



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

March 14, 2019

Harold Stickler
General Shale Brick, Inc.
1845 W. Dartmouth Ave.
Denver, CO 80110

**Re: Apache 9, Permit No. M-1978-009;
Second Corrective Action Due Date Extension Request Approval**

Dear Mr. Stickler:

On March 13, 2019 the Division of Reclamation, Mining and Safety (Division) received a request via email from Mr. Jason McGraw for a second extension to the corrective action due date for the Problem cited in the January 30, 2018 inspection report from March 8, 2019 to May 7, 2019. The Division hereby approves the extension request as follows:

INSPECTION TOPIC: Hydrologic Balance

PROBLEM/POSSIBLE VIOLATION: Problem: The Division has no evidence that the operator has a valid well permit, substitute water supply plan, or approved water augmentation plan for the exposed groundwater at the site. This is a problem related to 34-32.5-116(4)(h) of the Colorado Revised Statutes and 3.1.6(1)(a) of the Construction Materials Rules and Regulations governing injury to existing water rights.

CORRECTIVE ACTIONS: The operator shall demonstrate that the operation is in compliance with the Office of the State Engineer, show evidence that the operator is taking measures to bring the site into compliance with the SEO, or backfill the pits to at least two feet above the groundwater surface by the corrective action date specified.

EXTENDED CORRECTIVE ACTION DUE DATE: 5/7/19

If you have any questions or need further information, please contact me at (303)866-3567 x8169.

Sincerely,

Timothy A. Cazier, P.E.
Environmental Protection Specialist

ec: DRMS file
Jason McGraw, General Shale Brick

