




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: Seeley Reservoir Stockpiles	MINE/PROSPECTING ID#: M-2023-043	MINERAL: Borrow material for construction	COUNTY: Weld
INSPECTION TYPE: Preoperation Inspection	WEATHER: Windy	INSP. DATE: January 9, 2025	INSP. TIME: 09:30
OPERATOR: Four C Sons, Inc.	OPERATOR REPRESENTATIVE: Scott Cockroft, Tim Naylor, Travis Koch	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Pre-operation Inspection	BOND CALCULATION TYPE: None	BOND AMOUNT: \$0.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Amber Gibson Jared Ebert	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: January 17, 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>Y</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>Y</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>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>	

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

OBSERVATIONS

An application for the Seeley Reservoir Stockpiles (M-2023-043) has been received by the Division of Reclamation, Mining and Safety (Division/DRMS) and was deemed complete on December 2, 2024. The site was inspected by Amber Gibson and Jared Ebert with the Division as part of a pre-operation inspection. The site was previously inspected by the Division on January 18, 2024 as a possible violation investigation inspection. Scott Cockroft, Tim Naylor, and Travis Koch (representing the Applicant), and Charles and Spencer Keirnes (representing some of the Landowners) accompanied us during the inspection. The weather was windy and cold with cloudy skies.

The Seeley Reservoir Stockpiles operation is located in Weld County, approximately 1 mile north of the City of Greeley. The entrance to the site is just west of Seeley Lake on the north side of AA Street (Map 1). Seeley Lake is a reservoir for the Ogilvy Ditch, a 15-mile irrigation ditch system that extends throughout Weld County. Seeley Lake underwent a dredging project between 2023 and 2024 to remove excess sediment accumulation deposited at the mouth of the reservoir. Four C Sons, Inc. (Applicant) was contracted by Ogilvy Irrigating and Land Company (Ogilvy) to do the dredging work. The Applicant stockpiled the dredged material on lands surrounding, and adjacent to, the Seeley Lake reservoir and has been required by the Division to submit a reclamation permit application. The proposed post-mining land use is both agriculture/farmland and rangeland. The site is surrounded by the following land uses: rural residential, agricultural, and rangeland.

Availability of Records:

On December 19, 2024, the Division received comments from some of the affected-land landowners. During the inspection, the landowners present were able to show the Division and the Applicants each of the areas of concern. The Applicant will be asked to address their comments as part of the adequacy review process.

Financial Warranty:

The reclamation liability for this site was not calculated as part of this inspection and will instead be calculated as part of the technical adequacy review process for the application.

Hydrologic Balance and Sediment Control

In the Division's previous inspection report, a stormwater diversion ditch was noted in the southern-most stockpile area, located on land owned by PDC Energy Inc. When asked during the inspection if the ditch was created as part of stormwater control measures, the Applicant stated that the ditch was already in place prior to their involvement, and that it was a diversion ditch that kept the cropland irrigation separate from the energy utility areas (Photos 1-2).

Some of the comments provided by the landowners of the northern portions of the permit were concerned with structures within the Ogilvy ditch and the configuration of the ditch side-slopes. This area was observed during the inspection (Photo 3). The Applicant explained that the failed structure noted in the landowner's comments has been replaced with a structure equipped to handle flows with a much higher CFS than previously anticipated. The Applicant stated that the new structure has been examined by a Dam Safety engineer and is expected to now be adequately equipped to handle any large flows the ditch may experience in the future. The Applicant will be required to provide the engineering specifications and justification as to why this structure and the side-slope configuration is and will be stable, as part of their responses to the Division's adequacy review.

Roads:

During the inspection, the Division asked the Applicant for clarification as to whether the haul road will be removed, need to be reclaimed, or stay in place after reclamation, to which the Applicant stated that it will

remain (Photo 4). The Applicant will provide an updated reclamation plan exhibit that will address this in the narrative.

Right of Entry:

During the inspection, the Division informed the Applicant that the legal right to enter forms submitted with the application do not satisfy the requirements of Rule 6.4.14. The entity being granted the right to enter needs to match the Applicant/Permittee/Operator. Additionally, per Rule 6.4.14, a signed letter from the landowners granting access must be notarized. The landowners were made aware of this at the inspection as well. This is being included as an adequacy item in the Division's adequacy review of the permit application that will follow this inspection report.

Reclamation Success: Backfilling, Grading, and Revegetation

The dredging operation concluded as of June 2024, according to the application. The stockpiled material was placed in three distinct locations on lands around the reservoir. Once the material was allowed to dry, the Applicant stabilized the stockpiles and has left them as perimeter berms and graded stockpiles in and around the northern properties and graded stockpiles piles on the southern property. The Applicant submitted two options for reclamation. Option 1 allows for the material in the perimeter berms around the northern properties to remain, whereas the material within the rest of the northern property and the material in the southern property will be removed upon the permit's issuance (see the enclosed Reclamation Plan Map Option 1). Option 2 would allow for the excess material in the northern sections to remain after reclamation by grading out the interior stockpiles and leaving an additional graded stockpile near the west side of the lake (See Figure 1 and the enclosed Reclamation Plan Map Option 2). After the inspection, the Division is under the impression that Option 2 may be removed upon adequacy, as Option 1 appeared to be the preferred option by all parties.

The stabilized stockpiles have been graded and shaped with gentle 3H:1V side-slopes and were seeded in the fall of 2024 to aid in stabilization. At the time of the inspection, the Division observed that vegetation is beginning to establish (Photo 5-12). The Applicant stated that the piles were seeded with the pastureland/dryland mix as proposed in the permit application. Prior to the permit's eligibility for release, the Division will need to make the determination as to whether vegetation has established per the requirements of Rule 3.1.10.

During the inspection, the landowners brought the inspectors and the Applicant to the location where they believed remaining materials needed to be reclaimed and included in the affected area of the permit boundary (Map 1; Figure 1; Photo 13). At the time of the inspection, the Applicant's stated that that material was on Ogilvy's property and was not included as part of the operation. However, following the inspection the Division discovered that this area is already included in the Applicant's affected area boundary (Figure 1). The reclamation of this portion of the permit will need to be further addressed and accounted for in the Applicant's adequacy responses.

Signs and Markers:

A notice sign was posted at the entrance to the site in compliance with Rule 1.6.2 (Photo 14).

Topsoil:

No topsoil was removed nor salvaged as part of this operation. The stockpiled dredged material was placed directly on undisturbed ground. The Applicant's plan states that any compacted areas remaining after stockpiled material has been removed will be tilled and harrowed before seeding the area with agricultural crops.

Conclusion:

This concludes the Division's Inspection Report; a map and figure displaying topics discussed during the

inspection, and a subset of corresponding photographs that were taken during the time of the inspection, are included below. If you need additional information or have any questions, please contact me by email at amber.gibson@state.co.us or by telephone at (720) 836-0967.

Inspection Contact Address

Scott Cockroft
Four C Sons, Inc.
27906 WCT 388
Kersey, CO 80644

*Enclosures: Applicant's [currently submitted-pending additional review] Reclamation Plan Option 1 map
Applicant's [currently submitted-pending additional review] Reclamation Plan Option 2 map*

CC: Jared Ebert, DRMS
Tim Naylor, AGPROfessionals
Charles Keirnes
Spencer Keirnes

INSPECTION MAP



Map 1: Map created using both ArcPro and Google Earth Pro based on the Applicant's affected land boundary depicted on their Mining and Reclamation Plan maps. The blue icons indicate the locations where inspection photos with corresponding numbers were taken. The aerial imagery pre-dates stockpiling from the dredging operation.

INSPECTION PHOTOGRAPHS



Photo 1: Looking at the northwest corner of the stockpile area in the southern portion of the permit. A stormwater diversion ditch is shown between the stockpile and the road.



Photo 2: Looking at the southwest corner of the stockpile area in the southern portion of the permit. A stormwater diversion ditch is shown between the stockpile and the road. The right side of the photo shows some of the utilities belonging to PDC Energy, Inc.



Photo 3: Looking north at the Ogilvy ditch and the new flow regulating structure.



Photo 4: Looking north along the haul road located to the west of Seeley Lake.



Photo 5: Looking west at one of the stockpiles to remain as a perimeter berm on the northside of AA street.



Photo 6: Pictured on the left is the perimeter stockpile berm shown in Photo 5. Pictured on the right is the stockpile that will be removed via reclamation option 1, or will be graded out and seeded via reclamation option 2.



Photo 7: Looking east at a small stockpile located on the west side of Seeley Lake that will be removed via reclamation option 1, or will remain via reclamation option 2.



Photo 8: Looking north from the flow structure in Photo 3 towards the northeastern-most stockpile area. The only materials remaining, and which is planned to stay regardless of which option is chosen, are the permitter berms located on the east and south sides.



Photo 9: Looking east at the western most portion of the eastern berm in the area mentioned in Photo 8.



Photo 10: Looking at the east side of the eastern berm in the area mentioned in Photo 8.



Photo 11: Looking south at the southern berm in the area mentioned in Photo 8.



Photo 12: Looking east at the eastern stockpile area in the southern portion of the permit (PDC Energy area). All the stockpiled material within this parcel is planned to be removed upon the permit's issuance.



Photo 13: Looking southeast at the area mentioned in the landowner's complaint. The survey sticks in the photo indicate the end of the landowner's property. The remaining material (arrows) is located on Ogilvy's property.



Photo 14: Looking northeast from the entrance gate at the notice sign posted in compliance with Rule 1.6.2.

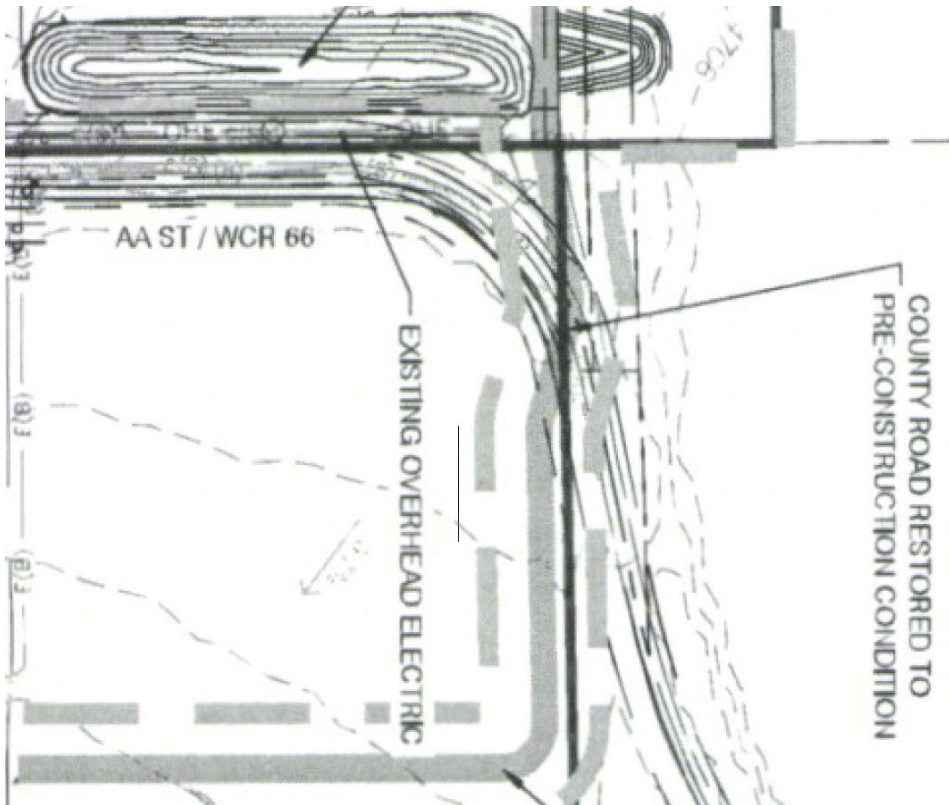
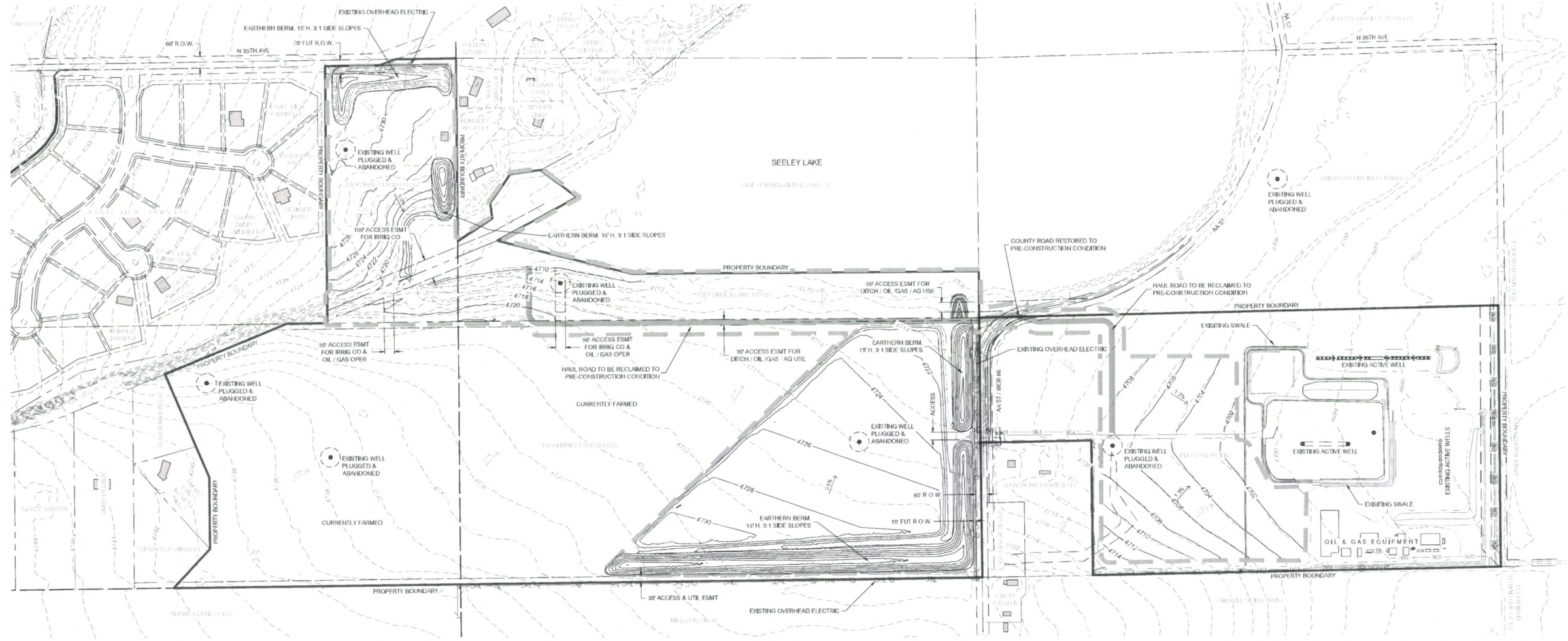


Figure 1: (Right) Excerpt from the Applicant's Reclamation Plan Map Option 2. The dashed lines indicate the Applicant's affected area boundary. (Left) Approximate location of the Applicant's affected area boundary (yellow dashed line), haul road (red line), property/parcel boundary included on the maps (purple line), overlain on aerial imagery that pre-dates the dredging operation in ArcOnline. The red dot indicates the location where inspection Photo #13 was taken. In comparison with the Applicant's maps, the location where excess material was stored on Ogilvy's land during the dredging project is included in the affected area boundary. The reclamation plan for this area will need to be addressed via the Applicant's response to the Division's adequacy review of the permit application.

RECLAMATION PLAN OPTION 2



NOTE
1. TOTAL DISTURBED AREA = 97.36 ACRES

LEGEND			
	EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING GAS
	PROPOSED GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING ELECTRIC
	EXISTING PROPERTY LINE		EXISTING CABLE
	EXISTING EASEMENT		SECTION LINE
	EXISTING R.O.W.		POWER POLE
	EXISTING OVERHEAD ELECTRIC		EXISTING SIGN
	EXISTING FENCE		EXISTING WELL
	AFFECTED AREA		EXISTING STRUCTURES

OGILVY IRRIGATING & LAND CO.
RECLAMATION PLAN OPTION 2

SHEET:
M-3a



AGPROprofessionals
DEVELOPERS OF AGRICULTURE
3050 67th Avenue, Suite 200,
Greeley, CO 80634
(970) 535-9518 • fax: (970) 535-9854



DATE	November 6, 2024	DRAWN BY	AGPRO
DESIGNED BY	AGPRO	CHECKED BY	AGPRO
APPROVED BY	AGPRO	DATE	11/20/24