



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

July 29, 2024

Jason Burkey  
Oldcastle SW Group, Inc. dba United Companies  
2273 River Road  
Grand Junction, CO 81505

Re: Lyster Pit, File No. M-2008-009, Complaint Received

Mr. Burkey,

On July 18, 2024 the Division of Reclamation, Mining and Safety (Division) received a complaint regarding the above referenced site (enclosed). The Division will be conducting an inspection, the report will be sent to both parties upon completion.

If you require additional information, or have questions or concerns, please feel free to contact me at 720-868-7757 or [hunter.ridley@state.co.us](mailto:hunter.ridley@state.co.us)

Sincerely,  
Hunter C. Ridley

Environmental Protection Specialist  
CC: Zach Trujillo, DRMS



## Report Possible Violation/Illegal Activity



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### COMPLAINANT INFORMATION

Note: You are requesting an investigation of a compliance issue with DRMS rules. This form is not intended for comments or objections on permitting actions under review.

#### Date of Complaint

07/18/2024

**\*** Indicates a Required Field

**This form is for requests to investigate compliance issues with DRMS rules. This form is not intended for comments or objections on permitting actions.**

#### Do you wish to remain anonymous? \*

☐ Yes ☒ No

Please note that, if you choose to remain anonymous, the complaint will be investigated but the Division will not contact you to follow up on the complaint.

#### Your First Name \*

Brad

#### Your Last Name \*

Ocker

#### Your Address \*

9591 CR 33

#### Your City \*

Craig

#### Your State

CO

#### Your Zip Code \*

Maximum of 10 digits. (Example) 80202

81625

#### Email Address \*

Enter a valid email address in this field to receive a confirmation e-mail and copy of your Complaint form.

brad.ocker@state.co.us

#### Your Phone Number \*

Used only to follow up. Please enter phone number in this format: (Example) 123-456-7890

970-824-6676

#### Alternate Phone Number

Used only to follow up. Please enter phone number in this format: (Example) 123-456-7890

**Connection to Incident \***

Select all that apply

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Land Owner                      | <input type="checkbox"/> Mineral Owner     |
| <input type="checkbox"/> Nearby Resident                            | <input type="checkbox"/> Observed Incident |
| <input checked="" type="checkbox"/> Other gravel pit mining- United |  |

**DESCRIPTION OF COMPLAINT**

(Please be as specific as possible)

Note: You are requesting an investigation of a compliance issue with DRMS rules. This form is not intended for comments or objections on permitting actions under review. Please provide as much detail related to location and issue as possible. Without enough detail, DRMS will not be able to process or investigate the complaint and, therefore, DRMS will have no choice but to discard the complaint.

**Location of Concern \***

Please provide as much detail as possible. It is important to narrow down the location. If available, please include Township, Range and Section, physical address, or GPS location. You may also upload a pdf map below.

Lyster gravel pit at 3134 Hwy 394 Craig Colorado. Land owner Chris Martin 970 620-0417 previously on the Rio Ro Mo Land Company LLC.

DRMS# M2008-009

APEN#08MF1233F

Oldcastle SW Group, Inc dba, United Companies

**Incident County \***

Moffat County

**Is this an ongoing issue(s)?**

☒ Yes ☐ No

**Nature of Complaint \***

Select all that apply

- |   |  |
|---|--|
| <input type="checkbox"/> Illegal Mining                               | <input type="checkbox"/> Dust                                      |
| <input checked="" type="checkbox"/> Ground Water / Water Well Impact  | <input type="checkbox"/> Acid or Toxic Materials/Spills            |
| <input type="checkbox"/> Surface Water Impact / Stormwater Management | <input checked="" type="checkbox"/> Property Damage                |
| <input type="checkbox"/> Mine Plan Compliance                         | <input type="checkbox"/> Waste Management / Dumping                |
| <input type="checkbox"/> Signs and Markers                            | <input checked="" type="checkbox"/> Overburden / Development Waste |
| <input type="checkbox"/> Financial Warranty                           | <input type="checkbox"/> Backfilling and Grading                   |
| <input type="checkbox"/> Processing Waste / Tailings                  | <input type="checkbox"/> Processing Facilities                     |
| <input type="checkbox"/> Fish / Wildlife                              | <input type="checkbox"/> Erosion / Sedimentation                   |
| <input checked="" type="checkbox"/> Off-Site Damage                   | <input type="checkbox"/> Roads                                     |
| <input type="checkbox"/> Explosives / Blasting                        | <input type="checkbox"/> Topsoil                                   |
| <input type="checkbox"/> Revegetation                                 | <input type="checkbox"/> Weeds                                     |
| <input type="checkbox"/> Reclamation Plan Compliance                  | <input type="checkbox"/> Other                                     |

**Detailed description of the issue(s) \* (?)**

Please provide as much detail as possible. It is important to narrow down the issue(s).

3134 Hwy 394 was at one time part of the ranch/ farm located at 9591 CR 33. The land had been farmed for hay for years. The land did not have water on it and had to be irrigated. The irrigation water flowed northwest off the land into an irrigation ditch back to the river. At one point part of the farm was sold by the previous owner to Rio Ro Mo Land Company and then leased to Oldcastle SW Group, Inc dba, United Companies. United opened a gravel pit on the land. The pit was active for several years and during that time the ground water was pumped off the land. Then the pit became inactive at which time we started having trouble with standing water in our hay pasture that butts up against the gravel pit. We asked United to pump out the water and they did for a short spell. The land has recently been sold to Chris Martin and the gravel pit is being reclaimed. Unfortunately the hydraulic flow of underground water has been stopped. Now there are springs and a pond on the land that where not there before. Unfortunately because of this the drainage from our field has been effected and there is standing water in our field that was never a problem before. Because of the standing water the type of grasses in our field have been effected and noxious weeds are taking hold.

**Have you contacted the operator or party conducting the operation? If yes, please provide details. \***

☒ Yes ☐ No

**Details**

Spoke with United and they have been draining the excess water off the land and the new owners are using the water for cement blocks. However as the pit is reclaimed there has been no effort to make a permanent fix to the water flow and we are concerned once United is off the land that we will be left with standing water again.

**If known, please provide the name of the operator or party conducting the operation.**

**If known, please provide the Permit or NOI Number (ie M1970111 or P1970111).**

Must be entered in the following format: M1970111 or P1970111 (No dashes allowed)

**Have you contacted any other agencies or local governments related to this issue or issues? If so, please provide details. \***

☒ Yes ☐ No

**Details**

local water authority

**ADDITIONAL INFORMATION**

**Are there supporting photos, maps, or documents you wish to upload? \***

☐ Yes ☒ No

**What is your preferred method for DRMS to communicate with you throughout the investigation? \***

Select all that apply

☒ Phone ☐ E-mail ☐ US Mail