

**STATE OF
COLORADO****Michels - DNR, Amber <amber.michels@state.co.us>**

Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Michels - DNR, Amber <amber.michels@state.co.us>

Tue, Feb 7, 2023 at 9:08 AM

To: kent@agraco.net, kent@cwpa.org

Good morning,

Yesterday, February 6, 2023, the Division received the attached citizen complaint regarding the Pueblo East Pit, permit number M-1986-015. We responded to the complainant informing them that we are investigating this issue.

Would you please provide us with the most current monitoring well data, monitoring map, and hydrographs for the Pueblo East Pit?

If you have any questions, please email me at amber.michels@state.co.us or call me at 720-836-0967.

Thank you,

--

Amber Michels
Environmental Protection Specialist**COLORADO**
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 720.836.0967 | F 303.832.8106 |

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216

amber.michels@state.co.us | <https://drms.colorado.gov/>**Citizen complaint_CT2_Feb6.2023.pdf**

186K

STATE OF
COLORADO

Michels - DNR, Amber <amber.michels@state.co.us>

Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

Tue, Feb 7, 2023 at 9:08 AM

To: amber.michels@state.co.us

**Address not found**

Your message wasn't delivered to **kent@cwpa.org** because the address couldn't be found, or is unable to receive mail.

[LEARN MORE](#)

The response from the remote server was:

550 5.1.1 The email account that you tried to reach does not exist. Please try double-checking the recipient's email address for typos or unnecessary spaces. Learn more at <https://support.google.com/mail/?p=NoSuchUser> cb6-20020a05622a1f8600b003b82ce6a004si1196466qtb.4 - gsmtip

Final-Recipient: rfc822; kent@cwpa.org

Action: failed

Status: 5.1.1

Remote-MTA: dns; [gmr-smtp-in.l.google.com](https://support.google.com/mail/?p=NoSuchUser). (209.85.146.14, the server for the domain [domains.google.com](https://support.google.com/mail/?p=NoSuchUser).)

Diagnostic-Code: smtp; 550-5.1.1 The email account that you tried to reach does not exist. Please try

550-5.1.1 double-checking the recipient's email address for typos or

550-5.1.1 unnecessary spaces. Learn more at

550 5.1.1 <https://support.google.com/mail/?p=NoSuchUser> cb6-20020a05622a1f8600b003b82ce6a004si1196466qtb.4 - gsmtip

Last-Attempt-Date: Tue, 07 Feb 2023 08:08:47 -0800 (PST)

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

From: "Michels - DNR, Amber" <amber.michels@state.co.us>

To: kent@agraco.net, kent@cwpa.org

Cc:

Bcc:

Date: Tue, 7 Feb 2023 09:08:30 -0700

Subject: Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

----- Message truncated -----

STATE OF
COLORADO

Michels - DNR, Amber <amber.michels@state.co.us>

Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Kent Ricken <kent@agraco.net>

Tue, Feb 7, 2023 at 10:47 AM

To: "Michels - DNR, Amber" <amber.michels@state.co.us>

Cc: Dan Tucker <dan@agraco.net>, Jerry Schnabel <jerald_schnabel@castleaggregate.com>

Good morning Amber,

Per our purchase/sale agreement with Castle, this was to be handled by Castle.

Castle was supposed to get the domestic wells back up and running and then they were going to stop delivering potable water to the cisterns.

Jerry called me yesterday and asked to have AGRA's well tester meet him at the Chee residence to get the well going but I was not aware that the water hauling had stopped prior to the well being operational.

I will reach out to Jerry and see where things stand and get this resolved immediately.

Best Regards,

Kent Ricken

General Manager

Arkansas Groundwater and Reservoir Associationwww.agraco.net

205 S. Main St Fowler, CO 81039

(719) 826-2597 **Office** - (719) 826-2599 **Fax** - (719) 406-6418 **Cell**

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**Citizen complaint_CT2_Feb6.2023.pdf**

186K



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Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Michels - DNR, Amber <amber.michels@state.co.us>

Tue, Feb 7, 2023 at 12:18 PM

To: Kent Ricken <kent@agraco.net>

Hi Kent,

Thank you for the information and clarification on the matter. Also, thank you for working with Jerry to get this resolved ASAP. Please keep me updated with how the meeting between Jerry, AGRA, and the landowner goes, and the plan moving forward.

Thanks,

-Amber

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**STATE OF
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Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Jerald Schnabel <Jerald_Schnabel@castleaggregate.com>

Tue, Feb 7, 2023 at 12:47 PM

To: Kent Ricken <kent@agraco.net>, "Michels - DNR, Amber" <amber.michels@state.co.us>

Cc: Dan Tucker <dan@agraco.net>

Kent

As we discussed yesterday we are trying to get the well properly permitted as part of the agreement. The trip yesterday did not fix the problem. I do not know what caused the pit to flood. I had stopped to purchase a pump and hose to empty the cistern. At arrival the cistern had been pumped out. We inspected the well house and it appears that a pressure switch may need to be replaced. I have a call into Flowrite Plumbing and will meet them at the site as they schedule. I have not talked to Tyler but I can sympathize with his situation. As I became aware of the problem I cancelled meetings yesterday to inspect and I will get this resolved.

Attached is the invoice of the last water delivery on 2-2 last Thursday.

Jerry

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**Koury Water invoice.pdf**

348K

KOURY TRANSPORT, LLC
29 S CALLE DEL SUD
PUEBLO WEST, CO 81007

Invoice

Customer No.: CASTLE CONCR
Invoice No.: 451873

Bill To: **CASTLE CONCRETE AGGREGATE**
549 E CUCHARRES
COLORADO SPRINGS, CO 80903

Ship To: **CASTLE CONCRETE AGGREGATE**
549 E CUCHARRES
COLORADO SPRINGS, CO 80903

Date	Ship Via	F.O.B.	Terms
02/02/2023		Origin	Due upon receipt
Purchase Order Number	Order Date	Sales Person	Our Order Number
	02/02/2023		

Quantity			Item Number	Description	Unit Price	Amount
Required	Shipped	B.O.				
1	1			Potable water deliveries for the week of January 27 - February 2, 2023:	270.00	270.00

2/1 - 3000 gallon load @ \$270.00

1	1			Fuel Surcharge - \$10/1000 gallons - 3000 gallons	30.00	30.00
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Thank you for your business.

Rajeana Koury
Koury Transport LLC
806-576-6501

Invoice subtotal 300.00

Invoice total 300.00

Thank You



STATE OF
COLORADO

Michels - DNR, Amber <amber.michels@state.co.us>

Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Kent Ricken <kent@agraco.net>

Tue, Feb 7, 2023 at 2:25 PM

To: Jerald Schnabel <Jerald_Schnabel@castleaggregate.com>

Cc: "Michels - DNR, Amber" <amber.michels@state.co.us>, Dan Tucker <dan@agraco.net>, Matt Tolle <matt@agraco.net>

Thank you Jerry for this update and your quick response.

Sounds like the water may have mistakenly been delivered to the wrong cistern which caused the Chee residence to run out of water.

Once we get this well running, all of that will be resolved.

Let us know when Flowrite has the pump operational and Matt will get out there to test the meter.

As soon as he completes and submits the test to DWR, a water commissioner will come remove the Well Head Order and the Chee's will be able to pump their well.

Like we discussed over the phone, they cannot use the pump until the Well Head Order has been removed.

Best Regards,

Kent Ricken

General Manager

Arkansas Groundwater and Reservoir Association

www.agraco.net

205 S. Main St Fowler, CO 81039

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Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Jerald Schnabel <Jerald_Schnabel@castleaggregate.com>

Wed, Feb 8, 2023 at 6:44 AM

To: Kent Ricken <kent@agraco.net>, "Michels - DNR, Amber" <amber.michels@state.co.us>

Cc: Dan Tucker <dan@agraco.net>

Kent

I have Flowrite scheduled for tomorrow from 1-4 pm. I just checked with them and that is the earliest opening. I will travel to Pueblo today and tomorrow to insure we get this handled while Jeff is on site. Can someone from Tylers side be there to meet

From: Kent Ricken <kent@agraco.net>**Sent:** Tuesday, February 7, 2023 10:47 AM**To:** Michels - DNR, Amber <amber.michels@state.co.us>**Cc:** Dan Tucker <dan@agraco.net>; Jerald Schnabel <jerald_schnabel@castleaggregate.com>**Subject:** [EXTERNAL] Re: Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Good morning Amber,

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Best Regards,

Kent Ricken

General Manager

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On Tue, Feb 7, 2023 at 9:08 AM Michels - DNR, Amber <amber.michels@state.co.us> wrote:

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Thank you,

--

Amber Michels

Environmental Protection Specialist



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

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Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Kent Ricken <kent@agraco.net>

Wed, Feb 8, 2023 at 12:20 PM

To: Jerald Schnabel <Jerald_Schnabel@castleaggregate.com>

Cc: "Michels - DNR, Amber" <amber.michels@state.co.us>, Dan Tucker <dan@agraco.net>

Thank you for the update Jerry.

We can definitely have Matt there with you if you need.

I do not have a phone number for Tyler but can attempt to reach him via the email address that Amber provided. What time do you intend to be there today?

Best Regards,

Kent Ricken

General Manager

Arkansas Groundwater and Reservoir Association

www.agraco.net

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Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Michels - DNR, Amber <amber.michels@state.co.us>

Wed, Feb 8, 2023 at 1:06 PM

To: Kent Ricken <kent@agraco.net>

Cc: Jerald Schnabel <Jerald_Schnabel@castleaggregate.com>, Dan Tucker <dan@agraco.net>

Hi all,

I do not have Tyler's number either, but Tyler provided me with his mother's number Mar-lyn Chee, who is the well owner. Her number is [REDACTED]

Thanks again for working on this,

Amber

[Quoted text hidden]



STATE OF
COLORADO

Michels - DNR, Amber <amber.michels@state.co.us>

Pueblo East Pit, No. M-1986-015, Citizen Complaint, CT2

Jerald Schnabel <Jerald_Schnabel@castleaggregate.com>

Wed, Feb 8, 2023 at 1:12 PM

To: "Michels - DNR, Amber" <amber.michels@state.co.us>, Kent Ricken <kent@agraco.net>

Cc: Dan Tucker <dan@agraco.net>

All

Jeff From Flowrite is on site the cistern appears to have been filled with water last week. Reset contacts and the system is working.

They should be back in water as of now. Well Meter is leaking and will be replaced tomorrow morning. From there we need a certification and he can place the primary water source back on the well. Kent can you schedule the certification?

Jerry

From: Michels - DNR, Amber <amber.michels@state.co.us>

Sent: Wednesday, February 8, 2023 1:06 PM

To: Kent Ricken <kent@agraco.net>

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