



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

February 22, 2021

Allyson Degroot  
25562 County Road 46  
Kersey, CO 80644-9036

**RE: Degroot Property, Reference No. M-2020-050, Division Response to “Is It Mining?” Questionnaire, No Permit Required**

Dear Allyson Degroot,

On February 19, 2021, the Division of Reclamation, Mining and Safety (Division) received an “Is It Mining?” questionnaire regarding a limited excavation of three to four inches of manure and dirt over a ten acre area to be used to level an area for agricultural purposes. According to the questionnaire, the material will be used within the property it was excavated from and will not be hauled off-site and that neither the landowner nor the site operator will receive any type of compensation for the material excavated. The Mined Land Reclamation Board has requested the Division make determinations as to the need for a Mined Land Reclamation Permit. Based on the information provided in the questionnaire, the Division has determined **a permit is not required for this activity from the Division**; however, as the form indicated a grading permit from Weld County may be necessary. Any significant deviation from the described activity could result in review and possible reversal of this determination.

If you disagree with this decision, you may petition to appear before the Board during a formal public hearing for a Declaratory Order concerning this matter. Pursuant to Rule 2.5.2(1), the request must be submitted to the Board in writing and be received no later than seven days prior to the hearing. The written request must contain the information required pursuant to Rule 2.5.2(2). The next available Board hearing will be held on March 24, 2021. All hearings are held at 1313 Sherman St., Room 318, in Denver, Colorado 80203.

If you have questions please contact me at (303) 866-3567 extension 8120.

Sincerely,

Jared Ebert  
Senior Environmental Protection Specialist

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Peter Hays, [Peter.Hays@state.co.us](mailto:Peter.Hays@state.co.us)

