



COLORADO

Division of Reclamation,
Mining and Safety


Department of Natural Resources

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: Tezak No 2 Pit	MINE/PROSPECTING ID#: M-1981-080	MINERAL: Sand and gravel	COUNTY: Fremont
INSPECTION TYPE: Monitoring	WEATHER: Cloudy	INSP. DATE: June 24, 2025	INSP. TIME: 13:00
OPERATOR: Tezak Stone & Aggregate Supply, Inc.	OPERATOR REPRESENTATIVE: Mr. Mike Tezak & Mr. Nathan Tezak	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$55,535.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Jocelyn Carter	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: August 1, 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: Gen. Compliance With Mine Plan

PROBLEM #1: The current mine plan and reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). The operator must provide sufficient information to describe or identify how the operator intends to conduct the operation with the respect to the following issues:

- 1) The financial warranty is no longer adequate for fulfilling the requirements of the reclamation plan, per Rule 4.2.1(1).
- 2) Two concrete pads have been installed on the permit area, these structures are not described in the approved mining plan in accordance with Rule 6.4.4(a).
- 3) There are two road sections that are not described in the approved mining plan in accordance with Rule 6.4.4(j).
- 4) Annual reports stated that the topsoil stockpile had been moved. It was observed that an additional topsoil stockpile was salvaged on site. Changes in topsoil stockpile require Division approval through a Technical Revision request, per Rule 3.1.9(4).

CORRECTIVE ACTIONS: The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mine plan, mining plan map, and reclamation plan map to reflect existing and proposed activities by the corrective action date, addressing the four issues outlined.

CORRECTIVE ACTION DUE DATE: 9/15/25

OBSERVATIONS

The Tezak No 2 Pit, Permit No. M-1981-080, was inspected by me, Jocelyn Carter, on behalf of the Division of Reclamation, Mining, and Safety (Division/DRMS). The permittee for the operation is Tezak Stone & Aggregate Supply, Inc. (TSAS), Messrs. Nathan and Nick Tezak were present on behalf of TSAS. The weather conditions at the time of the inspection was partially overcast with warm temperatures. The inspection was conducted for routine monitoring.

Tezak No 2 Pit is located at the intersection of U.S. Highway 50 (US 50) and County Road 37 (CR 37), approximately 3 miles west of Texas Creek in Fremont County. The site is situated in the Big Horn Sheep Canyon and is directly adjacent to US 50 with the Arkansas River is directly on the other side of the highway. The operation is permitted for 19.3 acres and extracts sand and gravel for road base and paving operations. The operation is dry and does not involve blasting of rock to generate aggregate.

At the time of the inspection, active mining was not occurring on the site and no material was observed to be transported from the site. Equipment was observed to be on the eastern pit floor: two wheel loaders, an excavator, a motor grader, and four trailers of different types.

There are four issues identified in this inspection report: 1) an inadequate required financial warranty, see the **Financial Warranty** below for details; 2) new concrete pads were observed to have been installed on site, see the **Processing Facilities** section below for details; 3) there are two additional road segments observed to be in the permitted area, see the **Roads** section below for details; 4) the location of the topsoil stockpiles were observed to be in different locations than shown on the approved mining plan map, see the **Topsoil** section below for details. All four items will be addressed through one problem citation, Problem #1, under General Mining Compliance; see **Problem #1** above for the details of the required corrective action and due date.

Records

The permit is up to date with annual reports, maps, and fees. There are no open enforcement or minor infraction issues for the permit. The landownership and mineral rights are privately owned. The post-mining land use is rangeland.

Hydrological Balance

There does not appear to be an issue with the hydrologic balance in the area. The settling pond located north of the access road is in good condition with no erosional issues observed.

General Mine Plan Compliance

A problem is being cited for general mining compliance in this inspection report. The problem is addressing four issues that were identified here and will address them collectively. See the red highlighted sections below for information about the issues observed and **Problem #1** above for information about the required corrective action and due date.

Signs and Markers

The mine sign was posted on the north side of the access road, along US Hwy 50 and CR 37, see Photo #1. The permit boundary was marked by T-posts, painted with white tops, see Photo #2.

Financial Warranty

The current amount of the bond being held by the Division is \$55,535.00. An update to the bond calculation was completed as part of this inspection and the bond amount is inadequate for the required reclamation costs. The updated costs, using the amounts used to calculate the required financial warranty during the 2028 CN-01

application process, was calculated and found to be \$114,867.00. This amount is not considered accurate due to the issues identified in this report. A more accurate required financial warranty will be calculated with the subsequent required Technical Revision for the corrective action given for Problem #1 above.

Processing Facilities

There is a scale with a concrete pad, a recessed concrete loading ramp, and two concrete pads, one with an elevator/hopper on it, located just south of CR 37. According to Mr. Tezak, the elevator/hopper setup is for loading concrete. The two concrete pads associated with the cement loading area appear to be in good condition, see Photos #3 and #4. There is no indication that the two cement pads were to be constructed and therefore no information regarding the reclamation requirements to fit the post-mining land use of rangeland. Details about the concrete pads will need to be provided in the Technical Revision. This issue is being cited as a **General Mining Plan Compliance, Problem #1.**

Fish & Wildlife

There did not appear to be a negative impact on wildlife in the area.

Stormwater Management Plan

The stormwater management plan appears to be in place and effective for the site at the time of the inspection.

Erosion/Sedimentation

There was no indication of issues with erosion or sedimentation on site.

Off-site Damage

The operation is contained within its approved permit boundary. The operator does have a construction company as well and there are some construction materials, including I-beams, that are stored on the land, see Photo #5. This is non-mining related and not considered to be affected lands per Rule 1.13.

Roads

The haul road through the active mining area appears to be stable and in good condition with no erosional issues. There are several roads that are within the permitted area that do not appear to be associated with the mining operation. CR 37 is shown on the mining map and reclamation map to be in place and to remain in place after reclamation activities. Off of CR 37, there appears to be a two-wheel track that leads to a neighboring resident to the south and a more established road that leads to the operator's shop area to the northwest. According to Messrs. Nathan and Mike Tezak, these two road sections will remain in place after mining and reclamation activities and are not associated with the mining operation. This issue is being addressed through the Mining Plan Compliance **Problem #1.**

Topsoil

There were two observed topsoil stockpiles, both located along the southern permit boundary on the western half of the permit area, see Photos #6 and #7. The topsoil stockpiles appear to be adequate in size with well vegetated slopes. It does not appear that topsoil stockpiles have been disturbed or re-located. However, there is a discrepancy between where they are located on site versus where they are shown on the approved mining plan map. This issue is cited through the Mining Plan Compliance Problem #1.

Revegetation

There did not appear to be a problem with the presence of noxious weeds on the permitted area.

Photos taken during the site visit are provided below. Any questions regarding this inspection and inspection report should directed to me by email at Jocelyn.carter@state.co.us or by phone at (720) 666-1065.

PHOTOGRAPHS



Photo #1: Mine sign posted on the west side of the access road at the intersection of US 50 and CR 37.



Photo #2: Example of a permit boundary marker viewed in the southeastern portion of the permit area. The white-top T-post behind the wired fence is the boundary marker.



Photo #3: View of the scale house and scale, looking to the east.



Photo #4: View of the elevator/hopper used for cement loading with a concrete pad, looking to the southeast.



Photo #5: View of the construction materials, including I-beams, being stored on the southeastern portion of the permit boundary.



Photo #6: View of the topsoil stockpile located at the far western side of the permit area, along the southern boundary, looking west.



Photo #7: View of the pit floor and some of the equipment that was on site at the time of the inspection. The vegetated stockpile seen in the background on the left center of the picture is one of the topsoil stockpiles situated along the south permit boundary of the permitted area.



Photo #8: View of the most recent mined area on the northwestern portion of the permitted area. US 50 can be seen in the background.

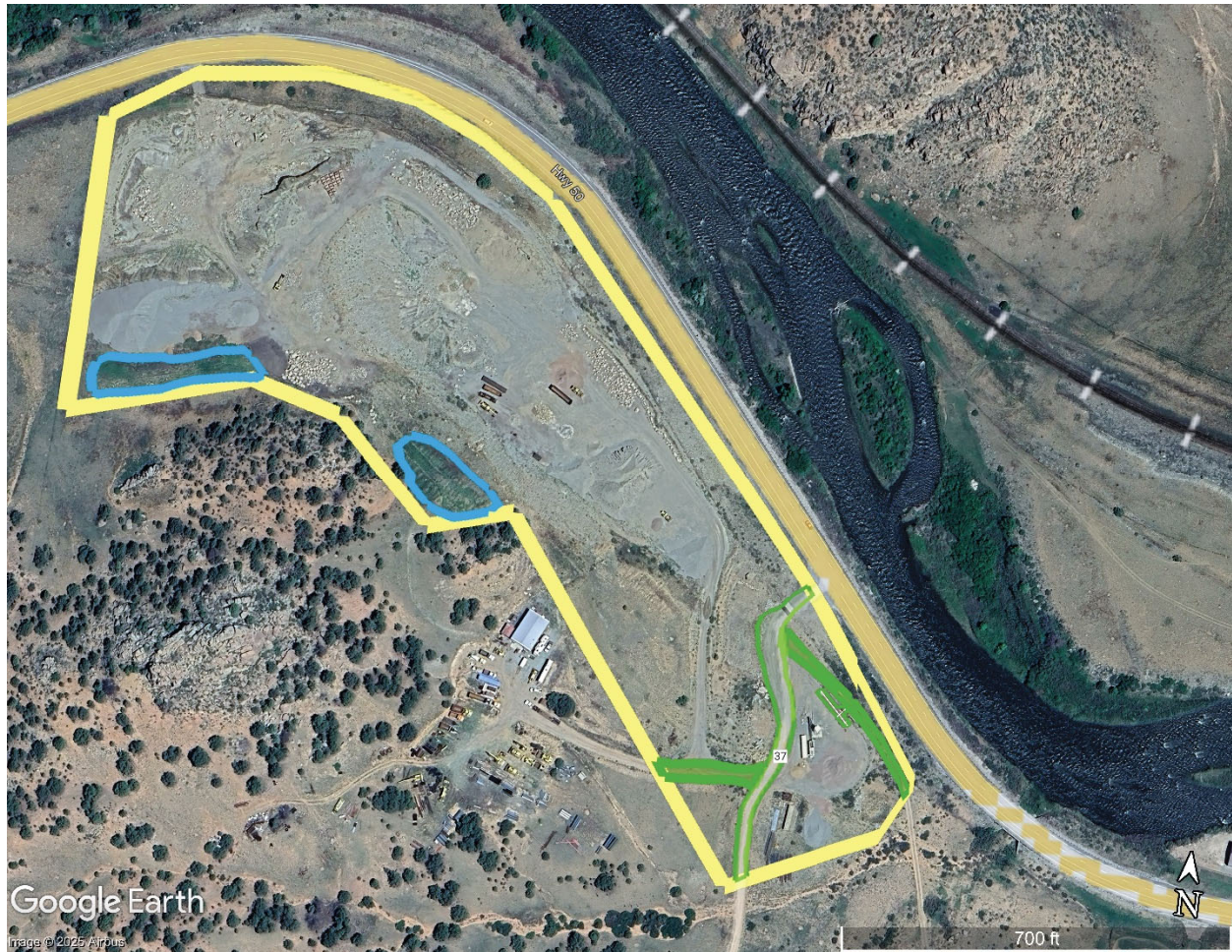


Figure 1: Satellite image of the permit area, the green areas show where the roads are in the southeastern portion of the permit area. The blue polygons show where the topsoil stockpiles were observed to be located during the site visit.

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>Y</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>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>PB</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN--- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>NA</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

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