



Oldcastle[®]
Materials
SOUTHWEST GROUP, INC.



August 8, 2016

Mr. G. Russell Means
Senior Environmental Protection Specialist
Western Slope Field Office Supervisor
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Norwood United Pit, Permit No. M-1988-037

Dear Mr. Means,

I am writing in response to your letter dated January 5, 2016, the subject being related to a complaint letter from the adjacent land owner, Ms. Gaston and her claim that the irrigation diversion structure supplying water to the gravel pit is on her property.

Jason Burkey and I conducted a site visit on June 22, 2016. We walked the fence line between Ms. Gaston's property and the pit boundary. The fence line is fully intact and is barely visible due to the thick willow growth in the area. We found the irrigation structure and it appears the majority of the structure is on the south side of the fence which indicates it is on the Gaston property. The structure however is fully within the Bollinger Ditch and is well within the easement or right of way of the Bollinger Ditch. The piping coming out of the structure and holding pond are all on the north side of the fence which is on the lease Norwood Pit property.

Additionally, I had a discussion with the Norwood Pit land owner, Ruth Skelton, who originally permitted the gravel pit and along with her husband Dewayne installed the irrigation diversion structure. Ruth informed me that the irrigation structure was constructed within the Bollinger Ditch right of way with the approval of the Bollinger Ditch Board of Directors and the current ditch rider at the time. The approval is in the minutes of the Bollinger Ditch Board meetings. Ruth has looked into this situation two times in the past due to complaints from Ms. Gaston.

To clarify this situation, we feel the irrigation diversion structure was installed by the Norwood Pit landowners, Ruth and Dewayne Skelton and was approved by the Bollinger Ditch Board of Directors and lies within the Bollinger Ditch right of way.

If you need any additional information please feel free to contact me.

Sincerely,

Peter J. Siegmund
Vice President, Oldcastle SW Group, Inc.