



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

March 18, 2025

Andrew Nygaard
Phillips County
221 S. Interocean Ave.
Holyoke, CO 80734

Re: Biesemeier Pit, Permit No. M-2021-029, Inspection Problem Abated

Dear Mr. Nygaard:

On March 18, 2025, the Division of Reclamation Mining and Safety (Division) received your corrective action for the following problem identified in the Division's December 17, 2024 inspection report:

INSPECTION TOPIC: Hydrologic Balance

PROBLEM/POSSIBLE VIOLATION: Problem: The Division has no evidence that the operator has a valid well permit, substitute water supply plan, or approved water augmentation plan for the exposed groundwater at the site. This is a problem related to C.R.S. 34-32.5-116(4)(h) of the Colorado Revised Statutes and Rule 3.1.6(1)(a) of the Construction Materials Rules and Regulations governing injury to existing water rights.

CORRECTIVE ACTIONS: The operator shall demonstrate that the operation is in compliance with the Office of the State Engineer, show evidence that the operator is taking measures to bring the site into compliance with the SEO, or backfill the pits to at least two feet above the groundwater surface by the corrective action date specified.

CORRECTIVE ACTION STATUS: Abated. Pictures were submitted to the Division showing that the exposed groundwater had been backfilled at least 2 feet above the water line.

If you require additional information, or have questions or concerns, please feel free to contact me by phone at (720) 812-2002, or by email at joel.renfro@state.co.us.

Sincerely,

Joel Renfro
Environmental Protection Specialist

Cc:

Amy Eschberger, DRMS
Kevin Scott, Phillips County
David Salyards, Phillips County
Garold Roberts, Phillips County

