




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: Hale Pit aka Earl's Pit	MINE/PROSPECTING ID#: M-1981-121	MINERAL: Sand and gravel	COUNTY: El Paso
INSPECTION TYPE: Surety-Related Inspection	WEATHER: Clear	INSP. DATE: May 21, 2025	INSP. TIME: 09:00
OPERATOR: Atticus Land, LLC	OPERATOR REPRESENTATIVE: Chad & Sonya Miller	TYPE OF OPERATION: 110c - Construction Limited Impact	
REASON FOR INSPECTION: Surety Related	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$0.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Hunter Ridley	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 27, 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.

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

This inspection was conducted by Hunter Ridley with the Colorado Division of Reclamation, Mining and Safety (Division) in response to a Succession of Operator (SO4) request submitted to the Colorado Division of Reclamation, Mining and Safety (Division) on April 17, 2025. The successor and prospective Operators chose to waive their right to a decision within 30 days, prompting the Division to conduct an inspection to assess the adequacy of the financial warranty before final approval of the SO4 request. The successor operators, Chad and Sonya Miller, were in attendance for the inspection.

The purpose of this inspection is to determine if a surety increase (SI) is required pursuant to the Transfer of Permit and Succession of Operators process and Rule 1.12. The Hale Pit site entrance is located at the intersection of Spencer Rd and McClelland Rd, approximately five miles southeast of Peyton, CO. This is a 110c sand and gravel mine and is in final reclamation.

Backfilling and Grading: All required backfilling and grading appeared to be completed. Slopes were observed to be at a 3H:1V slope or lower, as approved in the Reclamation Plan.

Financial Warranty: The Division is required to recalculate the reclamation bond amount as part of the SO process. The \$4,301 bond held by the DRMS was last updated in 2022 and included an acre of reseeding. The Division's review of the financial warranty determined the current financial warranty is adequate to reclaim the site based on the observations from this inspection. Thus, an additional financial warranty is **not** required to be posted by the Operator for SO4.

Fish and Wildlife: No impact to wildlife was observed. Hoof prints from antelope were observed on site.

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

Gen. Compliance with Mine Plan: Mining has ceased. The site is in final reclamation.

Off-site Damage: The operation appeared to be confined to the permit boundary, based on Google Earth review and site observations. The southern and western edges of the permit boundary have been determined to be pre-law disturbances (see inspection report dated January 30, 2024) and are therefore not required to be reclaimed under the current permit (Photo 3). No out of bounds disturbances associated with the permitted mining operation were observed.

Right of Entry: With the approval of SO4, land ownership and subsequent Right of Entry will be transferred from Atticus Land, LLC to Chad and Sonya Miller.

Reclamation Success & Revegetation: Graded areas had been broadcast seeded in 2022 after topsoiling was complete. The Division observed mature and emerging vegetation throughout the reclaimed areas of the site (Photos 4, 6, and 7). These include several native species of grasses and forbs (Photos 4 and 5): Desert paintbrush, Jacob's Ladder, Cicer milkvetch, Blue grama, and a few varieties of wheatgrass. Carex and Juncus genus vegetation types were also observed but could not be more specifically identified in the field. This revegetation has had 3 years of growing seasons, which is in compliance with the Division's usual preference for at least two growing seasons before determining if revegetation is adequately established for a permit release. A small patch of Cheatgrass (a.k.a. Downy Brome) was observed. This is a noxious weed List C species, so it was not cited as a problem. However, this was a small area when compared to the overall permit acreage and was surrounded by mostly native or other acceptable vegetation species.

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 (Photo 1).

Storm Water MGT Plan: No oil or fuel spills observed. Stormwater drains to the pit and infiltrates.

Topsoil: Topsoil had been placed.

Structures: No new structures were observed within 200 feet of the affected area.

Post Inspection Meeting: No problems were cited as a result of this inspection

Responses to this inspection report should be directed to: Hunter Ridley at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 720-868-7757 or via email at hunter.ridley@state.co.us

PHOTOGRAPHS



Photo 1: Mine sign posted at the site entrance.



Photo 2: View north of the t-post marking the northwest permit corner.



Photo 3: View south of pre-law disturbance areas.



Photo 4: Example of mature Blue grama and other bunch grasses growing on the reclamation area.



Photo 5: Jacob's Ladder forb found onsite.



Photo 6: View east of reclaimed and revegetated areas.



Photo 7: View northwest of vegetated and reclaimed slopes, historic mining disturbance is visible to the west and south.

Inspection Contact Address

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