




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: Dewitt Excavating	MINE/PROSPECTING ID#: M-1983-132	MINERAL: Sand	COUNTY: Prowers
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: September 24, 2024	INSP. TIME: 14:53
OPERATOR: DeWitt Excavating, Inc.	OPERATOR REPRESENTATIVE: Staci Dewitt	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$14,268.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Ursula Armstrong Amy Eschberger	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: October 21, 2024

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: Signs & Markers

PROBLEM #1: A proper mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign in accordance with Rule 3.1.12(1).

CORRECTIVE ACTIONS: The Operator shall, at the entrance of the mine site post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: the name of the Operator, the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

CORRECTIVE ACTION DUE DATE: November 20, 2024

INSPECTION TOPIC: Financial Warranty

PROBLEM #2: The financial warranty is not adequate to reclaim the site in accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) and Rule 4.2.1(1).

CORRECTIVE ACTIONS: The operator shall review the enclosed bond estimate and provide any comments or proof of reclamation completed by the corrective action deadline. If, by the corrective action deadline, no comments have been received, the Division will send a separate surety increase notice to the operator regarding the increase of the financial warranty. The operator will have 60 days from the date on the surety increase notice to post the additional financial warranty.

CORRECTIVE ACTION DUE DATE: November 4, 2024

OBSERVATIONS

This was a normal monitoring inspection of the DeWitt Excavating site (Permit No. M-1983-132) conducted by Ursula Armstrong and Amy Eschberger of the Division of Reclamation, Mining and Safety (Division). The operator was represented by Staci DeWitt. The site is located approximately ½ mile south of Lamar, CO in Prowers County. Access to the site is from the south off Co Rd Ff. The affected lands are owned by Ivory Terry DeWitt and Janet A. DeWitt. The site is situated in an area of sagebrush-covered sand hills. **Photos 1-12** taken during the inspection are included with this report.

This is a 110c operation permitted for 9.9 acres to mine blow sand for construction use. The approved mining plan includes beginning mining the western side of the sand dune which is elongated north-south, and generally proceeding in an easterly direction. The sand dune will be mined down approximately 15 feet to the level of surrounding lands. No topsoil is available on the sand dune to salvage for reclamation. The post-mining land use for the site is rangeland. The approved reclamation plan includes grading all disturbed land to 3H:1V or flatter, ripping the pit floor to reduce compaction, and seeding the site with a grass and clover mixture recommended by the local Soil Conservation Service (SCS). The SCS recommended the site be mulched with either grass hay or cereal straw at 4,000 lbs/acre, manufactured mulch netting, asphalt spray, jute netting, excelsior mat, or feedlot manure that has 60% or more by weight of heavy chunks 5 inches or more in diameter at 20 tons/acre. The SCS also recommended revegetating the southern portion of the site first, if possible, as the most damaging winds come from the south.

At the time of the inspection, the weather was clear, warm, and dry. A permit sign was posted at the main site entrance off Co Rd Ff. However, the sign was damaged due to several bullet holes, making it difficult to read. The operator will need to replace the mine identification sign and ensure it meets all requirements of Rule 3.1.12(1). A problem is cited for this issue; see Problem #1 in this report for the required corrective actions. The corners of the permit boundary were marked with PVC pipes. The site was not active during the inspection. However, according to the operator, the site is active every year in accordance with its intermittent status. The operator representative told the Division mined material was recently hauled off the site and used for local construction in Lamar, and that they keep blow sand stored at their office location. For the operator to retain the permit, they need to be active every year (e.g. material extraction, hauling off-site, or processing stockpiled material), unless the operator wants to apply for Temporary Cessation or initiate final reclamation.

The sand pit is oriented in a north-south direction. The pit wall daylights primarily to the west, and is approximately 15 feet in height with slope gradients ranging from near vertical to 2H:1V. The Division estimates the pit wall to be approximately 1,100 feet in total length. A few material stockpiles were stored on the pit floor, and adjacent to the access road where it enters the pit. The previously mined western portion of the permit area was fairly flat and well-vegetated with grasses, some shrubs, and mature trees (primarily cottonwoods). Vegetative cover of the pit area consisted primarily of annual weeds (e.g., kochia, wild sunflowers) and a few volunteer cottonwood trees. There was some standing water on the pit floor, but given the recent storms in the area, the water is not considered an issue by the Division.

Several dirt bike trails were present throughout the permit area, including over portions of the pit wall and over the larger material stockpile on the pit floor. According to the Division's inspection report from April 18, 2012, the county owns a motorcycle track on the adjacent property, from which, the bikers will frequently ride across the operator's property, including the pit area. Once reclamation of the pit has been initiated, the operator will need to somehow restrict access to the pit to protect it from being re-disturbed by these activities. It appears the pit has almost been mined out given its proximity to the northern, southern, and eastern permit boundaries.

The Division observed an area located directly southeast of the permit area in which the operator is storing concrete rubble, asphalt rubble, slash piles, dirt piles, and old (empty) storage tanks. The Division estimates this storage area to cover approximately 5.75 acres. The Division found documentation in the permit file (November 30, 1993 inspection report) indicating these materials had been initially stored within the permit area, and the Division required the operator to either remove them from the permit area, or to revise the approved mining and reclamation plans to account for the temporary or permanent storage of these materials within the permit area. According to the October 10, 2019 inspection report, these materials were brought to the property from various construction jobs that were completed off site, and they are not associated with the mine site in any way. The Division did not find any mining related material in this area, and none of the stored construction material piles crossed into the mine permit boundary. The operator was reminded to be careful not to utilize this offsite storage area in any way for the mining operation, including storing material mined from the pit, storing material to be used for reclamation of the pit, using the area for mine operation parking, equipment storage, or any other use associated with the mining operation.

After conducting the inspection, the Division recalculated the required financial warranty for reclaiming the 6.85 acres of current disturbance at the site in accordance with the approved reclamation plan (see enclosed bond estimate). The Division estimates the required financial warranty to be in the amount of \$21,123.00, which is \$6,855.00 more than the currently held amount of \$14,268.00. A problem is cited for this issue; please see Problem #2 in this report for the required corrective actions. The operator will have a chance to review the Division's bond estimate and provide any comments prior to a Surety Increase being issued for the site. Once the Surety Increase is issued, the operator will have 60 days to submit the additional required financial warranty.

This concludes the report.

Any questions or comments regarding this inspection report should be forwarded to Ursula Armstrong at the Colorado Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, via telephone at 720-793-3031, or via email at ursula.armstrong@state.co.us.

PHOTOGRAPHS



Photo 1. View looking northwest across pit area from its southern edge. Note large material stockpile stored on pit floor.



Photo 2. View looking south across pit area, showing large material stockpile with dirt bike trail across its middle stored on pit floor.



Photo 3. View looking southeast across pit area.



Photo 4. View looking south across pit area at southern pit wall.



Photo 5. View looking north across the center of the permit area.



Photo 6. View looking north at northeastern pit wall, which has more vegetative cover consisting primarily of annual weeds.



Photo 7. View looking east at standing water on pit floor from recent storms.



Photo 8. Northwest permit boundary marker, directly next to DRMS employee (looking west).



Photo 9. View looking north at off-site storage area located directly southeast of permit area, showing various stockpiles of imported construction materials stored in this area.



Photo 10. View looking southwest at off-site storage area located directly southeast of permit area, showing dirt and stone stockpiles stored in this area.



Photo 11. View looking east at off-site storage area located directly southeast of permit area, showing concrete rubble, asphalt rubble, and an old storage tank stored in this area.



Photo 12: Mine identification sign with damage from bullet holes.

GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>PB</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>PB</u>	(SP) STORM WATER MGT PLAN---- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</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

Dustin DeWitt
DeWitt Excavating, Inc.
7395 U.S. Hwy 50 W
Lamar, CO 81052

Encl(s): Division's bond estimate

CC: Amy Eschberger, DRMS

COST SUMMARY WORK

Task description: Cost Summary

Site: Dewitt Excavating

Permit Action: 9-24-2024 Inspection

Permit/Job#: M1983132

PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 10/18/2024

County: Prowers

Filename: M132-000

User: AME

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Grade pit wall to 3H:1V	DOZER	1	8.47	\$1,760
002	Rip pit floor (2.5 acres)	RIPPER	1	3.97	\$884
003	Revegetate 6.85 acres	REVEGE	1	6.85	\$11,771
004	Mobilization/Demobilization	MOBILIZE	1	2.16	\$1,932
<u>SUBTOTALS:</u>				21.45	\$16,347

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02
Performance bond: 1.05
Job superintendent: 10.72
Profit: 10.00

Total = \$330

Total = \$172

Total = \$850

Total = \$1,635

TOTAL O & P = \$2,986

CONTRACT AMOUNT (direct + O & P) = \$19,333

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$0

Total = \$0

Engineering work and/or contract/bid preparation: 4.25

Total = \$822

Reclamation management and/or administration: 5.00

\$967

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$4,775

TOTAL BOND AMOUNT (direct + indirect) = \$21,123

BULLDOZER WORKTask description: **Grade pit wall to 3H:1V**Site: **Dewitt Excavating**Permit Action: **9-24-2024 Inspection**Permit/Job#: **M1983132****PROJECT IDENTIFICATION**Task #: **001**State: **Colorado**Abbreviation: **None**Date: **10/18/2024**County: **Prowers**Filename: **M132-001**User: **AME**Agency or organization name: **Deep End Solutions****HOURLY EQUIPMENT COST**Basic Machine: **Cat D7R DS XR Series II**Horsepower: **240**Blade Type: **Semi-Universal**Attachment: **NA**Shift Basis: **1 per day**Data Source: **(CRG)****Cost Breakdown:**

		<u>Utilization %</u>
Ownership Cost/Hour:	\$90.24	NA
Operating Cost/Hour:	\$78.95	100
Ripper own.		
Cost/Hour:	\$0.00	NA
Ripper op. Cost/Hour:	\$0.00	0
Operator Cost/Hour:	\$38.59	NA
Total unit Cost/Hour:	\$207.78	
Total Fleet Cost/Hour:	\$207.78	

MATERIAL QUANTITIESInitial Volume: **4,583**Swell factor: **1.124**Loose volume: **5,149 LCY**Source of estimated volume: **Highwall 1,100 ft L x 15 ft H**

Source of estimated swell

factor: **Cat Handbook****HOURLY PRODUCTION**Average push distance: **50 feet**Unadjusted hourly
production: **1,022.9 LCY/hr**Materials consistency description: **Compacted fill or embankment 0.9**Average push
gradient: **-5 %**Average site altitude: **3,700 feet**Material weight: **2,900 lbs/LCY**Weight description: **Sand and gravel - Dry****Job Condition Correction Factor**Operator Skill: **0.750****Source****(AVG.)**

Material consistency:	0.900	(CAT HB))
Dozing method:	1.200	(SLOT)
Visibility:	1.000	(AVG.)
Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	1.000	(DOZ-OC)
Push gradient:	1.115	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	0.793	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.5944

Adjusted unit
production: 608.01 LCY/hr

Adjusted fleet
production: **608.01** LCY/hr

JOB TIME AND COST

Fleet size: 1 Dozer(s)

Unit cost: \$0.342/LCY

Total job time: **8.47** Hours

Total job cost: **\$1,760**

BULLDOZER RIPPING WORK

Task description: Rip pit floor (2.5 acres)

Site: Dewitt Excavating

Permit Action: 9-24-2024 Inspection

Permit/Job#: M1983132

PROJECT IDENTIFICATION

Task #: 002

State: Colorado

Abbreviation: None

Date: 10/18/2024

County: Prowers

Filename: M132-002

User: AME

Agency or organization name: Deep End Solutions

HOURLY EQUIPMENT COST

Basic Machine: Cat D7R DS Series II LGP

Horsepower: 240

Ripper Attachment: 3-Shank Ripper

Shift Basis: 1 per day

Data Source: (CRG)

Cost Breakdown:

		Utilization %
Ownership Cost/Hour:	\$90.24	NA
Operating Cost/Hour:	\$78.95	100
Ripper Ownership Cost/Hour:	\$9.25	NA
Ripper Operating Cost/Hour:	\$5.20	100
Operator Cost/Hour:	\$38.59	NA
Total Unit Cost/Hour:	\$222.23	
Total Fleet Cost/Hour:	\$222.23	

MATERIAL QUANTITIES

Selected estimating method: Area

Alternate Methods:

Seismic: NA

Bank Volume: NA

BCY NA

Area: 2.50 acres

Rip Depth (ft): 1.50

Volume: 6,050

BCY or CCY

Source of estimated quantity: DRMS

HOURLY PRODUCTION

Seismic:

Seismic Velocity: NA feet/second

Area:

Average Ripping Depth:	2.45	feet/pass
Average Ripping Width:	6.50	feet/pass
Average Ripping Length:	550.00	feet/pass
Average Dozer Speed:	88.00	feet/minute
Average Maneuver Time:	0.25	minutes/pass
Production per unit area:	0.758	acres/hour

Job Condition Correction Factors

Unadjusted Hourly Unit Production: 0.758 Acres/hr

Site Altitude: 3,700 feet

Altitude Adj: 1.00 (CAT HB)

Job Efficiency: 0.83 (1 shift/day)

Net Correction: 0.83 multiplier

Adjusted Hourly Unit Production: 0.63 Acres/hr

Adjusted Hourly Fleet Production: 0.63 Acres/hr

JOB TIME AND COST

Fleet size: 1

Grader(s)

Total job time: 3.98 Hours

Unit cost: \$353.426

Per acre

Total job cost: \$884

REVEGETATION WORKTask description: Revegetate 6.85 acresSite: Dewitt ExcavatingPermit Action: 9-24-2024 InspectionPermit/Job#: M1983132**PROJECT IDENTIFICATION**Task #: 003State: ColoradoAbbreviation: NoneDate: 10/18/2024County: ProwersFilename: M132-003User: AMEAgency or organization name: Deep End Solutions**FERTILIZING****Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
			\$	\$
			Total Fertilizer Materials Cost/Acre	\$0.00

Application

Description	Cost /Acre
	\$
Total Fertilizer Application Cost/Acre	\$0.00

TILLING

Description	Cost /Acre
Disc harrowing, 6" deep (MEANS 32 91 13.23 6100)	\$117.61
Total Tilling Cost/Acre	\$117.61

SEEDING

Seed Mix	Rate – PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Sand Dropseed	0.20	23.88	\$2.60
Sideoats Grama - El Reno	3.30	10.83	\$80.60
White Sweet Clover	1.50	8.95	\$8.51
Totals Seed Mix	5.00	43.66	\$91.71

Application

Description	Cost /Acre
Drill Seeding (DRMS Survey Cost)	\$236.64

Total Seed Application Cost/Acre	\$236.64
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MULCHING and MISCELLANEOUS**Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
Straw, delivered {MEANS 31 25 14.16 1200}	2.00	TON	\$492.78	\$985.56
Total Mulch Materials Cost/Acre				\$985.56

Application

Description	Cost /Acre
Crimping, with tractor {DMG survey data}	\$85.37
Total Mulch Application Cost/Acre	\$85.37

NURSERY STOCK PLANTING

Common Name	No / Acre	Type and Size	Planting Cost	Fertilizer Pellet Cost	Cost /Acre
					\$
Totals Nursery Stock Cost / Acre					\$0.00

JOB TIME AND COST

No. of Acres:	6.85	Cost /Acre:	\$1,516.89
Estimated Failure Rate:	20%	Cost /Acre*:	\$328.35
*Selected Replanting Work Items:	SEEDING		

Initial Job Cost:	\$10,390.70
Reseeding Job Cost:	\$449.84
Total Job Cost:	\$10,841
Job Hours:	6.85

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Mobilization/Demobilization**Site: **Dewitt Excavating**Permit Action: **9-24-2024 Inspection**Permit/Job#: **M1983132****PROJECT IDENTIFICATION**Task #: **004**State: **Colorado**Abbreviation: **None**Date: **10/18/2024**County: **Prowers**Filename: **M132-004**User: **AME**Agency or organization name: **Deep End Solutions****EQUIPMENT TRANSPORT RIG COST**Shift basis: **1 per day**Cost Data Source: **CRG Data**Truck Tractor Description: **GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED,
400 HP (2ND HALF, 2006)**Truck Trailer Description: **GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT
TRAILER (25T, 50T, AND 100T)****Cost Breakdown:**

Available Rig Capacities	0-25 Tons	26-50 Tons	51+ Tons
Ownership Cost/Hour:	\$10.44	\$22.18	\$23.94
Operating Cost/Hour:	\$26.48	\$54.55	\$55.65
Operator Cost/Hour:	\$22.52	\$22.52	\$22.52
Helper Cost/Hour:	\$0.00	\$23.53	\$23.53
Total Unit Cost/Hour:	\$59.44	\$122.78	\$125.64

NON ROADABLE EQUIPMENT:

Machine Description	Weight/ Unit (TONS)	Owner ship Cost/hr/ unit	Haul Rig Cost/hr/unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet	DOT Permit Cost/ fleet
Cat D7R DS Series II LGP	34.57	\$90.24	\$122.78	1	\$213.02	\$122.78	\$250.00
Cat D7R DS Series II LGP	38.49	\$99.49	\$122.78	1	\$222.27	\$122.78	\$250.00
Subtotals:					\$435.29	\$245.56	\$500.00

ROADABLE EQUIPMENT:

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
Light Duty Pickup, 4x2, 1/2 T.	\$13.05	1	\$13.05	\$13.05
Drill/Broadcast Seeder with Tractor	\$79.16	1	\$79.16	\$79.16
Subtotals:			\$92.21	\$92.21

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region: LAMAR
 Total one-way travel distance: 2.00 miles
 Average Travel Speed: 50.00 mph

Total Non-Roadable Mob/Demob Cost * \$1,925.05
 ** two round trips with haul rig:
 Total Roadable Mob/Demob Cost ** \$7.38
 ** one round trip, no haul rig:

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	0.04	0.04
Return Time (Hours):	0.04	0.04
Loading Time (Hours):	0.50	NA
Unloading Time (Hours):	0.50	NA
Subtotals:	1.08	0.08

JOB TIME AND COST

Total job time: 2.16 Hours

Total job cost: \$1,932