




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: Wheeler Creek Pit	MINE/PROSPECTING ID#: M-2021-036	MINERAL: Sand/Gravel	COUNTY: Routt
INSPECTION TYPE: Illegal(Unpermitted Operation)	INSPECTOR(S): Tabetha Lynch	INSP. DATE: June 8, 2021	INSP. TIME: 10:00
OPERATOR: Tara Sanders	OPERATOR REPRESENTATIVE: Tara Sanders and Dell Look	TYPE OF OPERATION: ILL - Illegal	

REASON FOR INSPECTION: Citizen Complaint	BOND CALCULATION TYPE:	BOND AMOUNT: No Bond Held
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: July 7, 2021

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: Availability Of Records

PROBLEM/POSSIBLE VIOLATION: Possible Violation: Failure to first obtain a reclamation permit from the Mined Land Reclamation Board before engaging in a new mining operation as required by 34-32.5-109(1) C.R.S.

CORRECTIVE ACTIONS: This possible violation will be scheduled to be considered by the Mined Land Reclamation Board during the August 18-19, 2021 Board meeting. Official notice of the schedule and other details for the MLRB hearing will be provided under separate document to be sent via certified mail to the Operator.

CORRECTIVE ACTION DUE DATE: August 18-19, 2021

OBSERVATIONS

On May 26, 2021, the Colorado Division of Reclamation, Mining and Safety (Division) received an anonymous citizen's complaint regarding an excavation which was occurring north of Steamboat Springs, Colorado at 26650 Wheeler Creek Ln (off of CR 129) owned by TARA SANDERS SOLE PROPRIETOR 401(K) PSP. The complaint alleged the landowner, was excavating and moving materials via haul trucks north on 129 and turn into the Home Ranch near Clark CO. On May 27, 2021, the Division spoke with Tara Sanders and discussed the alleged activity. The inspection was scheduled for May 8, 2021, the Division also spoke with Dell Look and Michael Moon manager of the Home Ranch. The Division has assigned File No. M-2021-036 for this site.

The Division, myself and Jason Musick met Tara Sanders and Dell Look at the excavation off of Forest Service Trail 1180. The site is located in Section 28, Township 8, Range 85 approximately 12 miles north of Steamboat Springs accessed by CR 129. (40.612826 N, 106.928726 W)

Dell Look stated that he wanted to bench the high wall to increase stability of the area and potentially build a shop at that location. The excavated materials were being hauled via haul trucks to the Home Ranch site to build a horse arena, with the excavated material being traded in exchange for excess topsoil stripped from the area of the arena. Dell Look indicated that the highwall was existing when the property was acquired by Tara Sanders.

The site consisted of a small single excavated area into a hillside with a topsoil pile identified above the excavation on top of the highwall. One small stockpile of material was located within the excavated area. A single excavator was mobilized on a small benched pad approximately 25 feet in height. The Division acquired GPS data and used Google Earth to determine the disturbance was approximately 1.89 acres in size. The highwall was approximately 50 ft in height.

After discussions with Tara Sanders and Dell Look, it was indicated that a reclamation permit would be applied for to continue work if materials were desired to be moved offsite. At the time of inspection there was a single excavator onsite.

C.R.S. 34-32.5-103(13) defines a "mining operation" as the development or extraction of a construction material from its natural occurrences on affected land. The term includes, but is not limited to, open mining and surface operations. C.R.S. 34-32.5-103(3) defines a "construction material" as rock, clay, silt, sand, gravel, limestone, dimension stone, marble or shale extracted for use in the production of nonmetallic construction products. C.R.S. 34-32.5-103(1) defines "Affected Land" as the surface of an area within the state where a mining operation is being or will be conducted, which surface is disturbed as a result of an operation. Affected lands include, but shall not be limited to, private ways, roads (except those roads that were constructed for purposes unrelated to the operation that were in existence before a permit application was filed with the office, and will not be substantially upgraded to support the operation); land excavations, explorations sites, drill sites or working, refuse banks or spoil piles, evaporation or settling ponds, work, parking, storage, or waste discharge areas, and areas in which structures, facilities, equipment, machines, tools or other materials or property that result from or are used in such operations are situated. Given these definitions, the excavation created at Tara Sanders property is considered to be a mining operation and the land that has been disturbed is considered Affected Land. Given this, a reclamation permit will need to be obtained. This issue is cited as a possible violation at the beginning of this report. Details regarding this enforcement action will be sent under a separate cover.

This concludes the Division's Inspection Report; a subset of photographs taken during the inspection are

included below. For any additional information or questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **720-618-0860**, or by email at tabetha.lynch@state.co.us.

PHOTOGRAPHS

First two photos below were provided with the initial complaint



Routt County GIS aerial of 26650 Wheeler Creek Ln



Looking south on highwall



Looking east at highwall



Looking north



GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- PV	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>N</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>N</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>N</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

Tara Sanders
26650 Wheeler Creek Ln
Steamboat Springs CO 80487