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: Wet Canyon Mine	**MINE/PROSPECTING ID#:** M-2003-072	**MINERAL:** Sand and gravel	**COUNTY:** Las Animas
INSPECTION TYPE: Monitoring	**WEATHER:** Cloudy	**INSP. DATE:** July 24, 2025	**INSP. TIME:** 08:48
OPERATOR: Michael Browning	**OPERATOR REPRESENTATIVE:** Michael Browning	**TYPE OF OPERATION:** 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	**BOND CALCULATION TYPE:** Complete Bond	**BOND AMOUNT:** $13,200.00
DATE OF COMPLAINT: NA	**POST INSP. CONTACTS:** None	**JOINT INSP. AGENCY:** None
INSPECTOR(S): Amber Gibson Jared Ebert	**INSPECTOR'S SIGNATURE:** 	**SIGNATURE DATE:** August 18, 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: Noxious Weeds
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. Proof that weed control measures have been conducted, via photos and/or weed treatment receipts, shall be submitted to the Division by the corrective action date.
CORRECTIVE ACTION DUE DATE: 10/01/25

INSPECTION TOPIC: Signs & Markers
PROBLEM: The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule. The Operator shall, at the entrance of the mine site post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the

permit number.
CORRECTIVE ACTIONS: The Operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The Operator shall submit photo documentation that a proper sign has been posted by the corrective action date.
CORRECTIVE ACTION DUE DATE: 10/01/25

OBSERVATIONS

The Wet Canyon Mine was inspected by Amber Gibson and Jared Ebert with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was completed as part of the Division's routine monitoring inspection program. The site was previously inspected by the Division on October 1, 2020, as a routine monitoring inspection using aerial photos. Michael Browning (the Permittee/Operator) accompanied us during the inspection. The sky was partly cloudy, and the weather was warm.

The Wet Canyon Mine is located in Las Animas County, approximately 21 miles northwest of Trinidad, Colorado. The entrance to the site is via a private driveway located off the west side of County Road 31.9. The site is permitted as a 9.9-acre 110c Construction Materials Limited Impact Operation Permit. The primary commodity that was mined at the site was sand and gravel. The approved post-mining land use is rangeland.

Backfilling and Grading, Revegetation, and Reclamation Success:
The last reported date of mining activity is August 15, 2013. This site has been in final reclamation for over a decade. Except for the highwall separating the upper and lower shelves of the operation, the slopes have been backfilled and graded to a 3H:1V slope or shallower. At the time of the inspection, the Division observed that the highwall appeared to recently have been backfilled and graded, except for a small vertical section in the center (See photos 1-4). The Operator stated that they had a contractor grade and backfill the highwall slopes a week prior to the inspection, and that they were expecting them to be onsite later that day to continue working. The small vertical section of highwall is all that remains of the slopes that need to be backfilled and graded around the site.

Other than the freshly graded highwall, the site has been topsoiled and revegetated. Overall, the vegetation growing on the site is dense, diverse, and primarily composed of desirable species. There is a variety of grasses, shrubs, and even trees growing throughout the site (see Photos 4-7). On the upper shelf, there are some sparse areas that may require re-seeding. Unfortunately, there are patches throughout the site where noxious weeds have begun to establish (see Photos 4-5). Both the state listed noxious weeds Common Mullein (C-listed) and Canada Thistle (B-listed) were observed onsite. This has been cited as a problem above. The Operator shall treat and/or remove the noxious weeds, and submit photo evidence of having done so, by the corrective action date.

The Division observed a small pile of debris near the south side of the disturbed area (Photo 8). The Operator stated that they had had a camper within the area that was flattened for a house, on the west side of the upper shelf (Photo 9). The camper had been destroyed by trespassers, and the remnants are temporarily being stored onsite. The Operator is aware that this material must be removed prior to the permit being eligible for final release.

Hydrologic Balance and Sediment Control:
Erosion gullies were observed throughout areas within the upper shelf (see Photos 10-13). The sediment run-off generated from the erosion is contained on site. No signs of stormwater runoff or sediment deposition having left the site were observed during the inspection. No standing water was observed onsite at the time of the inspection.

The Operator was instructed to regrade and stabilize the area along the north side of the disturbance (where the upper and lower shelves connect), as a deep erosion gully has formed there (Photos 12-13). Small piles of material were observed within the upper shelf area that may be used to fill in any deep erosional cuts (see Photos 14-16).

Signs and Markers:
A mine sign is no longer posted at the site. This has been cited as a problem above. The Operator shall post a mine sign that complies with Rule 3.1.12(1), and submit a photo to the Division, by the corrective action date. There are t-posts posted around the site marking the permit boundary. The markers appear to be posted in compliance with Rule 3.1.12(2).

Financial Warranty:
The Division has reviewed the financial warranty and has determined that the $13,200 currently held adequately covers the remaining reclamation liability at the site.

Conclusion:
This concludes the Division's Inspection Report; a map displaying topics discussed during the inspection, and a subset of corresponding photographs that were taken during the time of the inspection, are included below. If you need additional information or have any questions, please contact me by email at amber.gibson@state.co.us or by telephone at (720) 836-0967.

Inspection Contact Address
Michael Browning
16503 CR 31.9
Weston, CO 81091

CC: Jared Ebert, DRMS

Enclosures: *Noxious Weed Sheet – Common Mullein*
Noxious Weed Sheet – Canada Thistle

GENERAL INSPECTION TOPICS

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

(AR) RECORDS---------- N	**(FN) FINANCIAL WARRANTY-------- Y**	**(RD) ROADS---------- N**
(HB) HYDROLOGIC BALANCE---------- Y	**(BG) BACKFILL & GRADING---------- Y**	**(EX) EXPLOSIVES--------- N**
(PW) PROCESSING WASTE/TAILING---- N	**(SF) PROCESSING FACILITIES------- N**	**(TS) TOPSOIL---------- N**
(MP) GENL MINE PLAN COMPLIANCE- N	**(FW) FISH & WILDLIFE---------- N**	**(RV) REVEGETATION---- PB**
(SM) SIGNS AND MARKERS---------- PB	**(SP) STORM WATER MGT PLAN---- N**	**(RS) RECL PLAN/COMP-- Y**
(ES) OVERBURDEN/DEV. WASTE--------- N	**(SC) EROSION/SEDIMENTATION--- Y**	**(ST) STIPULATIONS------- N**
(AT) ACID OR TOXIC MATERIALS------- N	**(OD) OFF-SITE DAMAGE----------N**	

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

PHOTOGRAPHS

Photo 1: Looking northwest at the lower shelf area. The excavator highlights the recent backfilling and grading work done along the highwall separating the upper and lower shelves.

Photo 2: All that remains of the highwall that needs to be graded to a 3H:1V slope.

Photo 3: Looking north at a section of highwall that has been graded to a 3H:1V.

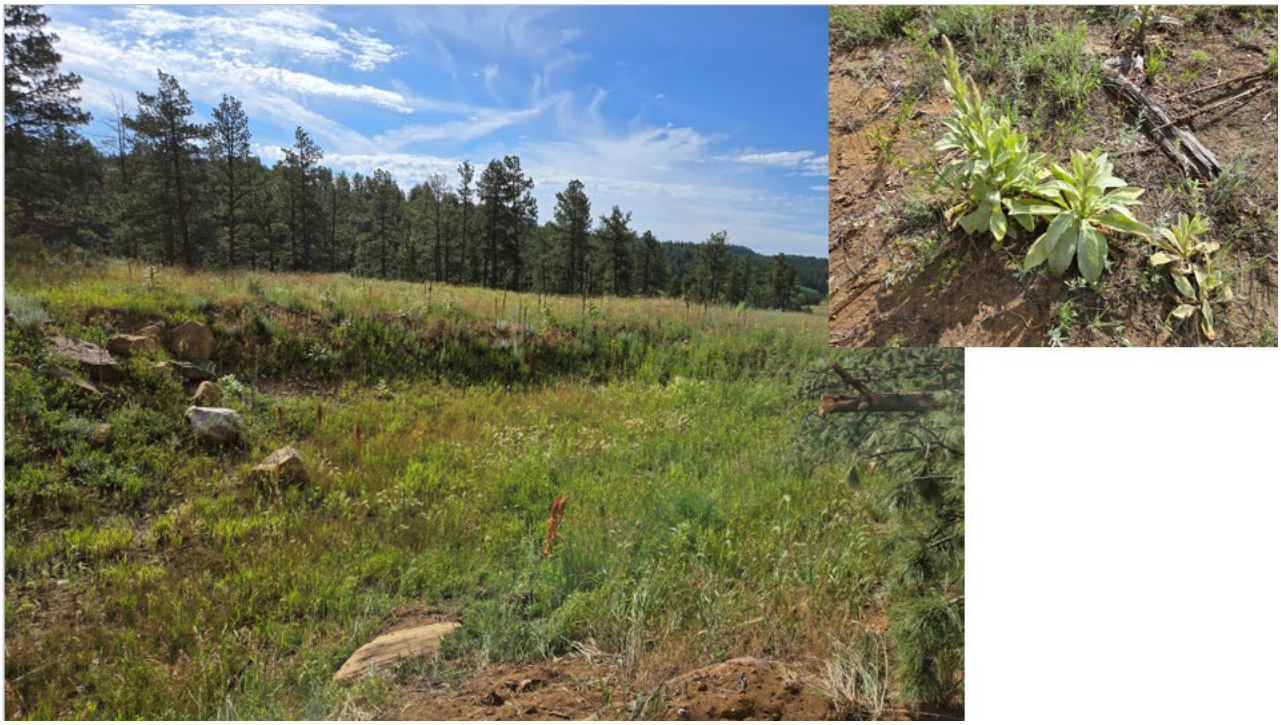


Photo 4: Looking at the dense vegetation established onsite. The small photo, and the stalks within the photo on the right, indicate the presence of common mullein on site.

Photo 5: Canada thistle established in patches in small areas within the site.

Photo 6: Looking north at the revegetation within the upper shelf area.

Photo 7: Trees beginning to grow along some of the sparsely vegetated areas.

Photo 8: Debris from the destroyed camper, placed along the southside of the disturbed area.

Photo 9: Looking northwest at the area that had been flattened for building a house, not associated with the mining operation. The Operator stated that they no longer intend to put a house within this area.

Photo 10: Looking at where sediment accumulation from stormwater runoff is contained onsite through the use of perimeter berms.

Photo 11: Looking at an area within the upper shelf where some erosion is occurring that needs to be re-stabilized and re-seeded.

Photo 12: Looking east at the deep erosion gully that has formed between the upper and lower shelves, requiring re-grading and stabilizing.

Photo 13: Looking west at the beginning of the deep erosion gully that has formed between the upper and lower shelves, requiring re-grading and stabilizing.

Photo 14: Material pile that may be used to fill erosional cuts.

Photo 15: Material pile that may be used to fill erosional cuts.

Photo 16: Material pile that may be used to fill erosional cuts.

Map 1: Inspection Report Map generated using Google Earth Pro. The labels for the inspection photo capture locations correspond with the inspection photo captions within this report.

Common mullein

Colorado Department of Agriculture

305 Interlocken Pkwy
Broomfield, CO 80021

(303) 869-9030
weeds@state.co.us

Key ID Points

Updated on:
08/09

Identification and Management

Identification and Impacts

Common mullein (*Verbascum thapsus*) is a biennial forb native to Europe and Asia. The first year of the plant it produces a basal rosette. Basal rosettes can grow to 30 inches in diameter. The leaves are light-green in color and are covered in fine soft hairs. The woolly leaves are alternate and overlapping each other and can grow over a foot long. In spring of the second year the plant bolts an erect stem, that grows 2 to 6 feet tall. The flowers of the plant are borne in terminal spikes. These terminal spikes may reach up to 20 inches in length. The flowers are sulfur-yellow in color and have five petals. The flowers range from 3/4 of an inch to 1 1/2 inches in diameter. Numerous two chambered fruits produce 100,000 to 250,000 seeds per plant. Flowering and seed production typical occur from June to August. The plant has a deep taproot along with a fiberous root system.

Habitats for Common mullein are roadsides, waste places, right-of-ways, pastures, hay fields, and abandoned lands. It prefers gravelly soil types, but can grow in other soil types. Livestock will avoid eating Common mullein, due to the hairy leaves of the plants. The plants were originally introduced as a medicinal plant. The Europeans used the flowers for tea, and the leaves for many remedies like burns and rashes. Both the Europeans and the Indians smoked the dried leaves to treat bronchitis.

The key to effective control of Common mullein is preventing the production of seeds. This plant is difficult to control due to the large amount of seed produced and seed bank left in the soil. Mechanical, cultural, biological and chemical treatments can be successful if utilized together in an integrated weed management plan. Details on the back of this sheet can help to create a management plan compatible with your site ecology.

Common mullein is designated as a "List C" species on the Colorado Noxious Weed Act. It is required to be either eradicated, contained, or suppressed depending on the local jurisdictions managing this species. For more information, visit www.colorado.gov/ag/weeds or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, 303-239-4100.

Photos © All Photos from Kelly Uhing, Department of Agriculture; Except Bottom left Mary Ellen (Mel) Harte, United States

Verbascum thapsus

Management Recommendations

Common mullein

CULTURAL
Cultural control can be effective in assistance with other treatment options. Once the parent plants have been removed, cultivating the area with desirable grasses and forbs may outcompete Common mullein seedlings. For specific seed recommendations contact your local Natural Resources Conservation Services for seed mixes.

BIOLOGICAL
Gymnetron tetrum, a seed eating weevil, biological control has been found in eastern Washington State and is currently working on populations there. The weevil has not yet been approved for use in Colorado. Contact the Palisade Insectary of the Colorado Department of Agriculture at 970-464-7916 for more information.

MECHANICAL
Hand pull or dig when soil is moist, prior to flowering and seed production can be effective. If flowers are present, bag specimens carefully so as not to scatter any potential seeds. The key to effective control is to prevent seed production and/or spread.

Integrated Weed Management:

Preventing the establishment and the seed production of Common mullein is key to controlling populations. If the population is established, using a combination of cultural, chemical, biological and mechanical treatments can aid in suppressing population size. Since plants produce thousands of seed treatments need to occur over an extended period of time.

HERBICIDES

NOTE: The following are recommendations for herbicides that can be applied to range and pasturelands. Rates are approximate and based on equipment with an output of 30 gal/acre. Please read label for exact rates. Always read, understand, and follow the label directions. The herbicide label is the LAW!

HERBICIDE	RATE	APPLICATION TIMING
Chlorsulfuron (Telar XP)	1-3 oz/acre	Apply to rosette stages in spring or fall prior to bolting. Add non-ionic surfactant @ 0.32 oz/gal water or 1 pt/100 gal water.
2,4-D Picloram (Grazon P+D *this is a Restricted Use Pesticide*)	4 pts/acre	Apply to rosette stages in spring or fall prior to bolting. Add non-ionic surfactant @ 0.32 oz/gal water or 1 pt/100 gal water. DO NOT apply near trees/shrubs/high water table.
Picloram (Tordon 22K *this is a Restricted Use Pesticide*)	1-2 qts/acre	Apply to rosette stages to early growth stages in spring or fall. Add non-ionic surfactant @ 0.32 oz/gal water or 1 pt/100 gal water. DO NOT Apply near trees/shrubs/high water table.
Metsulfuron (Cimmaron)	1.0 oz/acre	Apply to rosette stages in spring or fall. Add non-ionic surfactant @ 0.32 oz/gal water or 1 pt/100 gal water.

Canada Thistle Identification and Management

List B

Canada thistle (*Cirsium arvense*) is a non-native, deep-rooted perennial that spreads by seeds and aggressive creeping, horizontal roots called rhizomes. Canada thistle can grow 2 to 4 feet in height. The leaves are oblong, spiny, bright green, and slightly hairy on the undersurface. Unlike other noxious biennial thistles which have a solitary flower at the end of each stem, Canada thistle flowers occur in small clusters of 1 to 5 flowers. They are about 1 cm in diameter, tubular shaped, and vary from white to purple in color.

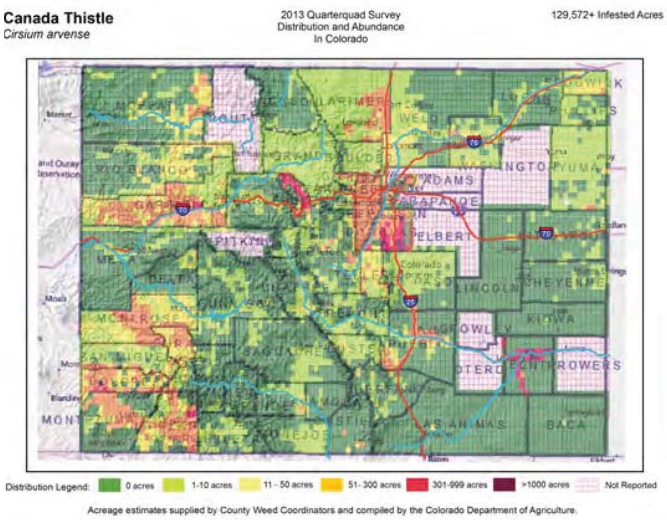
Canada thistle emerges from its root system from late April through May. It flowers in late spring and throughout the summer. It produces about 1,000 to 1,500 seeds per plant that can be wind dispersed. Seeds survive in the soil for up to 20 years. Additionally, Canada thistle reproduces vegetatively through its root system, and quickly form dense stands. Each fragmented piece of root, 0.25 inch or larger, is capable of forming new plants. The key to controlling Canada thistle is to eliminate seed production and to reduce the plant's nutrient reserves in its root system through persistent, long-term management.

Canada thistle is one of the most troublesome noxious weeds in the U.S. It can infest diverse land types, ranging from roadsides, ditch banks, riparian zones, meadows, pastures, irrigated cropland, to the most productive dryland cropland. Large infestations significantly reduce crop and cattle forage production and native plant species. It is a host plant to several agricultural pests and diseases. Canada thistle prefers moist soils, but it can be found in a variety of soil types. It has been found at elevations up to 12,000 feet.

Effective Canada thistle control requires a combination of methods. Prevention is the most important strategy. Maintain healthy pastures and rangelands, and continually monitor your property for new infestations. Established plants need to be continually stressed. Management options become limited once plants begin to produce seeds. Details on the back of this sheet can help to create a management plan compatible with your site ecology.

Canada thistle is designated as a "List B" species as described in the Colorado Noxious Weed Act. It is required to be either eliminated, contained, or suppressed depending on the local infestations. For more information visit www.colorado.gov/ag/weeds and click on the Noxious Weed Program link or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, (303) 869-9030.

2013 Quarter Quad Survey



Key ID Points

1. Cluster of 1-5 white to purple flowers on a stem.
2. Floral bracts are spineless.
3. Small flowers that are 1 cm in diameter.
4. Perennial, rhizomatous plant with spiny, oblong, green leaves.

Canada thistle

Cirsium arvense

List B

Canada thistle

Cirsium arvense

Integrated Weed Management Recommendations

Integrated weed management is imperative for effective Canada thistle control. This weed needs to be continually stressed, forcing it to exhaust root nutrient stores, and eventually die. Mowing or grazing can be followed up with herbicide application. Avoid hand-pulling and tilling which can stimulate the growth of new plants.

CULTURAL

Prevention is the best control strategy. Maintain healthy pastures , riparian areas, and rangelands. Prevent bare ground caused by overgrazing, and continually monitor your property for new infestations. Establishment of select grasses can be an effective control.

BIOLOGICAL

Cattle, goats, and sheep will graze on Canada thistle when plants are young and succulent in the spring. Follow up grazing with a fall herbicide application. Insects are available, and provide limited control. Currently, collection and distribution methods for Canada thistle rust (*Puccinia punctiformis*) are being refined. For more information on Canada thistle biocontrol, contact the Colorado Department of Agriculture - Palisade Insectary at (970) 464-7916.

MECHANICAL

Due to Canada thistle's extensive root system, hand-pulling and tilling create root fragments and stimulate the growth of new plants. Mowing can be effective if done every 10 to 21 days throughout the growing season. Combining mowing with herbicides will further enhance Canada thistle control.

CHEMICAL

The table below includes recommendations for herbicides that can be applied to rangeland and some pastures. Treatments may be necessary for an additional 1 to 3 years because of root nutrient stores. Always read, understand, and follow the label directions.

Herbicide	Rate	Application Timing
Aminopyralid* (Milestone)	5-7 oz. product/acre + 0.25% v/v non-ionic surfactant OR 1 teaspoon product/gal water + 0.32 oz./gal water	Apply in spring at the pre-bud growth stage until flowering and/or to fall regrowth. Can also add chlorsulfuron (Telar) at 1 oz./acre to the mix.
Clopyralid + Triclopyr (Prescott; Redeem; others)	3 pints product/acre + 0.25% v/v non-ionic surfactant OR 1.25 oz. product/gal water + 0.32 oz./gal water	Apply until flowering and/or fall regrowth.
Aminocyclopyrachlor + chlorsulfuron (Perspective)*	5.5 oz. product/acre + 0.25% v/v non-ionic surfactant	Apply to spring rosette to flower bud growth stage; or fall. IMPORTANT: Applications greater than 5.5 oz. product/acre exceeds the threshold for selectivity. DO NOT treat in the root zone of desirable trees and shrubs. Not for use on grazed or feed forage.
Note: *Product not permitted for use in the San Luis Valley.		
Additional herbicide recommendations for this and other species can be found at: **goo.gl/TvWnv9**		

Colorado Department of Agriculture - Conservation Services
305 Interlocken Parkway
Broomfield, CO 80021
(303) 869-9030
www.colorado.gov/ag/weeds

Updated:
07/2015