




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: Agnus Dei Lode Claim	MINE/PROSPECTING ID#: M-2013-052	MINERAL: Gemstones and quartz (quartzite/quartzose s	COUNTY: El Paso
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: October 12, 2022	INSP. TIME: 14:10
OPERATOR: Jean Marie Cowman	OPERATOR REPRESENTATIVE: Jean Cowman	TYPE OF OPERATION: 110(2) - Hard Rock Limited Impact	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE:	BOND AMOUNT: \$6,553.53	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: U.S.Forest Service	JOINT INSP. AGENCY: U.S.Forest Service	
INSPECTOR(S): Timothy Cazier, P.E.	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: December 8, 2022	

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>Y</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>NA</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>Y</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</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>Y</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	

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

OBSERVATIONS

This was a joint inspection with the US Forest Service (USFS) and was conducted as part of the regular monitoring program. The Permittee, Ms. Jean Cowman was present during the inspection. Ms. Cullen LaPointe and Josh Von Loh represented the USFS. The claim site is located in the SW1/4 of Section 12 near Cameron Cone south of Manitou Springs, east of Pike's Peak. An arrangement was made with a Crystal Park resident and Ms. Cowman to access the site via Crystal Park from Manitou Springs. The Permittee worked on backfilling dig areas during the inspection.

Availability of Records: Annual reports are current, having been filed through April 2022, stating the last mining activity was August 4, 2021. The previous inspection was on September 21, 2017. The approved post-mine land use is forestry. There are no open infractions. The surface is managed by the USFS and the minerals are managed by the US Bureau of Land Management (BLM) by the Operator maintaining a valid mine claim (CMC # 285097). Ms. Cowman submitted a letter dated May 10, 2022 stating the claim had been sold reiterated during the inspection that she sold the claim and was working on a Succession of Operator (SO) application to transfer the permit. The DRMS received the SO application (SO-1) on December 6th and is in the process of reviewing it to determine completeness for the permit file (*see Right of Entry below*).

Acid And Toxic Materials: No acid or toxic materials are involved in this operation.

Backfilling and Grading: The main pit observed during the previous inspection had been backfilled (see **Photo 1**).

Excess Spoil and Dev. Waste: The crib wall remains (see **Photo 2**) stabilizing some of the excavated spoil. As stated in the previous inspection report, the DRMS continues to have concerns about the durability of this non-engineered structure. The second from top log has broken since the previous inspection (see **Photo 3**). A failure will almost certainly result in offsite impacts given the steep terrain. If offsite impacts occur, the DRMS may pursue enforcement actions commensurate with those impacts.

Financial Warranty: The \$6,553 bond held by the DRMS was updated subsequent to this inspection for the SO-1 in process. It includes two acres of hand broadcast reseeding. This amount is adequate for the observed mine disturbance.

Fish and Wildlife: No impact to wildlife was observed.

Hydrologic Balance: No standing water was observed in the pit and no exposed groundwater was observed.

Gen. Compliance with Mine Plan: The operation appeared to be in compliance with the approved mine plan. The maximum allowed disturbed area is 9.9 acres with 2 acres of seeding. Based on site observations, the disturbed area is on the order of 2,000 square feet.

Off-site Damage: The operation appeared to be confined to the permit boundary, based on Google Earth review and site observations.

Processing Waste: No processing waste was observed.

Right of Entry: Ms. Cowman indicated her NOI with the USFS had lapsed. [This would normally be cited as a Problem for failure to maintain a legal right of entry.](#) However, the DRMS will delay citing a problem until the current SO process is completed. All parties should be aware the DRMS practice is to accept a USFS approved NOI or Plan of Operations for legal right of entry.

Reclamation Success: No reclamation has been initiated. The orange construction fence surrounding the

primary dig site (see **Photo 4**) is in tatters and should be removed.

Revegetation: No noxious weeds were observed. The surrounding area has very sparse vegetation (see **Photo 5**)

Sediment Control: No erosion problems were observed and no BMPs were needed at the time of the inspection.

Signs and Markers: The permit sign was properly posted (see **Photo 6**) and three boundary markers (see **Photo 7**) were observed to delineate the affected area boundary. The fourth (north corner) marker could not be located. Ms. Cowman committed to getting this marker relocated.

Permit Stipulations: There are no open permit stipulations.

Storm Water MGT Plan: No stormwater retention was observed.

Topsoil: Topsoil is non-existent at this site.

Structures: There are no structures within 200 feet of the affected area.

Post Inspection Meeting: Discussion items included the current lack of legal right of entry documentation (approved USFS NOI or Plan of Operations) which is temporarily suspended as SO-1 is processed; and Ms. Cowman's commitment to re-establishing the north boundary marker.

Please contact Tim Cazier (303)328-5229 or email at tim.cazier@state.co.us if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1. Backfilled pit (looking NE).

PHOTOGRAPHS (cont.)



Photo 2. Crib wall (looking SSE).



Photo 3. Crib wall (looking east from below – *compare now broken log with similar 2017 inspection photo*).

PHOTOGRAPHS (cont.)



Photo 4. Tattered orange construction fence (should be removed).



Photo 5. Typical sparse vegetation and lack of topsoil on site (looking SW from above main pit).

PHOTOGRAPHS (cont.)



Photo 6. Permit sign.



Photo 7. Typical affected area pin marker (west side).

Inspection Contact Address

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ec: DRMS file
Amy Titterington, USFS
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