



STATE OF
COLORADO

Renfro - DNR, Joel <joel.renfro@state.co.us>

Biesemeier State Pit M-2021-029

Renfro - DNR, Joel <joel.renfro@state.co.us>

Fri, Feb 28, 2025 at 4:08 PM

To: Patrick Mitchell <patrick.mitchell@phillipscounty.co>

Cc: Kevin Scott <KevinS@phillipscounty.co>, Garold Roberts <Garold.Roberts@phillipscounty.co>, Andrew Nygaard <andrew.nygaard@phillipscounty.co>

Good Afternoon,

Thanks for your patience with me getting back to you. I was in a conference for most of the week and in the field most of the day yesterday. I did get a chance to read through this letter today and had a few notes about it.

It appears that this letter is addressed to the Office of the State Engineer (SEO), but I don't see any confirmation from the SEO that they have received anything or that you are all working on obtaining a permit for the exposed groundwater. Additionally, the letter says that you will backfill the open pit at least two feet above the ground water line.

Just to clarify, in my problem citation there were three possible routes for corrective action. The first being proof of a valid permit with the SEO allowing the exposure of groundwater. Second, provide evidence that Phillips County is taking measures to comply with SEO requirements (copies of correspondence with the SEO and/or a copy of a permit application). The third, the exposed groundwater is backfilled at least two feet above the groundwater level, and pictures are sent to our office as evidence of this being completed. You do not need to meet all three of these requirements, just one of them. Since there is no well permit in place for this site right now, that narrows your options to taking measures to obtain a permit through the SEO, or backfill the pit two feet above the groundwater level.

From my understanding, it sounds like you all would like to backfill the exposed groundwater as a corrective action, is that correct? If so, then there's no need to contact SEO or apply for a permit, just backfill the pit and send me pictures of the finished job. Once I get documentation of the work being done, then I can abate the problem.

As it stands now, the problem still has not been resolved since none of the three possible corrective actions have been met. You guys still have some time to complete the corrective action, the deadline is set for March 17, 2025. With that said though, if you need some more time, you can always send me a request to extend the corrective action due date.

I hope this email can clarify some confusion, but please reach out if you have any further questions.

Best,

Joel Renfro
Environmental Protection Specialist



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

(720) 812-2002

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

Address for FedEx, UPS, or hand delivery:

1001 E 62nd Ave, Denver, CO 80216

2/28/25, 4:08 PM

State.co.us Executive Branch Mail - Biesemeier State Pit M-2021-029

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

[Quoted text hidden]