




**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.

<b>MINE NAME:</b> Hartman Pit	<b>MINE/PROSPECTING ID#:</b> M-1997-087	<b>MINERAL:</b> Gravel	<b>COUNTY:</b> Pueblo
<b>INSPECTION TYPE:</b> Surety Release Inspection	<b>INSPECTOR(S):</b> Patrick Lennberg	<b>INSP. DATE:</b> November 2, 2021	<b>INSP. TIME:</b> 11:00
<b>OPERATOR:</b> Arnolds Custom Seeding, LLC	<b>OPERATOR REPRESENTATIVE:</b> Shawn Hesse, Ben Teschner	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Surety Release Requested	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$139,285.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>WEATHER:</b> Cloudy	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> November 4, 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>N</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>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>N</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</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

## **OBSERVATIONS**

The Hartman Pit was inspected by Patrick Lennberg with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was completed as part of a permit release request (SL-3), submitted in accordance with Rule 4.17, received by the Division on September 13, 2021. The site was previously inspected by the Division on August 26, 2021 as part of the routine monitoring program. Shawn Hesse with Arnold's Custom Seeding and Ben Teschner and Mariah Pillmore representing the Colorado State Board of Land Commissioners attended the inspection. The weather was overcast.

The Hartman Pit is a 112c operation that is permitted for 240 acres with 200 acres owned by the State of Colorado and is managed by the Colorado State Board of Land Commissioners (State Land Board), the remaining 40 acres is on private land and 89 acres have been identified as affected land. The site is located approximately 2.8 miles south of Vineland in Pueblo County and the entrance to the site along 36th Lane, the site is across 36<sup>th</sup> Lane from the State Pit (M1990-112). The approved post-mining land use is rangeland and the land surrounding the pit is a mix of rangeland and agriculture. A mine sign was posted at the mine entrance pursuant to Rule 3.1.12.

Per Rule 4.17.2(1) the Division sent notice of the release request to the Pueblo County Commissioners, Pueblo Planning Director, the South Pueblo County Soil Conservation District and the landowners, the State Land Board and Hartman Land and Cattle. On October 18, 2021 the Division received a request from the State Land Board to attend the release inspection for the permit.

The site has been in final reclamation since 2013 when Arnold's Custom Seeding assumed the permit. During that time the operator has had difficulty getting vegetation established in a 19 acre portion of the site. The area appears to be where the processing and stockpiling area of the mining operations was located. The 19 acres was re-seeded in 2018 and again in 2020. Difficulty getting vegetation to establish in the area is in part due grazing that is also occurring on the site. Also noted at the site were annual weeds primarily Kochia.

The State Land Board felt the areas outside the approximate 19 acre area where in good condition and did not require any further reclamation effort.

It was agreed in the field that another years of growth along with early season weed control and reseeding of the 19 acre area would be the best path forward. Additionally, the State Land Board agreed to allow the operator to put a temporary rectangular fence to help keep grazing off the new growth (Attachment 1).

Based on this inspection the Division will deny the permit release request. If the operator is able to implement the items discussed in the field then a full release request may be possible sometime next year.

The Division reevaluated the financial warranty at the site and determined the permit has excess surety. The Division estimates \$22,700 is needed to reclaim 19 acres at the site (Attachment 2), a reduction of \$116,585 for the currently held amount of \$139,285. The Division recommends submitting surety reduction request (Attachment 3) within 30 days of issuing this inspection report, if completed in the 30 day timeframe the Division will not have to perform another inspection

Photographs taken during the inspection are attached.

Please contact Patrick Lennberg (303)866-3567 ext. 8114 or email at [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us) if you have any questions regarding this report.

**Inspection Contact Address**

Trevor Schreibvogel  
Arnolds Custom Seeding, LLC  
4626 County Rd 65  
Keenesburg, CO 80643

Attachment: 1      Email Regarding Hartman Pit Reclamation  
                 2      Reclamation Cost Summary  
                 3      Surety Reduction Request

cc:      Jared Ebert, DRMS

ec:      Trevor Schreibvogel, Arnolds Custom Seeding, LLC., [trevor@acseeding.com](mailto:trevor@acseeding.com)  
            Shawn Hesse, Arnolds Custom Seeding, LLC., [shesse@acsseeding.com](mailto:shesse@acsseeding.com)  
            Ben Teschner, State Land Board, [benjamin.teschner@state.co.us](mailto:benjamin.teschner@state.co.us)

**PHOTOGRAPHS**



**Photo 1:** Looking north from the top of the to remain stockpile



**Photo 2:** Looking east from the top of the to remain stockpile





**Photo 3:** Looking south from the top of the to remain stockpile



## **Attachment 1**

**STATE OF  
COLORADO****Lennberg - DNR, Patrick** <patrick.lennberg@state.co.us>

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**Hartman Pit Reclamation SM-102474**

1 message

**Teschner - DNR, Benjamin** <benjamin.teschner@state.co.us>

Thu, Nov 4, 2021 at 11:16 AM

To: patrick.lennberg@state.co.us, shesse@acsseeding.com, "Osborne - DNR, Justin" &lt;justin.osborne@state.co.us&gt;, Mariah Pillmore - DNR &lt;mariah.pillmore@state.co.us&gt;

Shawn and Patrick,

Thanks for taking the time yesterday to inspect the Hartman Pit and work on a path forward to the bond release.

The State Land Board team met about the spraying and reseeding proposal that we discussed on Tuesday and we are in support of that plan. We also support having Arnold's fence the area to be reseeded to help protect the new growth from grazing. We will alert Hartman Land and Cattle that the fencing will take place and make necessary adjustments to Hartman's lease with us.

Shawn: Our District Manager requests that the fenced area be a rectangle as opposed to a more creative pattern.

Please let me know if there is any additional info you need from us.

Thanks again for your work on this project.

Best,

--

**Benjamin Teschner**  
**Solid Minerals Manager**  
Resource Extraction  
(he/his/him)

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1127 Sherman Street, Ste 300 Denver, CO 80203-2206

benjamin.teschner@state.co.us | [www.colorado.gov/statelandboard](http://www.colorado.gov/statelandboard)



## **Attachment 2**

## COST SUMMARY WORK

Task description: Cost Summary

Site: Hartman Pit

Permit Action: SL-3

Permit/Job#: M1997087

### PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 11/4/2021

County: Pueblo

Filename: M087-000

User: JPL

Agency or organization name: DRMS

### TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Revegetate 19 Acres	REVEGE	1	19.00	\$16,131
002	Mob/Demob of Reclamation Equipment	MOBILIZE	1	3.51	\$1,082
<b><u>SUBTOTALS:</u></b>				<b>22.51</b>	<b>\$17,213</b>

### INDIRECT COSTS

#### OVERHEAD AND PROFIT:

Liability insurance: 2.02

Total = \$348

Performance bond: 1.05

Total = \$181

Job superintendent: 12.00

Total = \$864

Profit: 10.00

Total = \$1,721

TOTAL O & P = \$3,114

CONTRACT AMOUNT (direct + O & P) = \$20,327

#### LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$500

Total = \$500

Engineering work and/or contract/bid preparation: 4.25

Total = \$864

Reclamation management and/or administration: 5.00

\$1,016

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$5,494

**TOTAL BOND AMOUNT (direct + indirect) = \$22,707**

### **Attachment 3**



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

**REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA/SURETY REDUCTION**

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA (per Rule 4.17)

\_\_\_\_\_

ACREAGE REDUCTION (PARTIAL RELEASE per Rule 4.17)

\_\_\_\_\_

I wish to release \_\_\_\_\_ acres at this time.

You will need to submit with this request: a map showing the acreage to be released from the current permit and updated mining and reclamation plan maps that will accurately depict the new permit boundary if the release is approved.

SURETY (Bond) REDUCTION (per Rule 4.14)

\_\_\_\_\_

If you are requesting a surety (bond) reduction you will need to include with this request a new estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the Permit's approved Reclamation Plan.

File No.: M \_\_\_\_\_

Site Name: \_\_\_\_\_

County: \_\_\_\_\_

Permittee: \_\_\_\_\_

Permittee Address: \_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City) (State) (Zip)





Operator (If Other than Permittee): \_\_\_\_\_

Permittee Representative: \_\_\_\_\_

Certified Mail # \_\_\_\_\_

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In accordance with Rule 4.17.1(4), if requesting a partial acreage release the Operator or their agent MUST sign that they have complied with the following statement: “All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.”

\_\_\_\_\_  
Signature of Permittee, Operator or their authorized agent      Date

*Important: In accordance with Rules 4.14.2(a) and 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.*