



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 16, 2021

Frank Leone
Leone Sand & Gravel LLC
2400 WE Main St.
Trinidad Co. 81082

**RE: Leone Gravel Pit, Permit No. M-2004-026. Acreage Reduction 2
Notice of Approval Pending**

Dear Mr. Lundy,

On July 16, 2021, the Colorado Division of Reclamation, Mining and Safety (Division) has approved the Acreage Reduction Request application. In accordance with Rule 4.17.2(5), the Division is required to wait thirty (30) days from this notice to allow for appeal of the Division's decision. Once this period closes, if no appeal is submitted, the Division's decision will be final.

The Division's approval of this revision releases all applicable Financial and Performance Warranties.

If you have any questions, please contact me by telephone at 303-866-3567 x 8126, or by email at daniel.j.cunningham@state.co.us.

Sincerely,

Environmental Protection Specialist,
Daniel Cunningham

cc:

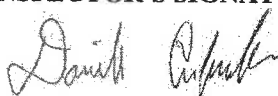


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MINERALS PROGRAM INSPECTION REPORT**PHONE: (303) 866-3567**

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: Leone Gravel Pit	MINE/PROSPECTING ID#: M-2004-026	MINERAL: Sand and gravel	COUNTY: Las Animas
INSPECTION TYPE: Surety-Related Inspection	INSPECTOR(S): Daniel Cunningham	INSP. DATE: May 28, 2021	INSP. TIME: 16:00
OPERATOR: Leone Sand & Gravel LLC	OPERATOR REPRESENTATIVE: Frank Leone	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Surety Related	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$21,500.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: July 20, 2021	

GENERAL INSPECTION TOPICS

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</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

LEONE GRAVEL PIT: PERMIT NUMBER M-200426

IN MAY 28, 2021, THE SITE WAS INSPECTED BY DRMS D.J. CUNNINGHAM. I FRANK LEONE REPRESENTING LEONE SAND AND GRAVEL WAS PRESENT DURING THE INSPECTION. AT THIS TIME I REQUESTED THAT 20 ACRES BE RELEASED, AS ALL VEGETATION WAS WELL ESTABLISHED, ALL SLOPES WERE GRADED 3H:1V OR GREATER. THE DIVISION AGREED WITH THE RELEASE OF THIS AREA.

LEONE SAND & GRAVE LLC RECEIVED A LETTER DATED, JULY 26, 2021 THAT THE COLORADO DIVISION OF RECLAMATION MINING AND SAFETY DIVISION HAS APPROVED THE ACREAGE REDUCTION REQUEST AN APPLICATION. THE 30 DAY NOTICE THAT IS REQUESTED FOR ANY APPEAL-ONCE THAT PERIOD CLOSES AND NO APPEALS ARE SUBMITTED. THE DIVISION'S DECISION IS FINAL.