



STATE OF
COLORADO

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

Fwd: Possible unpermitted mining of sand in fragile waterway. Section 3 Township 1S, R63W, 6PM

1 message

Ebert - DNR, Jared <jared.ebert@state.co.us>

Tue, Apr 19, 2022 at 2:58 PM

To: Jason Musick <jason.musick@state.co.us>

Cc: Nikie Gagnon - DNR <nikie.gagnon@state.co.us>, Eleni Papamihail - DNR <eleni.papamihail@state.co.us>, Patrick Lennberg - DNR <patrick.lennberg@state.co.us>, "Mojar - DNR, Camille" <camille.mojar@state.co.us>

Hey Jason,

As we discussed, it looks like we have a complaint for a possible illegal mining operation in Adams County. I am not aware of a permitted site at this location, nor do I see one in the PS. Please let me know if you need anything from us.

Thanks,

Jared

----- Forwarded message -----

From: **Info - DNR , DRMS_** <drms_info@state.co.us>

Date: Tue, Apr 19, 2022 at 2:16 PM

Subject: Fwd: Possible unpermitted mining of sand in fragile waterway. Section 3 Township 1S, R63W, 6PM

To: Patrick Lennberg - DNR <patrick.lennberg@state.co.us>, Jared Ebert - DNR <jared.ebert@state.co.us>

Cc: Camille Mojar - DNR <camille.mojar@state.co.us>

Good afternoon everyone:

I'm forwarding the following communication from Todd Denning.

Todd's contact information is:

Phone: **970-396-3205**

Email at: denningte@rtebb.net

Thank you

Eléni



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 | F 303.832.8106

1313 Sherman Street, Room 215, Denver, CO 80203

drms_info@state.co.us | <https://drms.colorado.gov>

----- Forwarded message -----

From: **Todd Denning** <denningte@rtebb.net>

Date: Tue, Apr 19, 2022 at 12:34 PM

Subject: Possible unpermitted mining of sand in fragile waterway. Section 3 Township 1S, R63W, 6PM

To: <drms_info@state.co.us>

I am writing to request information on what appears to be an illegal mining of sand and soil in the West Sand Creek waterway by Clayton Homes, Inc. this activity is ongoing at a non- permitted pit one half mile west of Highway 79 at the north Adams County border.

The material is being hauled to new home sites in the area rather than using existing resources on those sites. This mining is causing severe erosion to Weld County Road 2 at that location.

I am an adjacent land owner who is directly affected. My contact information is Todd Denning at this email address or (970) 396-3205

Please tell me if there is a permit for this activity or stop it immediately.

TD

Sent from my iPhone

--

Jared Ebert

Senior Environmental Protection Specialist

***I am working remotely, please feel free to call my cell at (720) 413-6466**



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 ext. 8120 | F 303.832.8106 |

Physical: [1313 Sherman Street, Room 215, Denver, CO 80203](#)

Mailing: DRMS Room 215, [1001 E 62nd Ave, Denver, CO 80216](#)

jared.ebert@state.co.us | <https://drms.colorado.gov/>

STATE OF
COLORADO

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

M2022017 added information

1 message

Todd Denning <denningte@rtebb.net>
To: nikie.gagnon@state.co.us

Tue, May 3, 2022 at 5:47 PM

Ms. Gagnon,

I had recording to do at Adams County and while there I did some research with the Clerk and Recorder office and Assessor office. I think these may be applicable to the investigation you are doing. The points follow:

The Assessor is investigating now as there is no documentary evidence of land sale to CMH. As you found out, Turnpike said they had closed on the property last year. Adams County is not aware of a transfer. I have heard three different "close" dates from the former and alleged current property owners.

The recorder office said they normally record property transfer deeds the same day they get them and that record would be available within the week on their site. As of today the property is still listed under Turnpike.

Mr. Richard Huwa, the principal of Turnpike, told me in a conversation that he had a contract with CMH to retain rights to mine sand for other properties in his farming operation for the next growing season. Since ownership is in question and no permit exists, I suggest that Mr. Huwa may have entered into an illegal contract with CMH and may return for more material in the future. I request you inform them the pit is closed to them as well.

The property listing and transfers were done under the Hayden Outdoors realty group. My attorney for the Lost Creek GWMD indicated to me they have been problematic in the past with realty in this area and I am thinking perhaps there was intent to deceive by withholding documentation involved in this transfer so both could mine in the future.

I do not know if you were being nice about ignorance of the law in this regard at our meeting with the CMH representative, but Clayton corporate legal indicates to me that they do not allow or encourage questionable practices like this.

Todd Denning
(970) 396-3205

Sent from my iPhone