




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.

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| MINE NAME: Midwestern Farms | MINE/PROSPECTING ID#: M-1993-059 | MINERAL: Sand and gravel | COUNTY: Prowers |
| INSPECTION TYPE: Surety Release Inspection | WEATHER: Clear | INSP. DATE: April 9, 2025 | INSP. TIME: 12:40 |
| OPERATOR: Midwestern Farms | OPERATOR REPRESENTATIVE: Kelly Spitzer | TYPE OF OPERATION: 112c - Construction Regular Operation | |
| REASON FOR INSPECTION: Surety Release Requested | BOND CALCULATION TYPE: Complete Bond | BOND AMOUNT: \$382,406.00 | |
| DATE OF COMPLAINT: NA | POST INSP. CONTACTS: None | JOINT INSP. AGENCY: None | |
| INSPECTOR(S): Ursula Armstrong | INSPECTOR'S SIGNATURE:  | SIGNATURE DATE: April 17, 2025 | |

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.

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| (AR) RECORDS----- <u>Y</u> | (FN) FINANCIAL WARRANTY----- <u>N</u> | (RD) ROADS----- <u>N</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>Y</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>Y</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>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

OBSERVATIONS

The Midwestern Farms site was inspected by Ursula Armstrong with the Division of Reclamation, Mining and Safety (Division/DRMS) in response to a Full Release Request (SL-2) filed with our office on March 25, 2025. The public comment period for SL-2 closed on April 9, 2025. During this period, the Division received no comments. Kelly and Greg Spitzer with Midwestern Farms were present during the inspection. Todd Marriott with Colorado Parks and Wildlife (CPW) was also present for the inspection. The site is located approximately 2.5 miles west of Holly, CO in Prowers County. The site is situated between Us Hwy 50 and the Arkansas River. The main access to the site is off of Co Rd 30.5. **Photos 1-8** taken during the inspection are included with this report.

This is a 112c operation permitted for 1,479.2 acres to mine sand and gravel. The approved post-mine land use for this site is rangeland, industrial/commercial, and general agriculture. Approximately 400 acres of this site were disturbed when the mine was active, which is the disturbance the permit is currently bonded for. About 700 acres of the property, including the approximately 400 acres of land disturbed by the mine operation, is being used as a State Wildlife Area that is partially being maintained by CPW, who will inherit the site once released.

The site was inspected in May 2024 following a Full Release Request (SL-1), but this request was not approved. CPW had a timely objection to SL-1, expressing concerns about revegetation success and noxious weeds throughout the site. The presence of state-listed noxious weeds at the site, particularly Tamarisk, were cited as a problem in the Division's June 17, 2024 inspection report. In addition to the Tamarisk problem, long-lasting revegetation was not established in certain portions of the site in 2024.

At the time of the inspection, the weather was warm and sunny. Mr. Marriott (CPW) discussed how the site was reseeded with a native seed mixture appropriate for the local area, and that CPW was very satisfied with the regrowth at the site. Vegetation throughout the site was well established, particularly in the northwestern area of the site where the 2024 inspection noted large bare ground areas.

No noxious weeds were observed during the inspection. All the Tamarisk was removed following the 2024 inspection, and there was no regrowth observed. A portion of the removed Tamarisk is still on site in slash piles, but these piles will eventually be hauled off site. A problem with erosion along the shorelines was cited in the Division's September 26, 2019 inspection report. To address that issue, rip-rap was placed to stabilize the bank and the rip-rap seems to be effective, as the banks appeared to be stable during this inspection. No major erosional features were observed along the shorelines of the pond or at other portions of the site.

After conducting this inspection, the Division determined the site has been reclaimed in accordance with the approved reclamation plan, and SL-2 was approved on April 16, 2025. However, the Division must wait 30 days after the decision date for the appeal period to end prior to sending the formal approval letter and warranties to the operator.

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. Mine identification entrance sign, facing south.



Photo 2. CPW Wildlife Area sign, facing east.



Photo 3. Facing south, revegetation in the northern portion of the site.



Photo 4. Revegetation in the northern portion of the site, facing southwest.



Photo 5. Revegetation in a central portion of the site, facing southeast.



Photo 6. Northernmost shoreline, facing west.



Photo 7. Standing at the CPW fishing pond parking area in the western portion of the site, facing southeast.



Photo 8. Two piles of removed Tamarisk seen across the CPW fishing pond, facing east.

Inspection Contact Address

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CC: Baxter Kirkland, Siete, Inc.
Todd Marriott, CPW
Amy Eschberger, DRMS