

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



January 17, 2013

Keith Zimmerman  
Vista Verde Village LLC  
17449 Hwy 550  
Ridgway, CO 81432

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Piñeda  
Director

**RE: Delinquent Annual Report; Compliance with Construction Materials Rule 1.15(1),  
Section 34-32.5-116(3)(a) C.R.S., and Permit Conditions;  
Peck Pit, Permit No. M-1992-049**

Dear Mr. Zimmerman:

On November 14, 2012, the Division of Reclamation, Mining and Safety (Division or DRMS) received payment for the annual fee for the Peck Pit in the amount of \$323. Thank you for the payment. Please find enclosed copy of receipt number 14098, dated November 15, 2012.

The cover letter for the payment, dated November 12, 2012, stated the cover letter served as the annual report. The annual report form, issued previously by the Office, was not completed by Vista Verde Village and returned to the Division. Division records indicate copy of the annual report form had been forwarded to Vista Verde Village twice; on June 1, 2012, and again on October 16, 2012.

Pursuant to Construction Materials Rule 1.15(1), the annual report shall include all information specified on the annual report form, as issued by the Office. The cover letter from the Operator, dated November 12, 2012, did not include all information specified on the annual report form and is thereby not compliant with the requirements of Rule 1.15(1).

Pursuant to Section 34-32.5-116(3)(a) C.R.S., all Operators are required to submit the annual fee and report on the anniversary date of the permit. The anniversary date for the Peck Pit is July 13 and the Division has not yet received the annual report due July 13, 2012. Therefore, please complete the enclosed annual report form and return the completed form to the Division within 30 days, by **February 18, 2013**. Failure to comply will result in the Division pursuing enforcement action and civil penalties against Vista Verde Village.

The Construction Materials Act and Rules may be access through the Division's web site, [www.mining.state.co.us](http://www.mining.state.co.us). Copy of the annual report form, issued by the Office, as well as all permit documents of the public file may also be accessed through the Division's web site.

Please contact me at the Division's office in Durango at 691 County Road 233, Suite A-2, Durango, CO 81301, phone (970) 247-5469, if you have any questions.

Sincerely,



Wallace H. Erickson  
Environmental Protection Specialist

Attachment: Certificate of Service

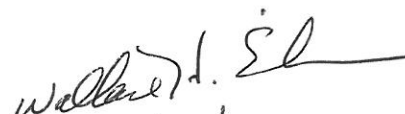
Enclosures: 1) Receipt #14098, dated November 15, 2012;  
2) Correspondence from Vista Verde Village, dated November 12, 2012;  
3) Correspondence from DRMS, FINAL NOTICE, dated October 16, 2012; and  
4) Correspondence from DRMS, Annual Fee Invoice and Report Request, dated June 1, 2012

cc w/enclosure: Russ Means, DRMS GJFO  
Christine Brookshire, DRMS Denver

#### Certificate of Service

I, Wallace H. Erickson, hereby certify that on this 17<sup>th</sup> day of January, 2013, did place the forgoing document, RE: Delinquent Annual Report; Compliance with Construction Materials Rule 1.15(1), Section 34-32.5-116(3)(a) C.R.S., and Permit Conditions; Peck Pit, Permit No. M-1992-049, with enclosures, in the US Mail, postage paid, addressed to the following individual:

Keith Zimmerman  
Vista Verde Village LLC  
17449 Hwy 550  
Ridgway, CO 81432

  
1/17/13

Division of Reclamation, Mining, and Safety

Fee Receipt for M1992049

Vista Verde Village, LLC.

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Receipt #: 14098

Date: 11/15/2012

Permit: M1992049

Payment Method	Revenue Code	Fee Description/Notes	Amount
CMB, 1436	4300-01	Minerals Annual Fees M-1992-049 PDA KEITH ZIMMERMAN	\$323.00
Receipt Total:			\$323.00

Vista Verde Village LLC

17449 Hwy 550  
Ridgway, CO 81432

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**RECEIVED**

NOV 14 2012

Division of Reclamation,  
Mining & Safety

November 12, 2012

Mr. Jim Duppler  
Division of Reclamation, Mining and Safety  
1313 Sherman St., Room 215  
Denver, Colorado 80203

**RE: Peck Pit Permit # M-1992-049 Annual Report for 2012**

Dear Sir:

Enclosed is a check for the annual fee of \$323.00.

This letter serves as the 2012 annual report.

Since inception, there has been no mining/gravel operations activity for this permit to date.

Sincerely,



Keith Zimmerman  
Managing Member

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



October 16, 2012

Vista Verde Village, LLC.  
17449 Hwy 550  
Ridgway, CO 81432

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Piñeda  
Director

### FINAL NOTICE

Please be advised that according to records of the Division of Reclamation, Mining and Safety (the "Division") the annual fee and report listed below is past due.

The Division **must** receive all fees due accompanied by an adequate report no later than 5 p.m. on **November 15, 2012**, or a Notice of Violation, Cease and Desist Order from ALL mining related activities, Civil Penalties equal to the amount of the annual fee due, and a Notice of Formal Public Hearing before the Mined Land Reclamation Board for consideration of POSSIBLE PERMIT REVOCATION AND FINANCIAL WARRANTY FORFEITURE will be issued for this account.

**Please be aware that no permits for new mining operations shall be granted to any operator who is currently found to be in violation in this state (C.R.S. 34-32-120 or C.R.S. 34-32.5-120).** The Annual Report and Fee requirement is not met until we have received the following components: fee, report, and associated map. If no new disturbances or reclamation have occurred during the previous year and no new changes to the previous year's map are necessary, then no new map is required, provided that the Operator shall state this in the Annual Report.

Division records indicate \$323.00 is due.

Permit No. :	M-1992-049
Operation Name:	Peck Pit
Anniversary Date:	July 13, 2012
Total:	\$323.00 (Due on or before )

If your records indicate different facts than those stated above please inform the Division no later than **November 15, 2012**. If you receive this notice and you have mailed your payment and report to the Division, please disregard this notice. The Division appreciates your prompt attention in this matter.

Any questions concerning your annual report or fee, may be directed to Christine Brookshire at (303) 866-3567 ext. 8132 or Jim Dupler (303) 866-3567 ext. 8119.

Make checks payable to the Division of Reclamation, Mining and Safety.  
CERTIFIED MAIL NO. 7011 3500 0002 9607 9118  
Return Receipt Requested

**110c Annual Report**

Permittee Name:	Vista Verde Village, LLC.	Permit Number:	M-1992-049
Operation Name:	Peck Pit	County:	Ouray
Annual Fee Due:	\$323.00	Anniversary Date:	July 13, 2012
Permit Acreage:	8.00	Current Bond Amt:	\$3,000.00

According to C.R.S. 34-32.5-116 or 34-32-116, each year, on the anniversary date of the permit, an operator shall submit the Annual Fee, an Annual Report and Map showing the extent of current disturbances to affected land, required monitoring information, reclamation accomplished to date and during the preceding year, any new disturbance that is anticipated to occur during the upcoming year, any reclamation that will be performed during the upcoming year, the dates for the beginning of active operations, and the date active operations ceased for the year.

Information contained in this report will be reviewed by the Division upon receipt and prior to the next compliance inspection of the site. If, while completing this report, you learn that your site is not in compliance with the rules and the act, it is advisable that the issues be rectified promptly to avoid possible enforcement action.

1. Is the site identification sign posted in accordance with Rule 3.1.12(1). YES NO
2. Is the affected area boundary clearly marked in accordance with Rule 3.1.12(2). YES NO
3. Is the mine site in final reclamation (all material extraction and stockpile removal is complete)? YES NO  
If "YES," please note time limits related to completion of reclamation, Rule 3.1.3.
4. What was the date of last excavation, processing or hauling activity at the mine? \_\_\_\_\_
5. Does the mine operate more than 180 days per year? YES NO  
If "NO", please review Rule 1.13 to assure that your mine is in compliance.
6. Has this mine been granted:   a) approval of TEMPORARY CESSATION Status? YES NO  
  b) approval for INTERMITTENT OPERATION? YES NO
7. Number of acres currently affected (mining + incomplete and or unreleased reclamation). \_\_\_\_\_
8. Number of acres that were newly affected during the current report year. \_\_\_\_\_
9. Number of acres that were reclaimed during the current report year. \_\_\_\_\_
10. Estimated new acreage to be affected in the next report year. \_\_\_\_\_
11. Estimated acres to be reclaimed in the next report year. \_\_\_\_\_
12. **Total acres** in various stages of reclamation, since permitted mining activities began:

Total acres backfilled:		Total acres seeded w/ approved mix:		Total acres w/topsoil replaced:		Total acres mulched w/ approved mulch:	
Total acres graded:		Total acres fertilized w/ apvd fertilizer:		Topsoil replacement depth (in.):		Mulch application rate (tons/ac):	
Seed application method:		Fertilizer application method:		Mulch application method:			

13. Is weed control being conducted in accordance with an approved Weed Control Plan? YES NO N/A  
If "YES", indicate the weed species, control area, control type, application rate and treatment date on the report map.
14. Is adequate topsoil reserved for reclamation, based on your approved permit? YES NO N/A  
If "NO", please explain:
15. Is the reserved topsoil vegetated/stabilized in accordance with Rule 3.1.9(1)? YES NO N/A  
If "NO" please explain:
16. If mining has exposed groundwater, is the site in compliance with the approved mining plan and Office of the State Engineer (Well Permit, S.W.S.P., and/or Permanent Augmentation Plan)? YES NO N/A
17. Are all hazardous materials stored within approved spill containment structures? YES NO N/A
18. Is your financial warranty value sufficient to cover the cost to complete reclamation? YES NO N/A
19. Is your basis for legal right to enter still valid? YES NO
20. Does your permit require you to submit monitoring information annually? YES NO N/A  
If "Yes", please attach the required monitoring results to this Annual Report.
21. As required by rule, attach a map to this report that accurately depicts the permit boundary, current affected area boundary and location of the acreages specified in items 7- 12 and 14. UPDATED MAP ATTACHED: \_\_\_\_\_

Division records indicate the following permittee contact information. If this information is not current, please type or print current contact information:

Permittee Contact:	Keith Zimmerman	
Permittee Company:	Vista Verde Village, LLC.	
Address:	17449 Hwy 550 Ridgway, CO 81432	
Phone Number:	(970) 325-0068	
Fax Number:		
Email Address:	CF.PR.email	

I, the undersigned, hereby state that the information provided in this report is true and accurate, and that site operations are being conducted in accordance with the Division approved mining and reclamation plans.

Signature of Permittee, Corporate Officer, Owner, or Documented Designee

\_\_\_\_\_  
Date



# STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY  
Department of Natural Resources

1313 Sherman St., Room 215  
Denver, Colorado 80203  
Phone: (303) 866-3567  
FAX: (303) 832-8106



June 1, 2012

Keith Zimmerman  
Vista Verde Village, LLC.  
17449 Hwy 550  
Ridgway, CO 81432

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Pineda  
Director

## Peck Pit, Permit M-1992-049, Annual Fee Invoice and Report Request

### PLEASE READ CAREFULLY – ACTION REQUIRED

**Please attach your COMPLETED written Annual Report and Annual Report Map to this form**

Under the terms of your NOI or Reclamation Permit and Colorado Statutes, you must submit Annual Fees and Annual Reports (including a map). You must pay the Annual Fee and submit an Annual Report each year until reclamation responsibility release is granted. The Annual Fee is not a renewal fee. The Fee and Report are for LAST YEAR'S mining and reclamation season, and MUST be paid even if your operation was inactive.

**The Annual Report and Fee requirement will be considered submitted when we have received the following components:**

1. **APPROPRIATE ANNUAL FEE**
2. **COMPLETED ANNUAL REPORT**
3. **ASSOCIATED MAP as required by rule**

If you have requested reclamation responsibility release from the Division of Reclamation, Mining and Safety ("Division") but your permit is not released by the anniversary date listed below, the Annual Fee MUST be paid. If the permit is released before the anniversary date, then by Statute, it is not necessary to pay an Annual Fee or submit an Annual Report for that year.

Division records indicate the \$323.00 fee is due for the following:

Permit:	M-1992-049
Operation Name:	Peck Pit
Anniversary Date:	July 13, 2012
Total Fee Due:	\$323.00 (Due on or before your Anniversary Date)

Return the enclosed Annual Report FORM, a MAP, and a CHECK or MONEY ORDER made payable to: Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. If your records indicate these documents and fees have already been submitted, please notify the Division.

If you have additional comments and/or information that should be provided to the Division, please provide it below or attach it to this form along with your written report and map. Annual Report instructions are enclosed. If you have any questions, please feel free to contact Jim Dupler (303)866-3567 x8132 or Christine Brookshire (303)866-3567 x8132. Thank you for your cooperation in this matter.

**IF THE ANNUAL FEE SUBMITTALS ARE NOT RECEIVED ON OR BEFORE YOUR ANNIVERSARY DATE, THE ENFORCEMENT PROCESS WILL AUTOMATICALLY BE INITIATED. ENFORCEMENT ACTIONS MAY RESULT IN CIVIL PENALTIES AND/OR REVOCATION OF YOUR PERMIT.**



### 110c Annual Report

Permittee Name:	Vista Verde Village, LLC.	Permit Number:	M-1992-049
Operation Name:	Peck Pit	County:	Ouray
Annual Fee Due:	\$323.00	Anniversary Date:	July 13, 2012
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Information contained in this report will be reviewed by the Division upon receipt and prior to the next compliance inspection of the site. If, while completing this report, you learn that your site is not in compliance with the rules and the act, it is advisable that the issues be rectified promptly to avoid possible enforcement action.

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Email Address:	CF.PR.email	

I, the undersigned, hereby state that the information provided in this report is true and accurate, and that site operations are being conducted in accordance with the Division approved mining and reclamation plans.

Signature of Permittee, Corporate Officer, Owner, or Documented Designee

\_\_\_\_\_  
Date