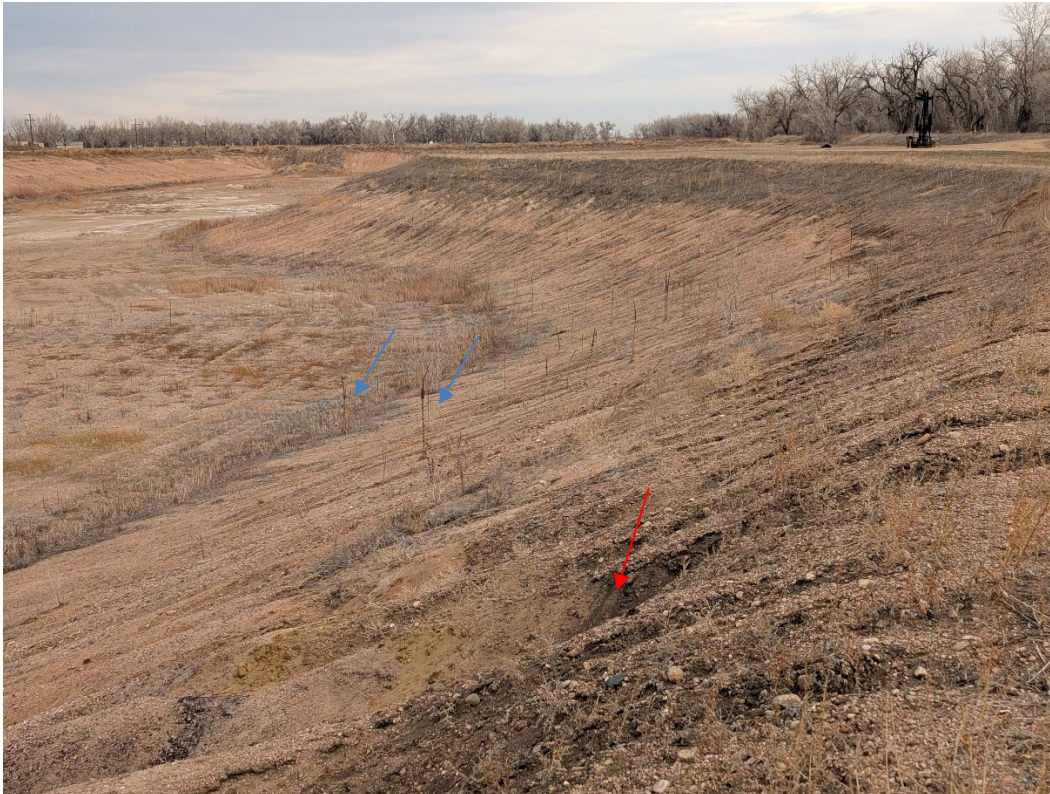


Photo 2: Topsoil replaced along the top 3 feet of the south reservoir (East Mining Area). Annual weeds and Common mullein noted on the slopes (blue arrows). No desired vegetation here. Erosion rills developing along the slopes (red arrow).





Photo 3: Looking along the southern end of the south reservoir in the East Mining Area. Cottonwood trees planted along the boundary (blue arrows).



Photo 4: Looking south across the north reservoir in the East mining area.





Photo 5: Looking at the topsoil berm above the north reservoir in the East Mining Area (red arrows. Red plastic stake marks the slurry wall (blue arrow)



Photo 6: Looking at the portable scale house and Conex storage box in the West Mining Area, near the entrance to the site.





Photo 7: Looking south down the eastern boundary of the West Mining Area. Barbed wire fence surrounds the permit area.



Photo 8: Looking southwest across the north pit in the West Mining Area.





Photo 9: Looking north at the excavation work in the north pit where the former oil and gas well pad was located.



Photo 10: Looking northwest at the north pit in the West Mining Area. Overburden stored in a berm at the top of the slope.





Photo 11: Looking along the northern permit boundary. Topsoil stored in a berm (red arrows). Red plastic stakes mark the slurry wall (blue arrow).



Photo 12: Looking at the north pit from the southwest corner. Annual weeds and Common mullein observed across the pit.





Photo 13: Looking at active mining in the south pit in the West Mining Area from the northwest corner. Dewatering sump located in this area.



Photo 14: Looking north along the western boundary of the south pit in the West Mining Area. Processing equipment stored within the permit area on the west end (red arrows).





Photo 15: Looking northeast across the south pit in the West Mining Area. Active mining here.



Photo 16: Looking east along the south boundary of the permit area on the west side.



Photo 17: Mine sign located at the entrance to the West Mining Area.





Figure 1: 2023 Google Earth Imagery depicting the 100.10 acre permit boundary.

### 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>Y</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</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>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION-- <u>Y</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



**Inspection Contact Address**

Joel Bolduc  
BURNCO Colorado, LLC  
10100 Dallas St  
Henderson, CO 80640

CC: Jared Ebert, Senior EPS, DRMS