




**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.

<b>MINE NAME:</b> Raindance Reservoir #2	<b>MINE/PROSPECTING ID#:</b> M-2021-049	<b>MINERAL:</b> Borrow material for construction and clay (general)	<b>COUNTY:</b> Weld
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> March 9, 2023	<b>INSP. TIME:</b> 10:00
<b>OPERATOR:</b> Vima Partners, LLC	<b>OPERATOR REPRESENTATIVE:</b> Cody Wooldridge	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b>	<b>BOND AMOUNT:</b> \$1,191,782.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>INSPECTOR(S):</b> Hunter Ridley	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> March 14, 2023

**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:** Hydrologic Balance

**PROBLEM/POSSIBLE VIOLATION:** Problem: The site is improperly impounding surface drainage/runoff.

**CORRECTIVE ACTIONS:** Corrective action will require submitting evidence to the Division that the impoundment has been pumped by the corrective action due date.

**CORRECTIVE ACTION DUE DATE:** March 27, 2023

**INSPECTION TOPIC:** Off-site Damage

**PROBLEM/POSSIBLE VIOLATION:** Possible Violation: Land has been affected outside of the approved permit boundary. This is a possible violation at this time pursuant to: C.R.S. 34-32.5-116(4)(i) for failure to protect areas outside of the affected land from slides or damages occurring during the mining operation.

**CORRECTIVE ACTIONS:** This matter will be scheduled for consideration by the Mined Land Reclamation Board (MLRB) at the April 19, 2023 meeting, during which, the MLRB may issue a violation, assess a civil penalty, and/or order corrective actions. A Reason to Believe a Violation Exists and Notice of Board Hearing letter will be sent to the operator separately from this report.

**CORRECTIVE ACTION DUE DATE:** April 19, 2023 (MLRB Hearing)

## **GENERAL INSPECTION TOPICS**

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

(AR) RECORDS-----	<u>NA</u>	(FN) FINANCIAL WARRANTY-----	<u>N</u>	(RD) ROADS-----	<u>Y</u>
(HB) HYDROLOGIC BALANCE-----	<u>PB</u>	(BG) BACKFILL & GRADING-----	<u>Y</u>	(EX) EXPLOSIVES-----	<u>N</u>
(PW) PROCESSING WASTE/TAILING----	<u>NA</u>	(SF) PROCESSING FACILITIES-----	<u>N</u>	(TS) TOPSOIL-----	<u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE-	<u>Y</u>	(FW) FISH & WILDLIFE-----	<u>N</u>	(RV) REVEGETATION----	<u>N</u>
(SM) SIGNS AND MARKERS-----	<u>Y</u>	(SP) STORM WATER MGT PLAN----	<u>Y</u>	(RS) RECL PLAN/COMP--	<u>N</u>
(ES) OVERBURDEN/DEV. WASTE-----	<u>N</u>	(SC) EROSION/SEDIMENTATION---	<u>N</u>	(ST) STIPULATIONS-----	<u>N</u>
(AT) ACID OR TOXIC MATERIALS-----	<u>NA</u>	(OD) OFF-SITE DAMAGE-----	<u>PV</u>		

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

## **OBSERVATIONS**

On March 9, 2023, the Raindance Reservoir #2 M-2012-020 was inspected by Hunter Ridley with the Division of Reclamation, Mining, and Safety (Division) for the purpose of approving or denying a surety release request for a related 111c site. A normal monitoring inspection for this 112c site was completed concurrently. Cody Wooldridge, of Vima Partners, who operates the pit was present for the inspection. The weather was breezy and clear.

Raindance Reservoir #2 is located approximately two miles south of Windsor, Colorado, and accessed from Crossroads Road off of I25. The Raindance Reservoir #2 is a 112c permit. The site is comprised of 91.1 acres of land owned by Vima Partners and is currently used to supply borrow material for CDOT's I-25 expansion. The site was active at the time of inspection (Photo 2). An amendment application (AM-01) is currently under review for this site (Photo 8).

### **SIGNS AND MARKERS**

The mine identification sign and affected area boundary markers are in place and in compliance with Rule 3.1.12. The sign is located at the entrance of the site (Photo 1). The perimeter has been marked with posts to clearly delineate the permit boundary. The notice sign required by Rule 1.6.2(1)(b) was posted at the entrance to the mine site.

### **TOPSOIL**

Various topsoil stockpiles were located around the mine site (Photo 4). Please ensure that all topsoil piles are appropriately vegetated in the Spring/Fall season to promote stabilization and prevent erosion as stated in the mine plan and as required by Rule 3.1.9.

## **HYDROLOGIC BALANCE (PB)**

The site is composed entirely of sandy clay borrow material with a clay subsurface. The impermeability of this subsurface traps rainwater and snowmelt in the center of the mine site (Photo 3). The operator indicated there is approximate 18" of water currently impounded at the site and said that a similar level of water impoundment has been present in that area for years. Pursuant to State Engineer (Division of Water Resources) statutes, all impounded storm water must be pumped out within 72 hours of the event. Therefore, under Rule 3.1.6(1)(a), the Division is citing a problem for failing to comply with applicable Colorado water laws and regulations governing injury to existing water rights. Corrective action will require submitting evidence to the Division that the impoundment has been pumped by the corrective action due date.

## **OFF-SITE DAMAGE (PV)**

While touring the mine site, the operator indicated that storm water is diverted from the site into a trench and pumped up the east side of the site (Photos 5 & 6). Water is then pumped under WCR 15 through a culvert and deposited into two pre-existing sediment ponds which then discharges to a point approximately two miles away into the Cache la Poudre River. This discharge is covered under NPDES Permit No. COR403818. However, these irrigation/sediment ponds currently exist outside of the permit boundary and occupy an approximately 0.5 acre area (Photo 7). Satellite imagery and Google Earth tools were used to calculate approximate acreage. Under Rule 1.1(3), settling ponds constitute 'affected land' (referenced below). Therefore, the Division is citing a possible violation for affecting area outside the permit boundary. The corrective action for this possible violation will require a hearing before the Mined Land Reclamation Board, tentatively scheduled for April 19-20, 2023.

Pursuant to Rule 1.1(3), "Affected Land" means the surface of an area within the state where a mining operation is being or will be conducted, which surface is disturbed as a result of such operation. Affected lands include but shall not be limited to private ways, roads, except those roads excluded pursuant to Rule 1.1(3), and railroad lines appurtenant to any such area; land excavations; exploration sites; drill sites or workings; refuse banks or spoil piles; evaporation or settling ponds; work, parking, storage or waste discharge areas; and areas in which structures, facilities, equipment, machines, tools or other materials or property which result from or are used in such operations are situated. All lands shall be excluded that would be otherwise included as land affected but which have been reclaimed in accordance with an approved plan or otherwise, as may be approved by the Board. Affected land shall not include off-site roads which existed prior to the date on which notice was given or permit application was made to the office and which were constructed for purposes unrelated to the proposed mining operation and which will not be substantially upgraded to support the mining operation.

### **Inspection Contact Address**

Cody Wooldridge  
Water Valley Land Company  
1625 Pelican Lakes Point, Suite 201  
Windsor, CO 80550

Photographs taken during the inspection are attached. If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at 720.868.7757, or by email at [hunter.ridley@state.co.us](mailto:hunter.ridley@state.co.us).

CC: Michael Cunningham  
Derek Patterson, TST, Inc. Consulting Engineers

## PHOTOGRAPHS



Photo 1: Appropriate signage located at the mine entrance to the North on E. Crossroads Boulevard.



Photo 2: View southeast of mine operation. Site was active at the time of inspection.





Photo 3: View W of impounded water, approximately 18in deep. Impermeable nature of the surrounding clay subsurface traps snowmelt and rainwater.



Photo 4: Topsoil stockpile located at the northern end of the operation. Currently unvegetated.





Photo 5: View to the SE of a pump which discharges storm water into two sediment ponds located east across WCR 15.

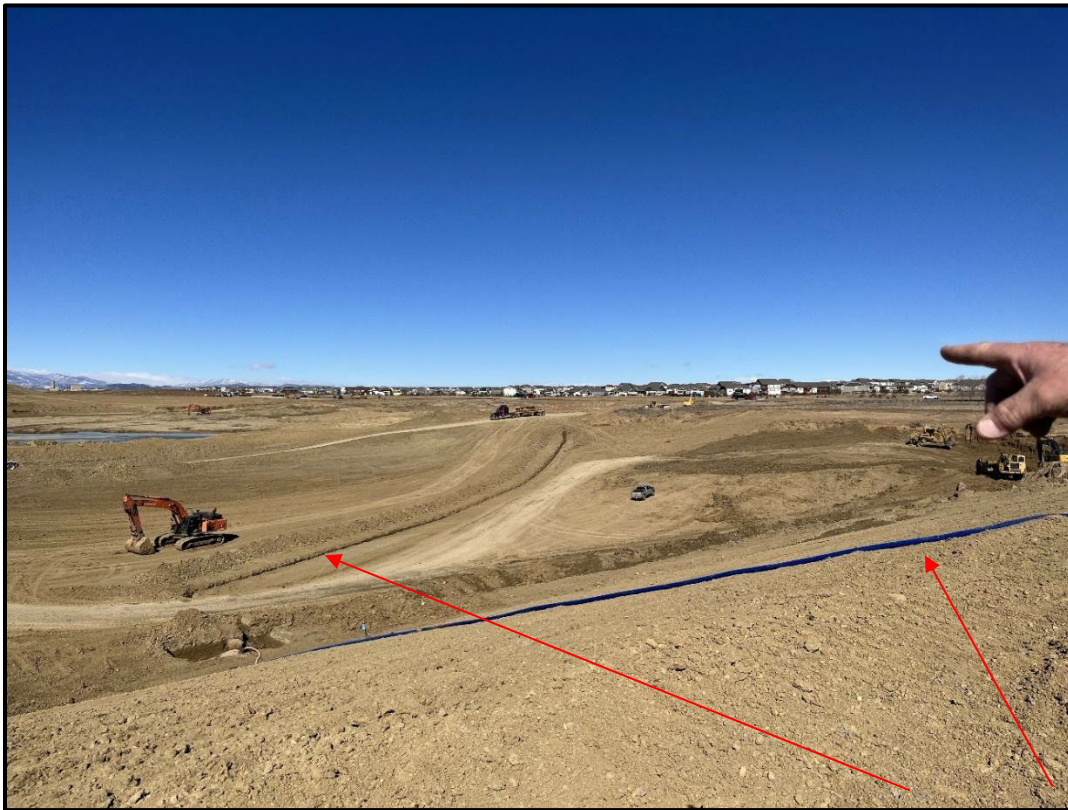


Photo 6: View to the northwest from the eastern boundary of the 111c permit. A trench and blue hose can be seen which pumps storm water across WCR 15 and into two nearby irrigation ponds.



Photo 7: Google Earth screen grab which shows the location of the two irrigation ponds (highlighted in red).





Photo 8: View northeast from the western side of the permit boundary, shows a portion of the area to be added with the AM-01 application.