



November 24, 2020

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies
2273 River Road
Grand Junction, CO 81505

**Re: Notice of Board Item Withdrawal
Lyster Pit, Permit M-2008-009**

Mr. Burkey:

On November 15, 2020, the Division of Reclamation, Mining and Safety (Division) received a report from Oldcastle SW Group, Inc. dba United Companies (United), detailing the groundwater hydrology of the Lyster Pit. After review of the report and an internal historical review of the permit, the Division met with United on November 20, 2020. The Division discussed with United that the data contained in the report had provided sufficient evidence that the standing water within the permit boundary and neighboring property were due to natural hydrologic conditions. The Division therefore believes that no violation of the permit exists and no off site impact has occurred. The Division did request that United submit a technical revision to state their commitment to maintain the ditch on the east side of the permit to alleviate future ponding of water in that location within the approved permit boundary. The Division received Technical Revision No. 3 via email on November 23, 2020 and a hard copy in the mail after. Technical Revision No. 3 will incorporate the operator's commitment to keep the east ditch maintained into the M-2008-009 Permit. The Division has withdrawn this item from the December 2020 Board Hearing.

If you have any questions about this letter, please contact me at (303) 866-3567, ext. 8144 or clayton.wein@state.co.us.

Sincerely,

Clayton Wein
Environmental Protection Specialist

cc: Jason Musick, Division of Reclamation, Mining and Safety

