



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

September 18, 2023

Merle and Charlotte Ritchey
Ritchey's Redi-Mix, Inc.
35787 C.R. HH.5
Wray, CO 80758

Dear Merle and Charlotte Ritchey:

On August 22 and 23, 2023, the Division of Reclamation, Mining and Safety (Division) received three complaints indicating unpermitted mining was occurring at a site in Yuma County. In response to the complaints, on August 31, 2023, the Division conducted an inspection of an excavation on the west side of County Road HH.5 near the intersection with Road 36, just north of the town of Wray. The Division's inspection report, which includes the complaints received, is attached for your records.

Construction Materials Rule 1.1(30) defines a "mining operation" as the development or extraction of a construction material from its natural occurrences on affected land. Based on observations made during this inspection, the Division has reason to believe Ritchey's Redi-Mix and Yuma County Road and Bridge were engaged in a mining operation and are in violation of C.R.S. 34-32.5-109(1) for failure to obtain a reclamation permit prior to engaging in a mining operation. The possible violation will be scheduled for consideration by the Mined Land Reclamation Board (MLRB) during their November 15-16, 2023 meeting. **Formal notice of the possible violation and MLRB hearing will be sent under separate cover.**

Sincerely,

Nikie Gagnon

Nikie C. Gagnon
Environmental Protection Specialist

CC: Tom Andersen, Yuma County Road and Bridge
Yuma County Commissioners

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