



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 12, 2019

Richard Coulson
Coulson Excavating Company, Inc.
3609 North County Road 13
Loveland, CO 80538

**Re: WITHDRAWAL of Reason to Believe a Violation Exists and Board Hearing;
WITHDRAWAL of Surety Increase (SI02), Kirtwright Pit; Permit M-1986-123**

Dear Mr. Coulson:

On November 8, 2019 the Colorado Division of Reclamation, Mining and Safety (DRMS or Division) received a copy of the approved Temporary Substitute Water Supply Plan (TSWSP) from the Colorado Division of Water Resources (DWR) for the above referenced site. The TSWSP included the dedication of water rights to cover the augmentation of the exposed groundwater at the site. Given this, the Division has withdrawn the surety increase revision initiated on July 11, 2019. Also, the Division has withdrawn the hearing before the Mined Land Reclamation Board (Board) scheduled for Wednesday November 13, 2019 for the consideration of a possible violation for failure to post the additional financial warranty within 60 days of the date of notice of adjustment.

As indicated above, the surety increase and the scheduled Board hearing have been withdrawn. Please keep in mind that Coulson Excavating Company, Inc. must maintain an approved TSWSP for this site until a permanent plan for augmentation has been approved by the applicable Water Court.

If you have any questions about this letter or the hearing, please contact Jared Ebert at Jared.Ebert@state.co.us or at (303) 866-3567, ext. 8120.

Sincerely,

Jared Ebert
Senior Environmental Protection Specialist

ec: Russ Means, DRMS
Jeff Fugate, AGO
Michael Cunningham, DRMS
Eric Scott, DRMS
Ken Coulson, Coulson Excavating Company, Inc.
Peter Wayland, Weiland, Inc.

