



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

October 16, 2025

Ray Moores
32095 Highway 141
Gateway, CO 81522

RE: No Need for State Reclamation Permit, Moores Field Improvement, File No. M-2025-047.

Dear Mr. Moores:

On October 10, 2025 the Division of Reclamation, Mining and Safety (Division) received your correspondence responding to the Division's inquiry, RE: "Is It Mining". The Division has assigned file number M-2025-047 to this project. Please display the file number on any correspondence regarding this specific project.

The information you provided indicates you are proposing a project that consists of removing rock from an agricultural field on your property. The proposed site is a very rocky field described as colluvial with ample rock. The proposed plan is to bring a small topsoil screen to the site and run the rock/soil across the screen. The rock will be removed from the field and topsoil will be salvaged and replaced on the field. The proposed excavation depths are from 6 feet to 30 feet. Any incidental rocks and boulders will be hauled to the Moores Mining, LLC, Moores Pit, Permit M-1980-178. Excavators will be used to remove large rocks. The purpose of the rock removal is strictly agricultural in nature and the result of the improvements will be a productive field with no highwalls or slopes with a steepness greater than 3H:1V.

Based on the information contained in the correspondence it is the Division's opinion that no reclamation permit will be required from this agency at this time. However, other local, state, or federal permits may be required and it is recommended that you contact those agencies for further clarifications if you have questions. Please be advised that this opinion is being offered based on the information provided in your response. **Any significant deviation from the described activity, including removal for sale or trade of any excavated materials from its natural state could result in a review and possible reversal of this opinion.**

Please consider the following: if the Division receives different information or a written complaint regarding the proposed activities it is required by law to further investigate. If the investigation shows a possible violation of the Construction Materials Act and Rules an enforcement action would be initiated which could include civil penalties, a cease and desist order and obtaining a permit for the activities.

If you have any questions please contact me at (970) 433-8281.

Sincerely,

Travis Marshall
Senior Environmental Protection Specialist
ec: Russ Means, DRMS
Amy Yeldell, DRMS

