



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

April 24, 2020

Mike Toelle
Holcim (US) Inc.
3500 Highway 120
Florence, CO 81226

RE: Boettcher Limestone Quarry, Permit No. M-1977-348, Status of Required Corrective Actions

Mr. Toelle:

The Division of Reclamation, Mining and Safety (Division) is providing the following status update on the corrective actions required for Problem #1 identified in the Division's inspection report sent on February 28, 2020:

INSPECTION TOPIC: Hydrologic Balance

PROBLEM #1: The Division has no evidence the operator has a valid well permit, substitute water supply plan, or approved water augmentation plan for the exposed groundwater and/or impounded runoff observed at the site. This is a problem pursuant to C.R.S. 34-32.5-116(4)(h) and Rule 3.1.6(1)(a) which require the operator to comply with applicable Colorado water laws and regulations governing injury to existing water rights.

CORRECTIVE ACTIONS: By the corrective action date, the operator shall demonstrate the operation is in compliance with the Office of the State Engineer (SEO), show evidence 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 water surface. If, by the corrective action date, the operator has not submitted the required corrective action, the reclamation bond for the site will need to be re-evaluated to include costs for backfilling the ponded water.

CORRECTIVE ACTION DUE DATE: April 28, 2020

STATUS UPDATE: *On April 23, 2020, the operator submitted a letter informing the Division that Brown and Caldwell have been commissioned to assist in the development of an augmentation plan to address this issue at the site. The letter states this plan has been completed, submitted to the water court, and the operator is currently awaiting approval. Pursuant to the proposed augmentation plan, the operator has also entered into a lease agreement with the City of Greeley Colorado and secured the necessary water rights needed to execute the plan. Please be advised, the information provided is not sufficient evidence that the operator is taking measures to bring the site into compliance with the SEO. Please provide additional documentation proving the proposed augmentation plan has been submitted to the SEO/water court.*



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If you have any questions, you may contact me by telephone at 303-866-3567, ext. 8129, or by email at amy.eschberger@state.co.us.

Sincerely,

A handwritten signature in blue ink that reads "Amy Eschberger". The signature is written in a cursive, flowing style.

Amy Eschberger
Environmental Protection Specialist

Cc: Travis Bennett, Holcim (US) Inc.
Sara Harkins, Golder Associates, Inc.
Javier Vargas-Johnson, DWR
Michael Cunningham, DRMS