



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

January 2, 2020

Bennie & Shawnee Koch
Rocky Mountain Excavating, LLC
2976 L Path
Cotopaxi, CO 81223

**Re: Iron Mountain Road Gravel Pit, Permit M-1994-092;
Corrective Action Due Date Extension Approval**

Dear Mr. and Mrs. Koch,

On December 31, 2019 the Division received an emailed request for an extension to the due date for the Division's corrective action resulting from our Iron Mountain Road Gravel Pit inspection report mailed on October 29, 2019. The Division hereby approves your request for an extension to June 1, 2020. Given the impounded water appears now to be groundwater and Mrs. Koch indicated via a telephone conversation on December 31st that you intend to backfill the ponding area to prevent the exposure of groundwater, the Division has modified the corrective action accordingly. The corrective action and extended due date is summarized below:

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.

Modified 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 pit to at least two feet above the groundwater surface by the corrective action date specified.

CORRECTIVE ACTION DUE DATE: 6/1/20

If you have any questions, please contact me at (303) 866-3567, ext 8169.

Sincerely,

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

ec: DRMS file

