



STATE OF  
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

## C1981022, Elk Creek Mine, October Inspection Report

**Simmons - DNR, Leigh** <leigh.simmons@state.co.us>  
To: Doug Smith <Doug.Smith@oxbow.com>

Fri, Oct 31, 2025 at 4:31 PM

Attached

Leigh Simmons  
Environmental Protection Specialist



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11303K



### PERMIT INFORMATION

<b>Permit Number:</b> C-1981-022 <b>Mine Name:</b> Elk Creek Mine <b>Operator:</b> Oxbow Mining, LLC <b>Operator Address:</b> Mr Doug Smith 3737 Hwy 133 P. O. Box 535 Somerset, CO 81434	<b>County:</b> Delta, Gunnison <b>Operation Type:</b> Underground <b>Permit Status:</b> Active <b>Ownership:</b> Private
	<b>Operator Representative Present:</b>  Doug Smith
<b>Operator Representative Signature: (Field Issuance Only)</b>	

### INSPECTION INFORMATION

<b>Inspection Start Date:</b> October 30, 2025 <b>Inspection Start Time:</b> 09:30 <b>Inspection End Date:</b> <b>Inspection End Time:</b>	<b>Inspection Type:</b> Coal Partial Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Clear
<b>Joint Inspection Agency:</b>  None	<b>Joint Inspection Contacts:</b>
<b>Post Inspection Agency:</b>  None	<b>Post Inspection Contacts:</b>
<b>Inspector(s):</b>  Leigh Simmons	<b>Inspector's Signature:</b>   <b>Signature Date:</b>  October 31, 2025

**Inspection Topic Summary**

NOTE: Y=Inspected N=Not Inspected R=Comments Noted V=Violation Issued NA=Not Applicable

N - Air Resource Protection	Y - Roads
N - Availability of Records	Y - Reclamation Success
N - Backfill & Grading	Y - Revegetation
N - Excess Spoil and Dev. Waste	N - Subsidence
N - Explosives	N - Slides and Other Damage
N - Fish & Wildlife	R - Support Facilities On-site
R - Hydrologic Balance	Y - Signs and Markers
N - Gen. Compliance With Mine Plan	N - Support Facilities Not On-site
R - Other	N - Special Categories Of Mining
N - Processing Waste	N - Topsoil

**COMMENTS**

This was a partial inspection by Leigh Simmons of the Division of Reclamation, Mining and Safety (Division). The weather was clear and dry. The status of the Elk Creek Mine is “active” however no coal is being mined and the only activity since the last inspection was site maintenance.

**HYDROLOGIC BALANCE - Rule 4.05**

Drainage Control 4.05.1, 4.05.2, 4.05.3; Siltation Structures 4.05.5, 4.05.6; Discharge Structures 4.05.7, 4.05.10; Diversions 4.05.4; Effluent Limits 4.05.2; Ground Water Monitoring 4.05.13; Surface Water Monitoring 4.05.13; Drainage – Acid and Toxic Materials 4.05.8; Impoundments 4.05.6, 4.05.9; Stream Buffer Zones 4.05.18:

Work was in progress to reclaim both Ponds C and E. Seth Tribble, with Tribble and Sons Construction of Hotchkiss, Colorado, was working on the demolition of the concrete embankment of Pond C at the time of the inspection. A single excavator was being used, with the operator alternating between a bucket and a hammer attachment. Debris was being buried onsite in an excavated pit.

The demolition and burial of the embankment of Pond E was complete, and the armored drain of the II-West Valley Fill had been extended across the flat area where the pond used to be, to the railroad culvert. The small amount of disturbance created by the reclamation of the pond had been seeded and protected by straw wattles placed along the contour. An excavator had been left just above the pond with the intention of reclaiming the access road on the way out.

**OTHER (SPECIFY):**

Work was ongoing at the railroad trestle across Bear Creek, making access up the Bear Creek drainage difficult at the time of the inspection.

The methane facility at the upper Elk Creek Pad was not operating. Plans were being made to remove one or more of the three methane powered electrical generators to be refurbished and reused at another site, out of state.

The methane facility in Hubbard Creek was not operating and was secure behind a locked gate.

Number of Partial Inspection this Fiscal Year: 3

Number of Complete Inspections this Fiscal Year: 1

**SUPPORT FACILITIES - Rule 4.04:**

The substation at the upper Elk Creek pad had been dismantled and removed.

**DOCUMENTS RECEIVED**

N/A

**OTHER (SPECIFY)**

N/A

**ENFORCEMENT ACTIONS/COMPLIANCE**

No enforcement actions were initiated as a result of this inspection, nor are any pending.

**PHOTOGRAPHS**

Figure 1: Elk Creek methane facility

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*Figure 2: Substation removed from upper Elk Creek pad*

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Number of Complete Inspections this Fiscal Year: 1

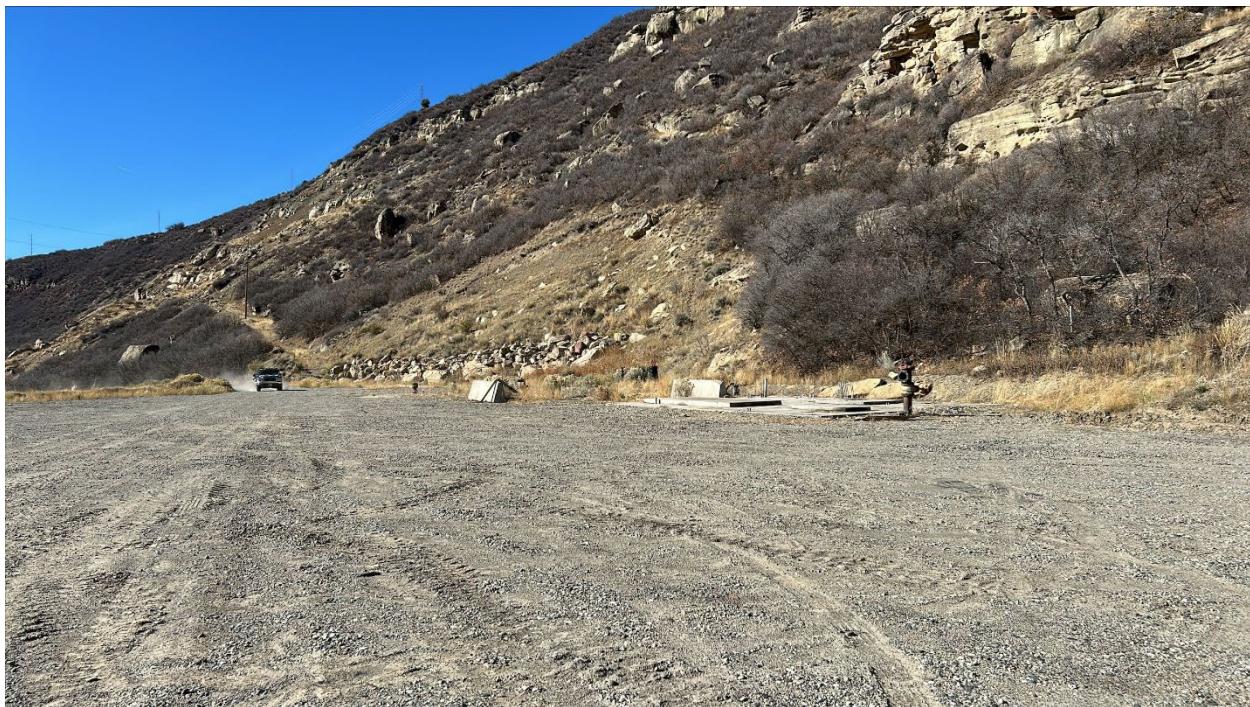


Figure 3: R2B2 well



Figure 4: Reclaimed Elk Creek channel

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*Figure 5: Lower section of reclaimed Elk Creek channel*



*Figure 6: Overview of lower facilities*

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Figure 7: Pond E



Figure 8: II West Valley Fill

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*Figure 9: Excavator access to Pond E*

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Number of Complete Inspections this Fiscal Year: 1



*Figure 10: Extension of armored drain*



*Figure 11: Sediment control*

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Figure 12: Reclaimed Pond E



Figure 13: Railroad culvert (not the responsibility of Oxbow)

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Figure 14: II-West Valley Fill and reclaimed Pond E from railroad

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*Figure 15: Pond C from top of West Valley Fill*

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Figure 16: Demolition work in progress

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*Figure 17: Demolition of Pond C embankment*

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*Figure 18: Access road to Pond C*

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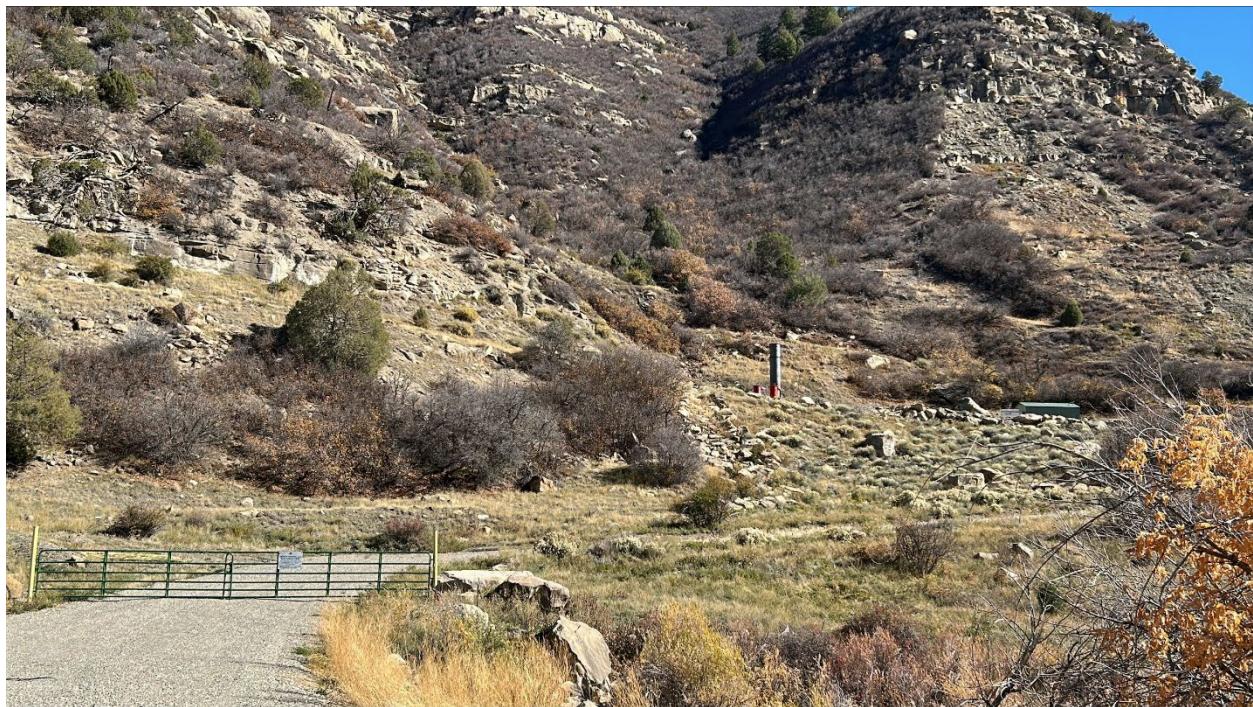
Number of Complete Inspections this Fiscal Year: 1



*Figure 19: Access across West Valley Fill drain*

Number of Partial Inspection this Fiscal Year: 3

Number of Complete Inspections this Fiscal Year: 1



*Figure 20: Hubbard Creek methane facility*

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Number of Complete Inspections this Fiscal Year: 1