



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

March 5, 2021

Cody Wooldridge
1625 Pelican Lakes Point, Ste. 201
Windsor, Colorado 80550

**RE: Raindance Reservoir No. 2, Reference No. M-2021-012, Division Response to “Is It Mining?”
Questionnaire, Permit Required**

Dear Cody Wooldridge,

On February 24, 2021, the Division of Reclamation, Mining and Safety (Division) received an “Is It Mining?” questionnaire regarding the above referenced site. According to the questionnaire, about 2 mcy of fill material, dirt, topsoil, sandy loam, and clay material will be excavated from the site and a portion of this material will be hauled off-site for use in I-25 expansion projects. About 40 acres is proposed to be affected resulting in the exposure of groundwater. The landowner or operator will receive some type of compensation for the activity. The Mined Land Reclamation Board has requested the Division make determinations as to the need for a Mined Land Reclamation Permit. Based on the information provided in the questionnaire, the Division has determined **a reclamation permit is required for this activity**. The proposed activity meets the definition of a mining operation in accordance with C.R.S. 34-32.5-103(13). In accordance with C.R.S. 34-32.5-109(1) before engaging in a mining operation, an operator shall first obtain a reclamation permit. Given the description of the operation, a 112c reclamation permit would be appropriate.

If you disagree with this decision, you may petition to appear before the Board during a formal public hearing for a Declaratory Order concerning this matter. Pursuant to Rule 2.5.2(1), the request must be submitted to the Board in writing and be received no later than seven days prior to the hearing. The written request must contain the information required pursuant to Rule 2.5.2(2). The next available Board hearing will be held on March 24, 2021. All hearings are held at 1313 Sherman St., Room 318, in Denver, Colorado 80203.

If you have questions please contact me at Jared.Ebert@state.co.us or at (303) 866-3567 extension 8120.

Sincerely,

Jared Ebert
Senior Environmental Protection Specialist

Ec: Cody Wooldridge, cwooldridge@watervalley.com
Peter Hays, Peter.Hays@state.co.us

