

STATE OF
COLORADO

Lujan - DNR, Carlos <carlos.lujan@state.co.us>

Sterilant Damage to Property

1 message

George Pearson <geoppear@willowwisp.net>
To: Carlos Lujan - DNR <carlos.lujan@state.co.us>

Sat, Jun 25, 2016 at 9:39 AM

Carlos,

Just wanted to give you an up date on my response to my attorney concerning Chuck Dobie's email on the size of the sterilized area:

From the time of the damage settlement forward we have had a verbal agreement with all operators, including Mustang's Pumper, Brandon, that due to the tree farm, we did not want the soil around the well head and the separator/measuring shed sterilized. We agreed to keep the area mowed down to a height of two inches for fire protection. In turn we would allow access at anytime to the site, all gates were unlock and open. Last year the operator, Mustang, sterilized an area approximately 37' X 13" or some 481 SQ. FT. around the separator/measuring shed. I did not file a complaint at the time since the area was not a part of the tree farm that was irrigated. This April the operator, Mustang, sterilized an area 86'X 77' of which 86'X64' was irrigated tree farm. At the time of sterilization it was plain to see that the area had been mowed to a height of two inches and since it killed everything including the soil it is still obvious the area had been mowed to that height. So now I have some 5985 SQ. FT. of sterilized industrial zone that nothing will grow in for who knows how many years, and have no certainty that the chemical will not leach into the rest of the tree farm due to the soil type. This spraying has disrupted our irrigation, and has not allowed us to use our irrigation water for many days waiting on the information about the chemical used, which was the soil sterilant named Sahara.

I know you know it was not a 9'X20' area as per Chuck Dobie stated, but just want the record straight at this point. If you care to verify the size of the area I would be glad to meet with you and measure the area together. The soil is dead, and the irrigation season is over, so where do we go from here?

Thanks,
George Pearson