

STATE OF
COLORADO

Bowles - DNR, Brock <brock.bowles@state.co.us>

Request for assistance.

1 message

Go West Land <gowestland@gmail.com>

Fri, Sep 28, 2018 at 11:15 AM

To: Bowles Brock <brock.bowles@state.co.us>, "Hernandez - DNR, Daniel" <daniel.hernandez@state.co.us>

Brock and Danny,

We sincerely request your assistance.

In Montrose County District Court Case No. 2012CV209's settlement agreement between Western Fuels-Colorado (Elk Ridge Mining & Reclamation, LLC), Plaintiff, and 4/7, LLC (GW46 Irrevocable Trust), Defendant, states, "When Western Fuels-Colorado obtains Phase III Bond Release of all lands tributary to Pond 007, as defined on map 2.05.3.(3)-2-2, revised 5-17-07, excluding the haul road, it will quitclaim or transfer to 4/7: (i) the Pond 007 water storage right; (ii) any separately adjudicated water rights for Pond 007; (iii) and the Pond 007 Structure in its then current condition at the time of conveyance..."

We are asking DRMS, to give us its opinion to the following as they pertain to Map 2.05.3(3)-2-2 (attached):

- 1.) Has all lands tributary to Pond 007, *excluding the haul road*, achieved Phase III Release?**
- 2.) We understand that ERM&R has permitted the "Facilities Area" (everything east of C4 ditch, south of 5th Road and north of Calamity Draw, west of Lincoln Street) as Permanent structures and features, thus not being required to be reclaimed to pre mining activity disturbance condition as it was prior to 1992, is this correct?**
- 3.) Also, are there any lands north of B.B. Road within Permit # C-1981-008 that are tributary to Pond 007 as depicted on Map 2.05.3(3)-2-2 that still require Phase III Bond Release?**

Your immediate response is greatly appreciated.

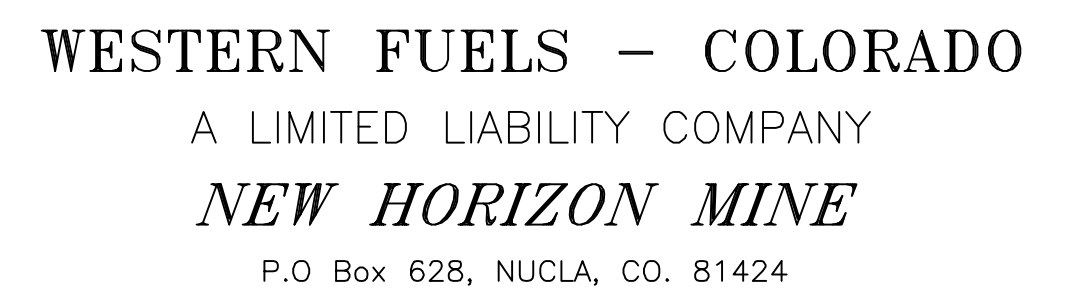
Thank you,

RoseAnne Guire
GW46 Irrevocable Trust

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PERMIT BASE 12JUN12 2_05 (Guire Agreement Pond 007 Map) (00354048xC0C84)....pdf
1032K



MODIFIED POND 007 DRAINAGE AREA
(SURFACE WATER FEATURES AND CONTROLS)

CONT. INTERVAL: 5'	DWG. DATE: 08/06/04	REV. NO.
	CONT. DATE:	REV. DATE: 05/17/07
DRAWN BY: ROSS GUBKA, PE GREG LEWICKI, PE	DWG. NO.: PERMIT BASE 12JUN12.dwg	

