



COLORADO


Division of Reclamation,
Mining and Safety

Department of Natural Resources

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: Four X Ranch Gravel Pit	MINE/PROSPECTING ID#: M-2014-033	MINERAL: Aggregate and gravel	COUNTY: Morgan
INSPECTION TYPE: Preoperation Inspection	WEATHER: Clear	INSP. DATE: November 14, 2024	INSP. TIME: 10:30
OPERATOR: KS Land, LLC	OPERATOR REPRESENTATIVE: Kasie Smith	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Preoperation Inspection	BOND CALCULATION TYPE: None	BOND AMOUNT: \$122,600.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Patrick Lennberg	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: January 14, 2025	

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: Off-site Damage

PROBLEM: Land has been affected outside of the approved permit and affected land boundary. This is a problem pursuant to C.R.S. 34-32.5-116(4)(i) for failure to protect areas outside of the affected land from slides or damages occurring during the mining operation.

CORRECTIVE ACTIONS: The permittee/operator must get approval of the current amendment application under review that encompasses all of the affected land at the site and updates the Mining and Reclamation Plans for the site .

CORRECTIVE ACTION DUE DATE: 2/19/25

OBSERVATIONS

This was a pre-operation inspection of the Four X Ranch Gravel Pit (Permit No. M-2014-033) conducted by Patrick Lennberg of the Division of Reclamation, Mining and Safety (Division/DRMS) in response to an Amendment Application (Revision No. AM-1) that was received by the Division on May 3, 2024, and was considered filed on September 5, 2024. The site was previously inspected by the Division on November 19, 2021 as part of a Succession of Operators application (SO-1). Kasie Smith and Russell Smith, owners of KS Land, LLC. the Permittee/Operator, accompanied me during the inspection. The weather was clear.

The Four X Ranch Gravel Pit permit is in Morgan County approximately 10.4 miles north-northeast of Fort Morgan, CO. The permit is located on land owned by KS Land, LLC. which is also the current Permittee. The approved permit is a 112c operation for 33.2 acres. The amendment application under review seeks to increase the permit acreage to 77.1 acres, an increase of 43.9 acres. The approved post mining land use is rangeland with no changes to the post mining land use being sought through the amendment application. A mine sign was observed at the entrance to the mine as required by Rule 3.1.12. The amendment application notice was not posted near the mine entrance and is believed to have blown away. However, the applicant did provide an affidavit certifying that a notice sign was posted at the mine entrance with the application materials.

In 2021 the Division performed two inspections. The first inspection was completed in July and was performed at the request of the former Operator that was considering selling the land and permit. During that inspection the Division stated that 9.1 acres were disturbed which was commensurate with the information provided in the Annual Report Map and Fee. It is noted that during the file review for this inspection it was determined that the annual map submitted in 2021 used an image from 2016. Please see the photos at the end of this report that shows aerial imagery of the evolution of the pit from 2015 to 2024. In November 2021 the Division performed an inspection of the site as part of the SO-1 application. During that inspection the Division calculated the financial warranty based on approximately 9 acres of disturbance. SO-1 was issued in November 2021 as the parties maintained their right to a 30-day decision.

During this inspection the Division determined that approximately 17 acres have been disturbed to date, not including the haul road. Of those acres approximately 0.88 acres along the northwest side are outside of the currently approved permit boundary. Along the south side of the permit boundary approximately 0.35 acres have been affected beyond the permit boundary, see Attachment 1. The land affected outside the permit and affected land boundary, approximately 1.23 acres, is being cited as a Problem pursuant to C.R.S. 34-32.5-116(4)(i) for failure to protect areas outside of the affected land boundary from damages occurring during the mining operation. The current Operator maintains that the level a disturbance, 17 acres, has not increased since they took over the permit in 2021. The Operators activities, since taking over the permit, have cleaned up the random excavations in the areas previously disturbed while they get their equipment and mining operation fully operational and until AM-1 is approved.

The Division did note, during the review of the application materials and aerial imagery, there are two areas along the haul road leading to the site that appear to have been disturbed outside of the haul road footprint, see Attachment 2. In talking with Kasie Smith, she indicated the areas were disturbed during road maintenance. The area closest to the mine entrance was a low spot prone to flooding during storms and a truck got stuck. The other area needed maintenance as well. Both areas have been reclaimed and have

vegetation becoming established in those areas outside the roadway. The Division informed Ms. Smith that when the amendment is approved, and the haul road is brought into the permit boundary any additional disturbances outside the roadway will be considered affecting lands outside the permit boundary and subject to enforcement actions. If a similar situation arises in the future the Permittee is encouraged to contact the Division prior to going outside permit boundary.

The mine was active at the time of inspection. A truck was loaded with stockpiled material. The mining area primarily consisted of various stockpiles of material. The current Operator is addressing the disordered mining activity conducted by the previous Operator. They have consolidated various stockpiles and reclaimed mined out areas in preparation for topsoiling and seeding. The Operator has established the rough outline of a highwall that will be used to advance the mining operation. The highwall was ~1,000 feet long, 10-20 feet high and is being worked at a 1-1.5H:1V slope. Some areas of the highwall were steeper than others. There were a few depressions where shallow water had accumulated from an earlier storm.

The Division discussed with the Operator their pending responses to the Preliminary Adequacy Review dated October 23, 2024. The reclamation cost estimate associated with AM-1 is pending the responses to the preliminary adequacy review letter and any possible addition adequacy reviews to obtain sufficient detail to accurately calculate a warranty.

The expansion area located in the northeastern portion of the amendment area is unaffected by mining or ranching and consists of rolling hills with native vegetation that is well established. Due to the time of year, it was not possible to identify most of the vegetation. However, Exhibit J does describe the vegetation as being upland rangeland consisting of Prairie sandreed (30%), Sand bluestem (15%), Switchgrass (15%), Blue grama (10%), Needlegrass (10%), Little bluestem (5%), Sideoats grama (5%), and sagebrush.

Photographs taken during the inspection are attached.

Please contact Patrick Lennberg (720)665-0836 or email at patrick.lennberg@state.co.us if you have any questions regarding this report.

Inspection Contact Address

Kasie Smith
KS Land, LLC
11822 Kristi Lane
Overbrook, OK 73453

Attachments: 1. Google Earth Map of Areas Affected Outside Approved Permit Boundary
2. Google Earth Map of Amendment Boundary and Haul Road Disturbances

cc: Jared Ebert, DRMS

ec: Kasie Smith, KS Land, LLC, kasielsmith@gmail.com

PHOTOGRAPHS



Photo 1: Mine sign posted at the primary pit entrance



Photo 2: Haul road leading to mining area, circled are areas disturbed outside road footprint



Photo 3: Haul road into mining area

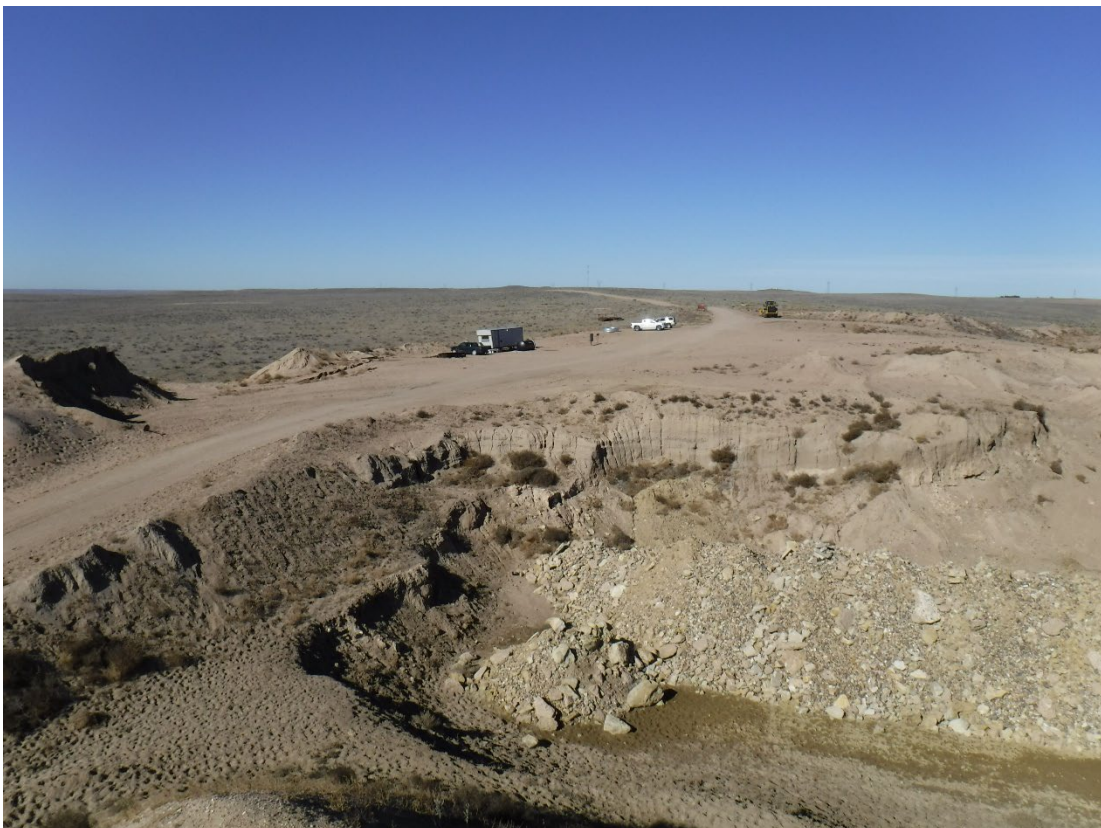


Photo 4: Looking north across the mining area (foreground) with topsoil stockpile (background)

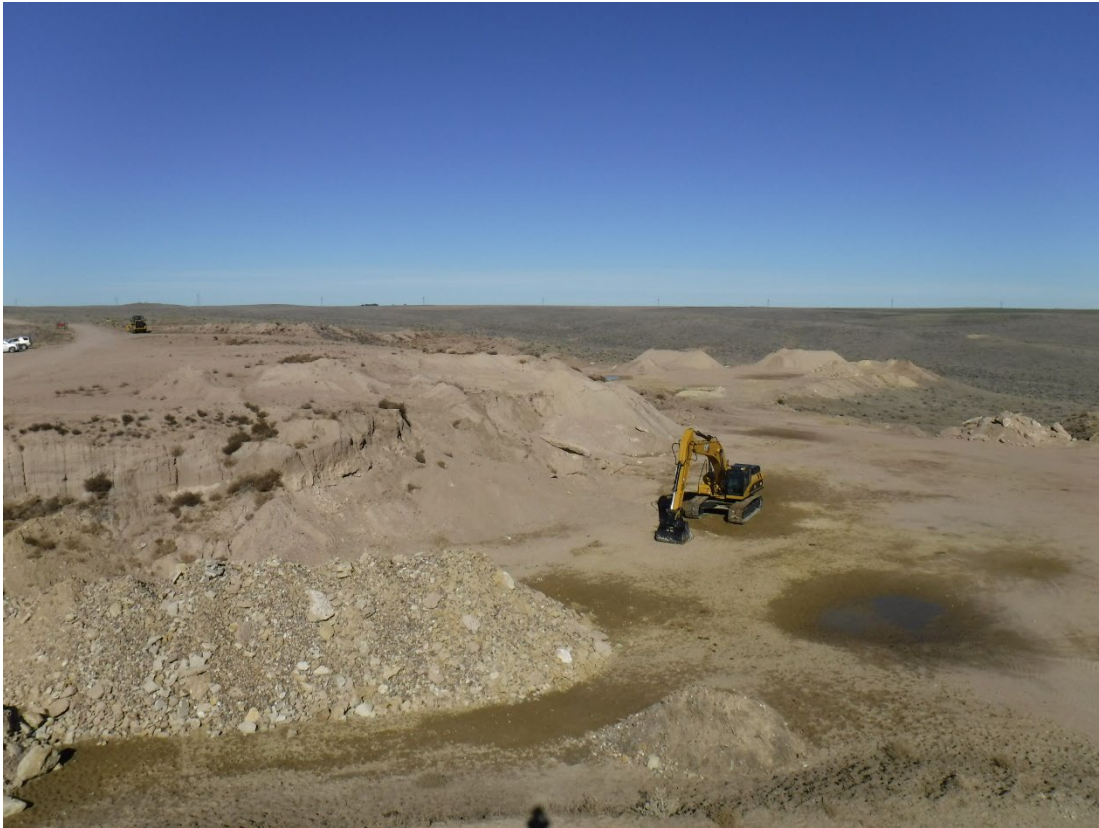


Photo 5: Primary mining area with highwall and mined material for processing

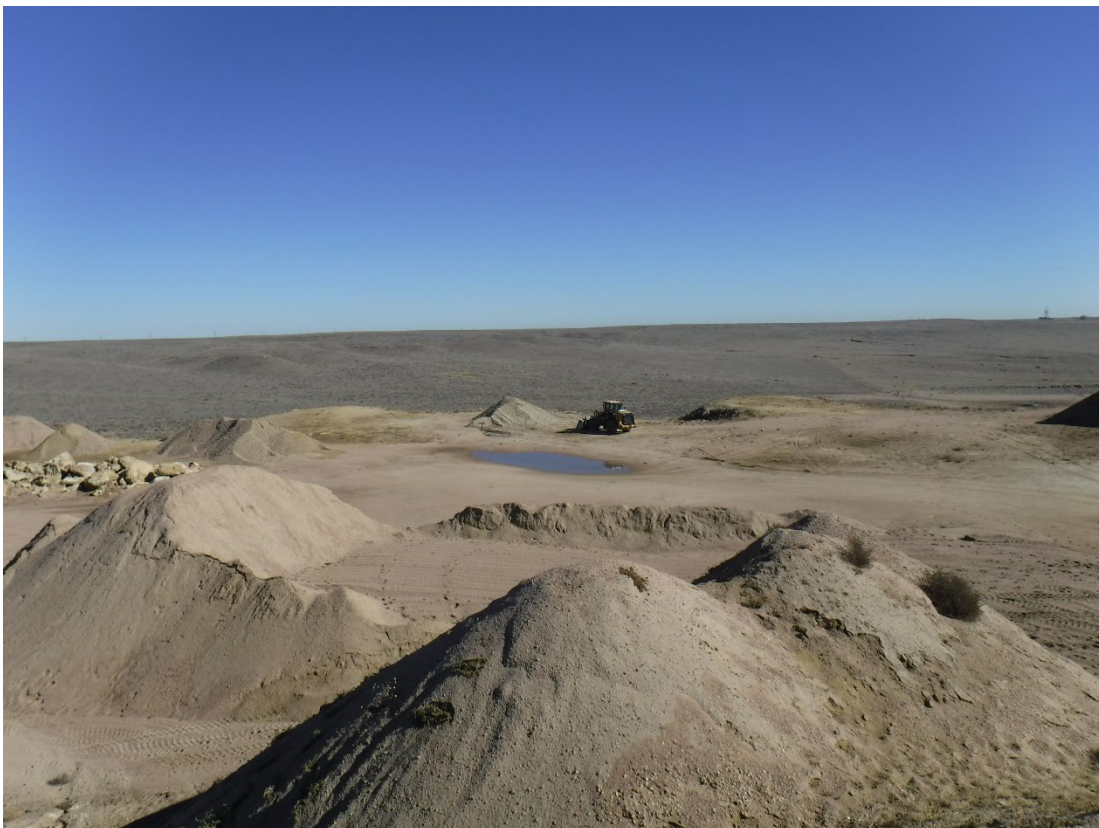


Photo 6: Looking southeast across permit area, stockpile material and mined out areas

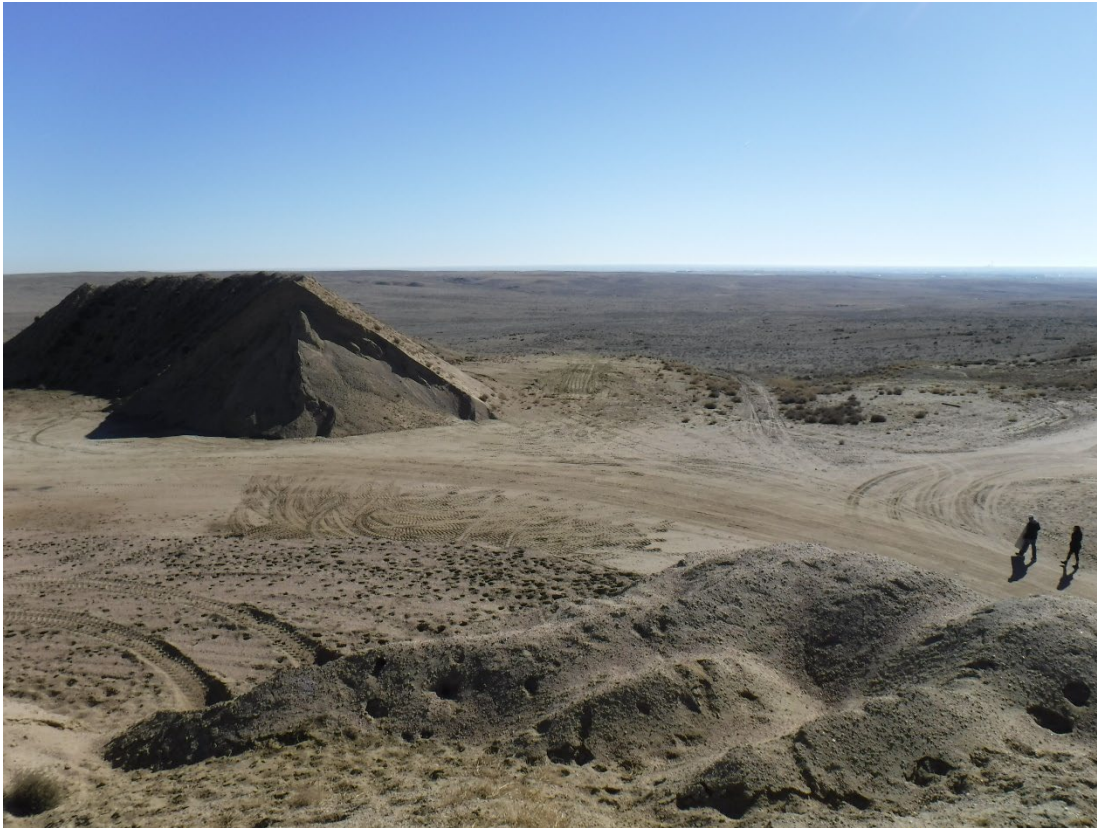


Photo 7: Looking south across permit area, stockpile material and mined out areas



Photo 8: Looking south across permit area, overburden stockpile and mined out areas, area in yellow is approximately beyond the currently approved permit boundary



Photo 9: Looking north across mining area

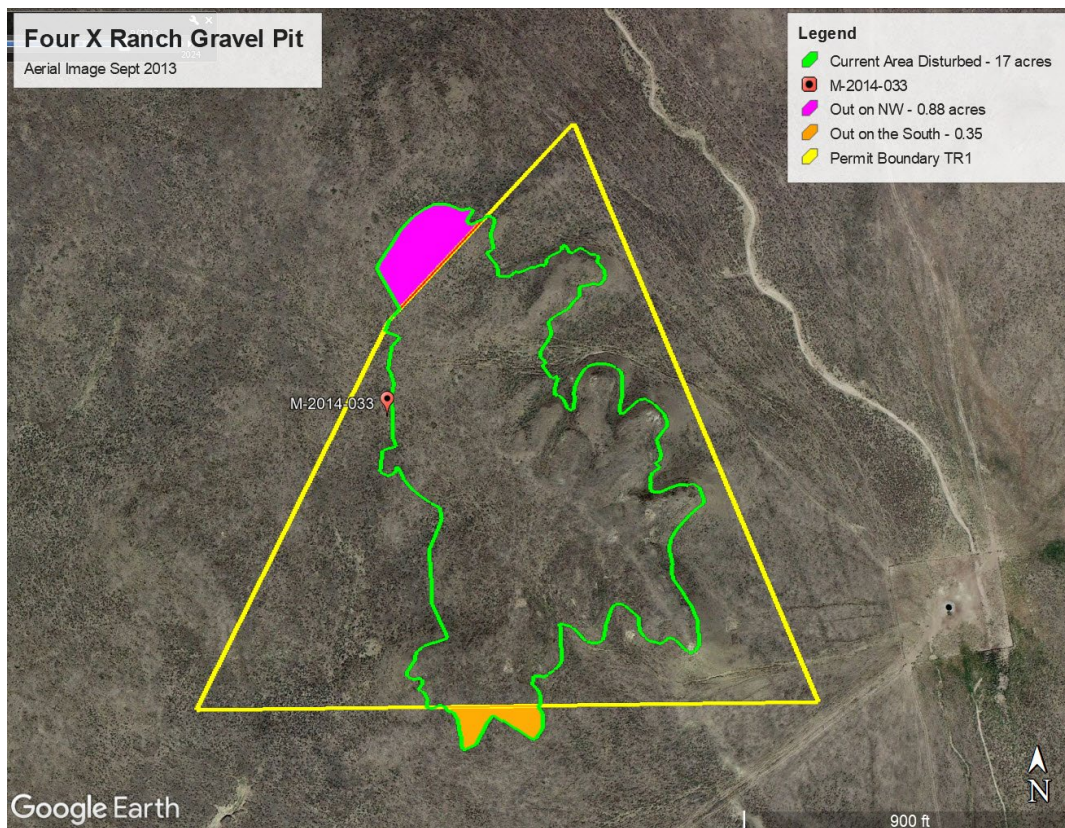


Photo 10: Aerial image of current permit area from Sept 2013 prior to permit approval

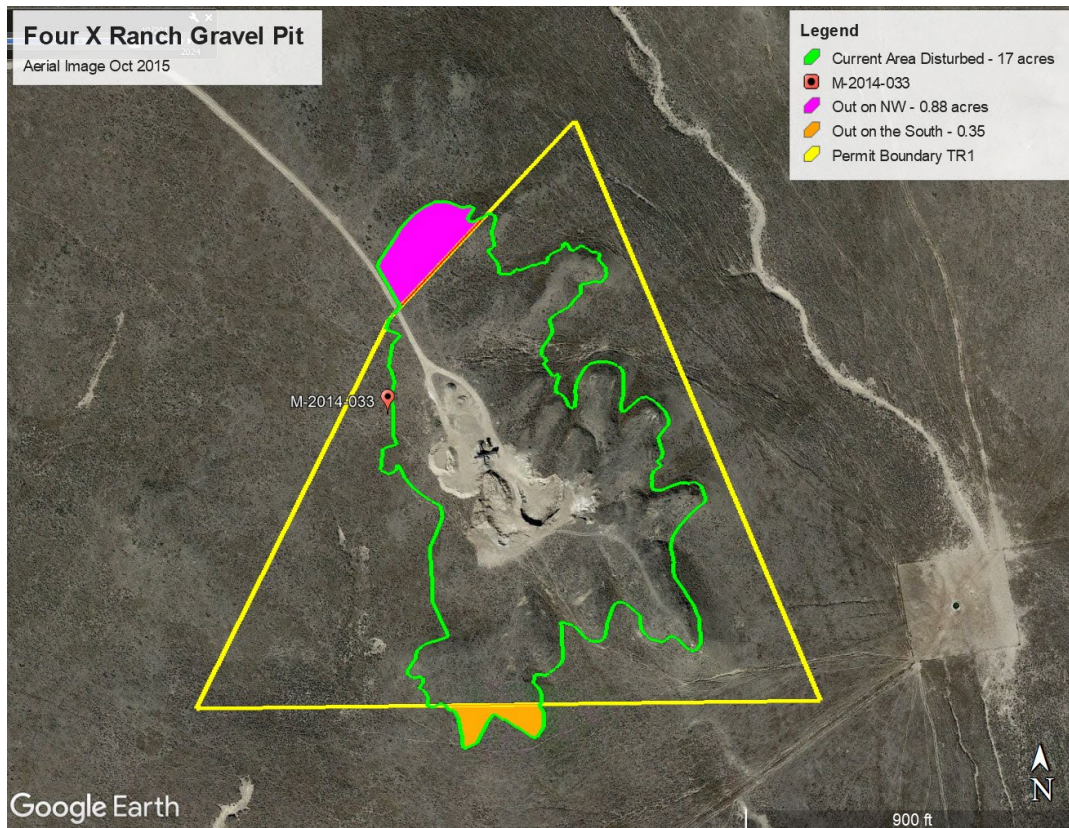


Photo 11: Aerial image of current permit area from Oct 2015

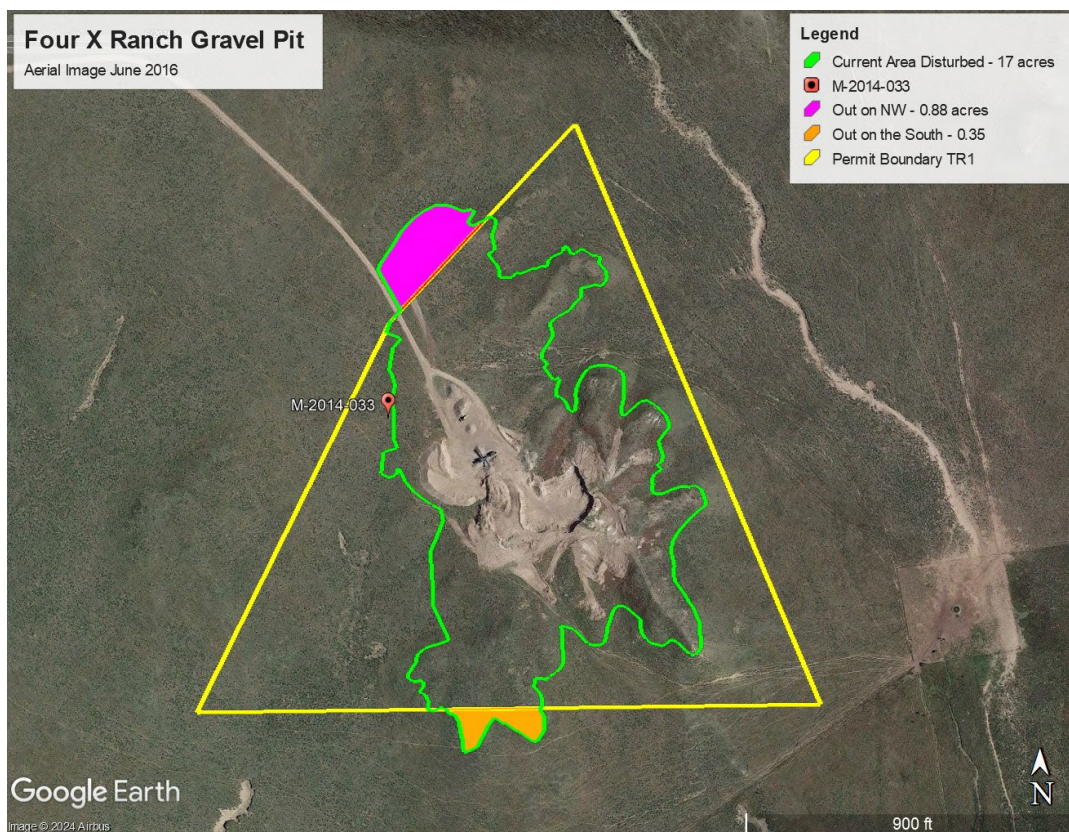


Photo 12: Aerial image of current permit area from June 2016

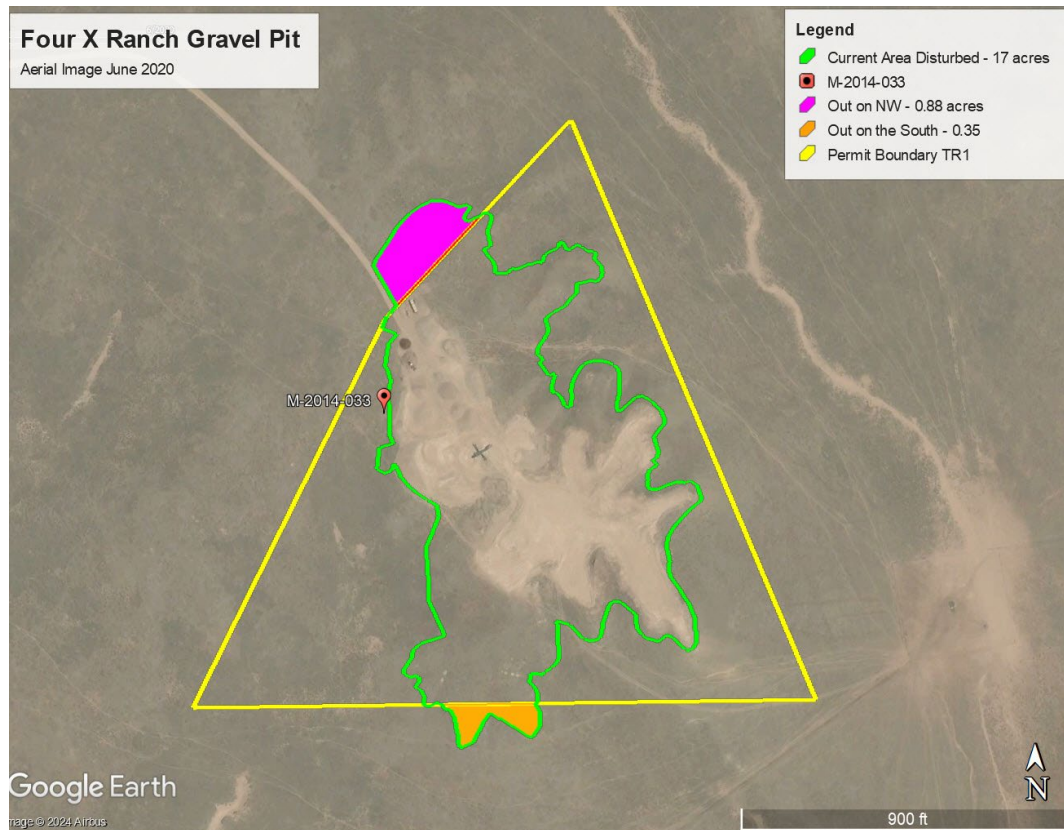


Photo 13: Aerial image of current permit area from June 2020

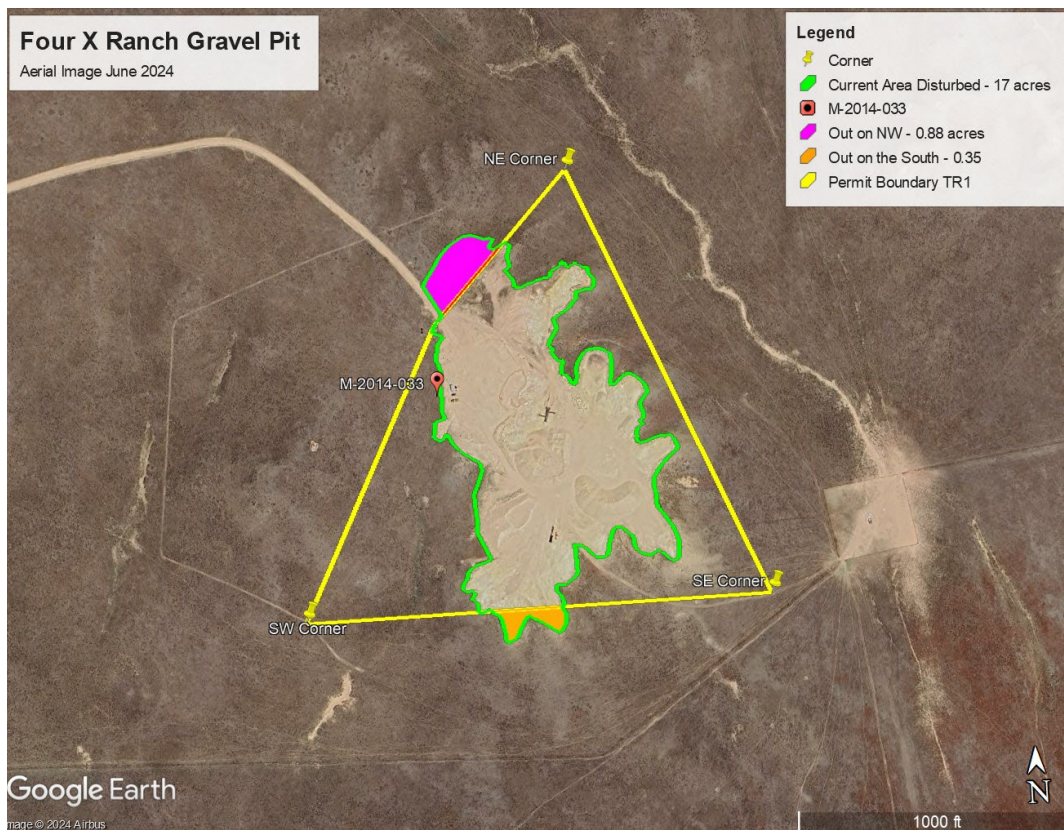


Photo 14: Aerial image of current permit area from June 2024, also included in Attachment 1

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>N</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>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN--- <u>N</u>	(RS) RECL PLAN/COMP-- <u>N</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>PB</u>	


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


Attachments


Four X Ranch Gravel Pit


Aerial Image June 2024


Legend


 Corner

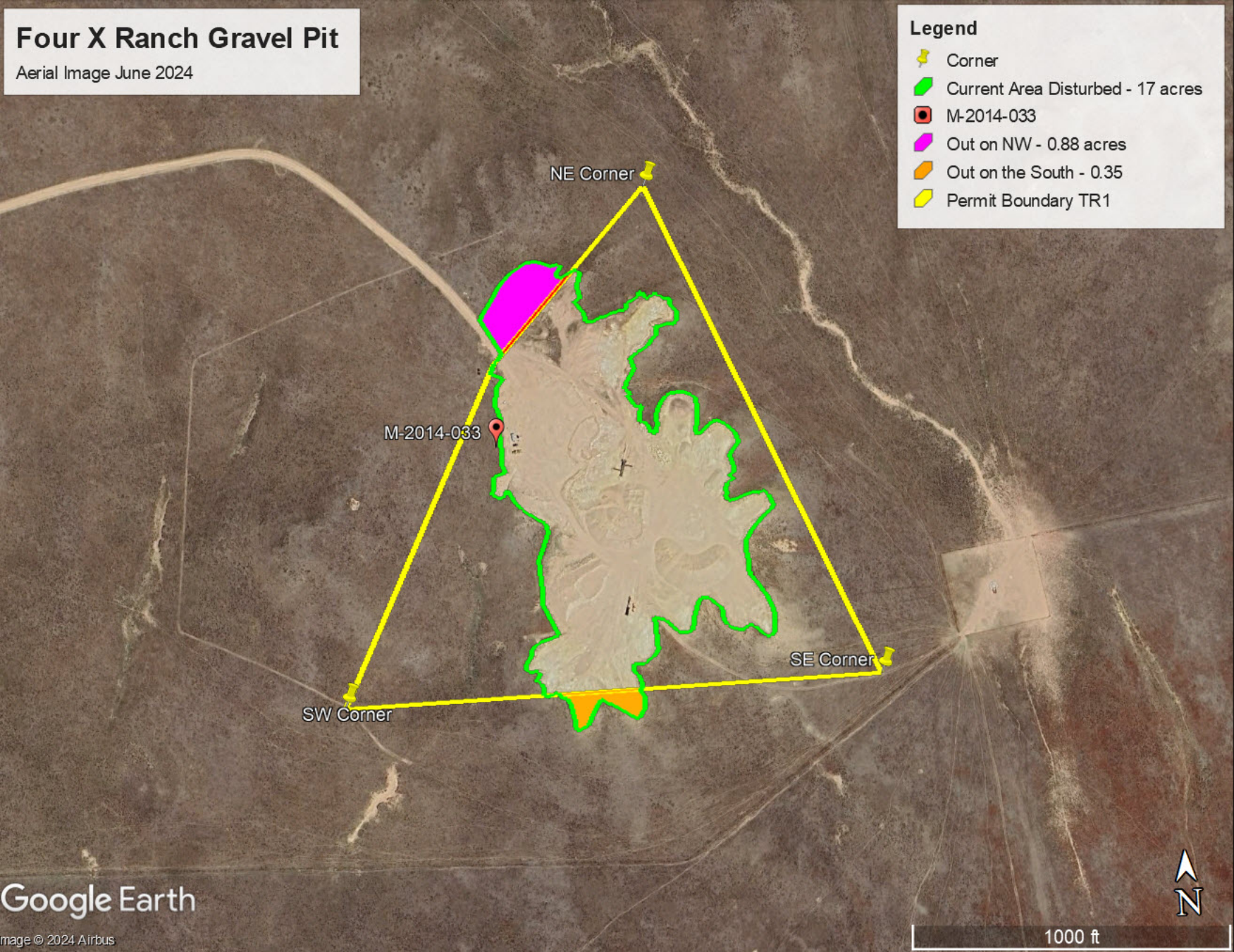
 Current Area Disturbed - 17 acres

 M-2014-033

 Out on NW - 0.88 acres

 Out on the South - 0.35

 Permit Boundary TR1



Four X Ranch Gravel Pit

Aerial Image June 2024

Legend

- AM-1
- Current Area Disturbed - 17 acres
- Areas Disturbed Outside Haul Road
- M-2014-033

