



STATE OF  
COLORADO

Hays - DNR, Peter <peter.hays@state.co.us>

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## Concerns - Wattenberg Phase 2 / Pond 1 South Highwall

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Wed, Feb 8, 2023 at 5:59 PM

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To: "peter.hays@state.co.us" <peter.hays@state.co.us>

Cc: "jared.ebert@state.co.us" <jared.ebert@state.co.us>

Hello Peter,

I wanted to touch base with you about some concerns with the current mining boundaries that exist in the Wattenberg Permit. The approved Wattenberg Mining Plan calls for at least a 40 foot offset from the permit boundary from county roads. However, the highwall on the SOUTH side of Phase 2 / Pond 1 Mining Area appears to have been mined extremely close to the road (County Rd 23 3/4 - the portion that runs east and west). Please see attached PDF of pictures for a visual of how close this highwall appears to be in relationship to the road.

Question - When the Baurer permit was approved (though not at the county), it would have overlapped some of this area. In the event setbacks or other details conflict (in overlapping permits), which permit, would govern? Per proposed plans posted on the Wattenberg site, it appears that this pond will no longer become part of the Baurer Pit. Is that correct? Are there new plans for the Baurer Pit?

Also, could you clarify if operators are required to have fencing around these operations or near highwalls? (note it is missing some fencing in one of the pictures -- see attached pdf)

Thank you for your time in this!

Sherie Gould

***Sherie Gould, GRI***

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**Road setback on Phase II Pond 1 mining area .pdf**

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