




COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY
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: McKenna Limestone Quarry	MINE/PROSPECTING ID#: M-2000-039	MINERAL: Limestone (general)	COUNTY: Huerfano
INSPECTION TYPE: Monitoring	INSPECTOR(S): Timothy A. Cazier	INSP. DATE: April 30, 2013	INSP. TIME: 12:30
OPERATOR: Delhur Industries, Inc.	OPERATOR REPRESENTATIVE: James Lott	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$17,100.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Windy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 31, 2013

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: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The affected area boundary markers are missing. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

CORRECTIVE ACTIONS: The operator shall conduct a survey and replace the boundary markers in the correct location(s). The Operator shall provide the Division with documentation from a registered land surveyor that the site has been re-surveyed and provide the Division with photographic documentation of the visible/locatable boundary markers by the corrective action date.

CORRECTIVE ACTION DUE DATE: 7/03/13

OBSERVATIONS

This inspection was initiated by a request for Temporary Cessation. The purpose of this inspection was to check compliance of the operation with the requirements of the Act, Rules, and the conditions of the permit. James Lott was present during the inspection representing the Operator. This site is located approximately 3.5 miles southeast of the intersection of Colorado Hwy 10 and County Road (CR) 210, which is about eight miles northeast of Walsenburg, in Huerfano County. The mine entrance road is approximately 1.5 miles southeast of the intersection of CR 210 and CR 211. This is 110c limestone and shale mining operation.

Inspection:

Permit Boundary: A permit sign was posted at the entrance road off CR 211 (see **Photo 1**). Exhibit E.2, Mining Map from the permit application indicates boundary monuments are marked with 5/8" rebar. No boundary markers could be located. **This is cited as a problem on page 1 of this report.** It should be noted that the legal description in Exhibit A of the permit application references a "1921 G.L.O. brass cap" in the "west half of Section 31, Township 27 south, Range 64 west, sixth principal meridian" as a beginning point for the survey. A copy of Exhibit A is included for reference.

Pit & Permit Area: Two large and one smaller stockpile were observed north of the pit. The largest stockpile on the northern edge of disturbance consists of finer material with long slender angular rock (**Photo 2**). The smaller stockpile contained large dimensional stone (**Photo 3**). The other large stockpile contained medium sized dimensional stone (**Photo 4**). Pit highwall are 6 to 12 feet high exposing limestone and weathered shale (**Photo 5**). The overburden appears to be weathered shale ranges from a few inches to perhaps two feet in thickness.

No standing water was observed in the pit which is sloped to drain to the adjacent arroyo (**Photo 6**). No noxious weeds were observed.

Haul Road:

The haul road is in a 30-foot wide easement and is about 0.3 miles log from CR 211 to quarry area on the east side of the arroyo.

Disturbance Area – Field Delineation:

This inspector used a Trimble Juno GPS receiver for field data collection. The disturbance in the vicinity of the main pit was measured to be 2.15 acres (see **Figure 1**).

Adjacent Lands: The absence of locatable boundary markers made efforts to assess impacts to adjacent properties unreliable. Based on permit maps, the disturbed area may be outside the permit boundary on the west and northwest side. Mr. Lott indicated the Operator could have the site re-surveyed and boundaries marked with more permanent monuments.

Current Stipulations:

None.

Records:

- The previous inspection was conducted 10/23/2008. No problems were cited
- The permit anniversary date is April 18. The Operator is current with annual fees and reports.
- According to the permit record, the haul road does not require reclamation and will be allowed to remain in place after mining is completed.

- The pre- and post-mine land use is rangeland.

Bond:

The current financial warranty is a \$17,100.00 corporate surety. This is deemed adequate for the current 2.15-acre disturbance.

Summary and Recommendations:

1. The Division requires the Operator re-survey the permit boundary and install permanent markers in order for the Division to determine if mine related disturbances are within the permit boundary by the due date stated on page 1 of this report.
2. The Operator shall provide the Division with documentation from a registered land surveyor that the site has been re-surveyed by the due date stated on page 1 of this report.
3. The Operator shall provide the Division with photographic documentation of the visible/locatable boundary markers by the due date stated on page 1 of this report.

PHOTOGRAPHS



Photo 1. Permit sign at entrance.



Photo 2. North stockpile: fines & long slender rock.



Photo 3. Small stockpile of large rock (looking west).



Photo 4. Large medium rock stockpile (looking NW).

PHOTOGRAPHS (cont.)

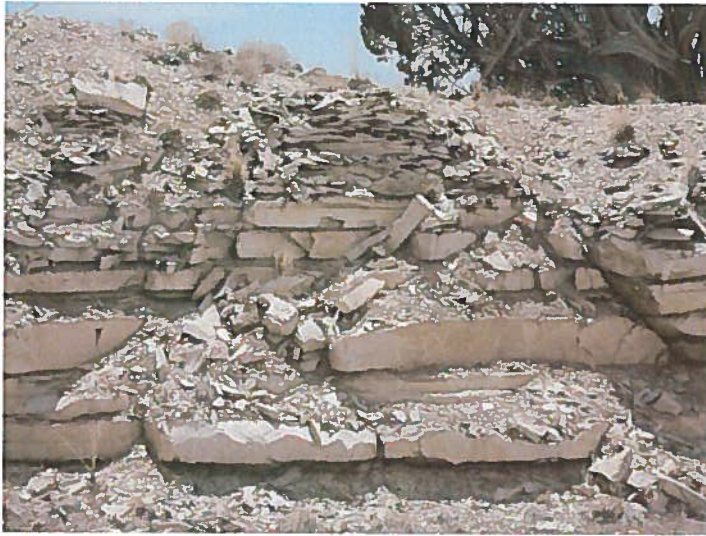


Photo 5. Typical highwall: limestone & weathered shale.



Photo 6. Pit sloped to drain (looking east).

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>NA</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>NA</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(SB) COMPLETE INSP---- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION-- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</u>

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

Inspection Contact Address

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Enclosures

EC: Tom Kaldenbach, DRMS
DRMS file
James Lott, Delhur Industries, Inc.

Exhibit A Legal Description and Location Map

Legal Description for McKenna Limestone Quarry:

A PARCEL OF LAND IN THE WEST HALF OF SECTION 31, TOWNSHIP 27 SOUTH, RANGE 64 WEST, SIXTH PRINCIPAL MERIDIAN, HUERFANO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST HALF OF SECTION 31, TOWNSHIP 27 SOUTH, RANGE 64 WEST, SIXTH PRINCIPAL MERIDIAN, FROM WHICH POINT THE NORTHWEST CORNER OF SAID SECTION 31 (A 1921 G.L.O. BRASS CAP) BEARS N34°17'41"W A DISTANCE OF 2834.36 FEET AND THE SOUTHWEST CORNER OF SAID SECTION 31 (A 1921 G.L.O. BRASS CAP) BEARS S26°52'37"W A DISTANCE OF 3330.85 FEET; THENCE, S09°16'51"W A DISTANCE OF 297.15 FEET TO THE NORTH BANK OF A WASH; THENCE, S68°21'02"E A DISTANCE OF 51.23 FEET ALONG THE NORTH BANK OF SAID WASH; THENCE, S85°53'21"E A DISTANCE OF 39.10 FEET ALONG THE NORTH BANK OF SAID WASH; THENCE, S85°41'01"E A DISTANCE OF 41.26 FEET ALONG THE NORTH BANK OF SAID WASH; THENCE, S75°02'42"E A DISTANCE OF 62.41 FEET ALONG THE NORTH BANK OF SAID WASH; THENCE, S30°06'14"E A DISTANCE OF 56.81 FEET ALONG THE EAST BANK OF SAID WASH; THENCE, S86°08'43"E A DISTANCE OF 312.70 FEET; THENCE, N88°37'19"E A DISTANCE OF 350.08 FEET; THENCE, N00°06'04"W A DISTANCE OF 525.71 FEET; THENCE, S81°06'34"W A DISTANCE OF 839.76 FEET TO THE POINT OF BEGINNING. CONTAINING 8.704 ACRES.

TOGETHER WITH A THIRTY FOOT WIDE ACCESS EASEMENT THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 27 SOUTH, RANGE 64 WEST, SIXTH PRINCIPAL MERIDIAN ON THE EAST EDGE OF COUNTY ROAD 211 (AS-BUILT) FROM WHICH POINT THE NORTHWEST CORNER OF SAID SECTION 31 (A 1921 G.L.O. BRASS CAP) BEARS N02°25'18"W A DISTANCE OF 2813.70 FEET AND THE SOUTHWEST CORNER OF SAID SECTION 31 (A 1921 G.L.O. BRASS CAP) BEARS S00°38'01"W A DISTANCE OF 2501.61 FEET; THENCE, N65°49'13"E A DISTANCE OF 226.32 FEET; THENCE, S88°35'59"E A DISTANCE OF 160.45 FEET; THENCE, S72°07'53"E A DISTANCE OF 485.44 FEET; THENCE, S78°24'17"E A DISTANCE OF 229.22 FEET; THENCE, N58°26'06"E A DISTANCE OF 167.24 FEET; THENCE, N58°13'00"E A DISTANCE OF 124.69 FEET; THENCE, N55°00'00"E A DISTANCE OF 57.99 FEET; THENCE, N49°36'41"E A DISTANCE OF 134.86 FEET TO A POINT ON THE SOUTH LINE OF THE ABOVE DESCRIBED PARCEL FROM WHICH POINT THE NORTHWEST CORNER OF SAID SECTION 31 BEARS N30°43'20"W A DISTANCE OF 3075.16 FEET. THE THIRTY FOOT WIDE ACCESS EASEMENT CONTAINS 1.092 ACRES.

THE BEARINGS ARE BASED ON STATE PLANE COORDINATE GRID NORTH, NAD 83, COLORADO SOUTH ZONE.

8.704
1.092

9.796

Figure 1. M-2000-039 Disturbed Area Measured April 30, 2013

