



STATE OF  
COLORADO

Cunningham - DNR, Michael <michaela.cunningham@state.co.us>

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## Katuska Pit illegal mining, from the DRMS file M1991037 Comment to appeal of DRMS decision to deny water maintenance, and also comment to 112 permit application

1 message

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rrindsig@mchsi.com <rrindsig@mchsi.com>

Mon, May 8, 2017 at 2:13 PM

To: "Cunningham - DNR, Michael" <michaela.cunningham@state.co.us>

Michael,

All the mining at Katuska has been illegal since at least 2011. It is in an area zoned for residential use, not mining.

Please read this letter from Park County from 2011, straight from the DRMS files:

<http://drmsweblink.state.co.us/drmsweblink/0/doc/932045/Page1.aspx?searchid=1a716600-401b-4ad1-ba2f-820621efa092>

The property has never been rezoned.

So, all this maneuvering by Baller to obtain permission to maintain/improve MINING water rights is a farce. He just wants to continue illegally mining Katuska as long as he can. The illegal mining predates the construction of all the ponds on the property.

I understand he has applied for rezoning of his property that includes Katuska. This is a process that should be allowed to run its course, without DRMS making ANY decision as to utilization of any part of the property for mining use. This means the appeal for water related maintenance should be moot until the property is rezoned, if it even occurs.

Any action to issue a 112 permit is likewise moot until rezoning, and should be deferred until the rezoning process (including any appeals) is complete.

Respectfully submitted,

Robin Rindsig