



August 21, 2023

Hannah Dutrow  
AGPROfessionals  
3050 67<sup>th</sup> Ave.  
Greeley, CO 80634

**RE: AGPROfessionals, Reference No. M-2023-026, Division Response to “Is It Mining?”  
Questionnaire, Permit Required**

Dear Ms. Dutrow,

On August 8, 2023, the Division of Reclamation, Mining and Safety (Division) received information for an “Is It Mining” questionnaire regarding a proposed project to excavate approximately 600,000 cubic yards of sediment from an existing irrigation reservoir. The excavated material will be transported from the property and may be utilized as fill dirt. Please use the reference number M-2023-026 regarding any correspondence or submittals for this site in the future.

The Mined Land Reclamation Board (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 required for the proposed activity.**

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 10 days prior to the hearing. The written request must contain the information required pursuant to Rule 2.5.2(2) (copy enclosed). The next available Board hearing will be held on September 20, 2023. All hearings are held at 1313 Sherman St., Room 318, in Denver, Colorado 80203. Please be advised the Division will oppose a Declaratory Order request for this proposed operation on the above stated reasons and other facts it may bring forth in testimony before the Board if necessary.

If you have questions please contact me at (303) 866-3567 extension 8116, otherwise we look forward to working with you through the permitting process.

Sincerely,

Michael A. Cunningham  
Senior Environmental Protection Specialist

CC: Russ Means, DRMS

