

STATE OF  
COLORADO

Hays - DNR, Peter &lt;peter.hays@state.co.us&gt;

## Slope of cell 4 in mining claim M2001022

JAMIE MCGILL <jam2finance@yahoo.com>  
To: Peter Hays - DNR <peter.hays@state.co.us>

Wed, Apr 7, 2021 at 9:02 AM

Hi Peter,

I have been trying to go thru all documents in a effort to address concerns my husband and I have had since going under contract to purchase the property aka claim number M2001022 in August of 2018. I have some questions that I need clarity on. We are filing a complaint with you in regards to the mining claim. If we need to file it with someone else please let me know as soon as possible

1. I show that a Reclamation Plan dated 7/16/2016 was submitted to the state and want to know if that is the engineered copy? Who is the engineer that the state has on record if there is one? This plan was done before the mining was even completed, which was November of 2017. I show that the mining claim was never inspected before filling the lake in February of 2018? Is that normal protocol?
2. The Survey I show on record is dated 1/2/2019 done by T Everett his state license number is PLS.0017483. This is the only one I can find. Is that correct? I was told that the Survey was done off a Topographical Map and no site visit was done. If I am wrong please provide me the documents that show that the slope of the lake has actually been measured, In the policies of the The Mined Land Reclamation Board 30.0 Factors of Safety for Slope Stability are Factors of Safety, Slope Failure, Slope Stability and Slope Stability Analysis. On slope stability and slope stability analysis there is no documentation to support the claim the slope is 3:1 as Loveland Ready Mix has stated several times. We have measured the slope of the lake and attached is a copy of our findings along with pictures of all 16 reference points that are greater than a 3:1 slope (see attached). In fact we have been bringing up this issue since 2018. When you did your site visit is 2019 you found our concerns were valid and had merit. In your June 24, 2019 report you recommended corrective action. Loveland Ready Mix ignored your recommendation and dropped very large concrete pieces (see time stamped pictures) which have made the slope impossible to mow and maintain. Loveland Ready Mix has told us on several occasions that they are too busy and this claim is not a priority this gives us no indication that they are making a reasonable effort as required.
3. Also in the rules it states under 3.1.3 Time Limit and Phased Reclamation that each phase is allowed 5 years. We are in year 2021 and in November of 2022 it will be 5 years from when the claim should be completed on/or around 5 years from November of 2017. We are requesting a meeting at the site within the next 5 business days as allowed by 20.7.1.1. under Inspections on Citizen Complaints. Loveland Ready Mix is refusing to work with us and I understand we did not officially own the property until March of 2021 but we do now. We have been under contract since August 2018 and we actual live right next door to the mining claim and it is easy and convenient to document. We have pictures and documentation from August 2018 and still are documenting to this day. You were sent a letter dated July 17,2019 from Loveland Ready Mix saying that Loveland Ready Mixed fixed the violation brought up in inspection report dated June 24,2019. This letter stated the slope was good to go. That is impossible we have several pictures from July 23,2019 showing they were working on the shoreline on July 23,2019 at around 9:15am the pictures are time stamped. The corrective action that was supposed to be completed by 7/24/2019 was not done. It not just that it was not completed but that they completely ignored your recommendation and did something else. They then sent you a letter stating something was done that was not. This is very concerning because no one is actually inspecting or measuring the slope or the mining claim. Is this normal?
4. There are still lots of noxious weeds and the slopes are unable to be mowed. (see pictures)
5. In our opinion Loveland Ready Mix has misrepresented the condition of this mining claim on several occasions and we are requesting the the bond be used to correct the problems with the mining claim. We have a bid of 37,600 which will fix the slope of the lake and are requesting the state make Loveland Ready Mix pay to have it fixed. This would be reasonable since they have been misrepresenting when and what they are actually doing to complete the mining claim. We are also requesting the slope be fixed by the company who gave us the quote (see attached). We can no longer believe what Loveland Ready Mix says because it continually ignores its obligation to complete the reclamation and has misrepresented important facts. It is urgent that the slope be fixed as soon as possible considering the years of neglect. We also are concerned with how long this will take because of the lack of corporation. The Slope can be done in the next week and replanted allowing for the completion to be done by November 2022.
6. We stocked thousands of dollars of fish in the lake and yes we do want to put in docks and a boat ramp. We understand this is a inconvenience to Loveland Ready Mix to update the reclamation plan but we offered them a comprise and they refused. We are entitled to use our property as we see fit and it is not our fault that they are ignoring their obligation. We are wanting to put a youth program together with the DOW and if children are going to camp and fish we want the slope to be safe. In our opinion it is not safe as of today.

7. Moving forward I would like to know what to expect. Are they required to mow? If so, how much? Is once a month reasonable? Are they required to control weeds? If so, how many times a year is reasonable? I ask these questions because living next door I believe they only mow once or twice a year. The second time they mowed last year the tractor nearly tipped into the lake and had to be towed out. This was visually watched in real time as it happened.

8. We have sent Loveland Ready Mix our information for a site access agreement which they have still not provided us it has been about 2 weeks (est). I am assuming it is because they are asking you to sign off on the mining claim date 4/1/2021. We will continue to file complaints and send emails to whoever we need to in an effort to resolve this asap.

8. We noticed that the board meets once a month and perhaps we can take it to the board for the May 19th meeting if you suggest. We are also needing information for the Colorado Department of Regulatory Agencies for the Engineer and Surveyors working on this mining claim. Everything we are looking at does not make clear if anyone actually visited the site. I might have to send several emails to get you all the pictures sorry for any inconvenience.

Sincerely  
Jamie Christensen

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#### 5 attachments



**s1.jpg**  
414K



**s2.jpg**  
605K



**s3.jpg**  
549K



**s4.jpg**  
564K

4/10/2021

State.co.us Executive Branch Mail - Slope of cell 4 in mining claim M2001022



**slope.pdf**  
4014K



1

2nd Feet

25°



















22° 516 Feet 2















28.6°

4078ft N





26784

28.6



7654

22-99

22-99







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7

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0.918









1036 Feet 235°

































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2- 0.6.81 702 Rd







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648 Lott









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06/19  
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