



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: Rother Pit #2	MINE/PROSPECTING ID#: M-2019-036	MINERAL: Sand and gravel	COUNTY: Cheyenne
INSPECTION TYPE: Surety Release Inspection	WEATHER: Cloudy	INSP. DATE: June 25, 2025	INSP. TIME: 11:00
OPERATOR: Cheyenne County	OPERATOR REPRESENTATIVE: Jim Brown	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Surety Release Requested	BOND CALCULATION TYPE:	BOND AMOUNT: \$0.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Joel Renfro	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: July 28, 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: Right of Entry

PROBLEM/POSSIBLE VIOLATION: Problem: Failure to maintain legal right of entry per Rule 6.3.7.

CORRECTIVE ACTIONS: The permittee/operator must provide proof of legal right to enter and conduct mining and reclamation operations.

CORRECTIVE ACTION DUE DATE: 8/27/25

OBSERVATIONS

The Rother Pit #2 Site was inspected by Joel Renfro with the Division of Reclamation, Mining and Safety (Division/DRMS) on June 25, 2025, in response to a full/final release request (SL-2) filed on May 5, 2025. Jim Brown with Cheyenne County was present during the inspection. **Photos 1-5** taken during the inspection are included with this report.

This is a 110c operation permitted for 9.9 acres for the extraction of sand and gravel used in County Road maintenance. The approved post-mine land use for this site is pastureland. This Rother Pit #2 is located approximately 13 miles south of the unincorporated town of Arapahoe. The site can be accessed from the east of Co Rd 53.

Due to Cheyenne County losing legal right of entry when the property was purchased by the new landowner, this site has remained largely untouched for at least a year. Very little reclamation work has been completed. While this site does not require much grading, there is still a lot of bare ground on the pit floor, and some signs of erosion were observed around it, particularly north of the pit floor. Some vegetation from the surrounding area has crept into the site. This vegetation is mostly grasses and some annual forb species such as kochia. Some noxious weeds, such as scotch thistle, were observed throughout the site as well.

The lack of completed reclamation, particularly regarding revegetation and the bare ground on the pit floor, means the site does not meet the requirements for release. Although not a problem citation in this report, the revegetation issues observed, where the site has not yet established a diverse, effective, and long-lasting vegetative cover capable of self-regeneration as required by Rule 3.1.10(1), are a primary reason for the denial of the full/final release request.

The failure to maintain legal right of entry is resulting in a problem citation in this report, in accordance with Rule 6.3.7. The permittee/operator must provide proof of legal right to enter and conduct mining and reclamation operations. If legal right of entry is not obtained by the corrective action due date, this matter may escalate to a hearing with the Mined Land Reclamation Board (MLRB) so a resolution for the matter may be achieved.

Additionally, stormwater was present in the pit floor. While stormwater detention for more than 72 hours without a proper Colorado Department of Public Health and Safety (CDPHE) permit can be a concern, it was difficult to determine the duration of the detention given recent higher-than-average storm events and rainfall prior to the inspection. The Division advises the operator to maintain drainage and stormwater structures to prevent prolonged detention of stormwater in the pit floor and to address the observed erosion.

This concludes the report.

Any questions or comments regarding this inspection report should be forwarded to Joel Renfro at the Colorado Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, via telephone at (720) 812-2002, or email at joel.renfro@state.co.us.

PHOTOGRAPHS



Photo 1. Mine entrance sign, looking east.



Photo 2. Mined pit, looking east.



Photo 3. Northwestern edge of the pit, looking north.



Photo 4. Northern edge of the pit, with a scotch thistle imaged, looking east.



Photo 5. Western edge of the site, looking south.

GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>N</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>	(RE) RIGHT OF ENTRY <u>PB</u>

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

Inspection Contact Address

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