



**Jennifer Orozco**

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**From:** CarterFamily <carterzbr@gmail.com>  
**Sent:** Wednesday, July 24, 2024 9:27 AM  
**To:** Plan  
**Subject:** History of blasting/mining complaints for Bartels site  
**Attachments:** 07-0160\_C20-0007\_20200225\_1558\_Att1.pdf

Hello,

Please see the attached document regarding complaints about the mining and blasting operations. Due to a history of letters arriving in mailboxes after the blasting occurred and "hot" blasts, there should be added restrictions and community involvement on blasting operations. Increased awareness and notices should be sent a couple weeks before any scheduled blasting and seismometers should be provided at nearby residences. Amounts of explosives and expected blast fragmentation should be communicated to neighbors as well.

Other neighbors have reported "hot" blasts that have shaken their homes violently in the last 3 years. Unfortunately, some of these neighbors reached out to Greenbar to try and mitigate, instead of going to the county compliance officer where these complaints would have been recorded.

Thank you,  
Rob Carter  
6404 se Riverdance rd  
Prineville OR 97754

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February 25, 2020

Oregon Department of Geology and Mineral Industries  
MLRR Program Office  
Attn: Sarah L. Lewis, Program Manager  
229 Broadalbin St. SW  
Albany, OR 97321

**Re: Dry Creek Quarry in Prineville, Oregon; ID No. 07-0160**

Dear Ms. Lewis:

This letter to the Oregon Department of Geology and Mineral Industries (“DOGAMI”) is to express some concerns and complaints that I have regarding the Dry Creek Quarry, located 10955 SE Juniper Canyon Road, Prineville, OR 97754, owned by Richard Bartels. Dry Creek Quarry’s Operating Permit ID Number is 07-0160.

I own a residential property directly North of the Dry Creek Quarry, my home address is 10743 SW Juniper Canyon Road, Prineville, OR 97754.

Mr. Bartels and I have been addressing issues related to the Dry Creek Quarry and my property since May 25, 2018, when his attorney sent a letter to myself and my wife indicating Mr. Bartels’ intent to build a fence to “secure the quarry operation” and to provide “a small buffer between your property and the fence.”

The attorney’s letter also asserted that our current property boundary line was incorrect and that my property encroached upon Bartels’ land – I disagreed. Mr. Bartels and I both engaged attorneys and involved relevant Crook County (“County”) offices. My informal understanding is that the County agrees with the property line as it is and as is reflected in the county’s documentation from approximately the last 2 decades. The most recent event in this series occurred on May 3, 2019, when Povey & Associates Surveyors, a company based out of Redmond, appeared on my property with Richard Bartels’ son without notice and without permission. They walked the property and set stakes and rebar before leaving.

I filed a complaint with the State of Oregon Board of Examiners for Engineering & Land Surveying (“OSBEELS”). OSBEELS opened an investigation, led by Santiago Puente. I expect the report and any other results of this investigation to be completed sometime this month. The property boundary dispute has not achieved any sort of formal resolution, but I have not heard from Mr. Bartels or his attorney on this issue in several months nor have surveyors appeared on my property again, so I am left to assume that he is not pursuing it.

More recently, I have had concerns regarding the actual operation of the Dry Creek Quarry and the potential impact upon my property, my home specifically.

Last January, Bartels conducted blasting operations and failed to adequately notify the neighbors of his plans – the notice was placed in the mail on the County permits required date, but did not arrive to neighbors until after blasting had occurred. Mr. Bartels received a notice from the County that this was unacceptable and that, going forward, he would need to ensure that his blasting notices were *received* in the time required by his permit, or be in violation.

My future concerns regarding quarry operations include potential damage to my home given the intensity of Bartels' previous blasting and the expectation of future blasting. Currently, the noise from the quarry operation affects my quiet enjoyment of my residence as does the substantial amount of dust and debris that gets blown onto my property from the quarry operation.

Dry Creek Quarry's permit lists as its first condition that "The Permittee must not allow mining operations to physically disturb any area outside of the permit boundary. Physical disturbance includes, but is not limited to: excavation operations, processing, stockpiling, and/or disturbances caused by landslide, erosion, or fly rock." I want to ensure that my property is protected from quarry operations. Even if Bartels violates his permit by harming my property via his operation and faces consequences, I would prefer to prevent such damage in the first place.

Additionally, I understand that the Dry Creek Quarry is required to have a screen placed between his operation and my property to minimize the visual, noise, and dust impacts on my property. The permit states that it only remains in effect as long as "the Permittee [...] complies with [...] the approved reclamation plan [...]." The Operating and Reclamation Plan indicates that there is a natural landform or vegetative screen along the permit boundary and that an "approximately 20-foot screen will be maintained." However, there is no screen, natural or otherwise, around the permit boundary. The Operation and Reclamation Plan's statement that a screen will be maintained suggests that an actual screen is required.

The initial letter from Bartels' attorney also suggests that Mr. Bartels is aware that a fence or screen between his operation and the surrounding properties is required. The boundary dispute that resulted from that letter appears to have been an unintended consequence of Mr. Bartels' notice of intention to construct a fence.

My goal is not to interfere unnecessarily with the operations or viability of Dry Creek Quarry. It is, however, my intention to ensure that the operations of Dry Creek Quarry do not negatively affect my property. I believe that a screen is required to be built and that the quarry's blasting operations need to be limited enough to ensure that the foundations and properties of the neighbors are not harmed.

Ms. Sarah L. Lewis  
February 25, 2020  
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Please let me know if you have any additional questions or concerns. You are welcome to contact me or my attorney, Michel L. Wigney at Karnopp Petersen, our information is listed below.

Carl G. Adams  
10743 SW Juniper Canyon Road  
Prineville, OR 97754  
(541) 480-3579  
[carladams@q.com](mailto:carladams@q.com)

Michel L. Wigney  
Karnopp Petersen LLP  
360 SW Bond Street, Suite 400  
Bend, OR 97702  
(541) 382-3011  
[mlw@karnopp.com](mailto:mlw@karnopp.com)

I do not frequently check my email, so the best way to contact me is by phone or mail. If you prefer to communicate digitally, please reach out to my attorney.

Sincerely,



CARL G. ADAMS  
CGA/mlw