ARKANSAS STATE CLAIMS COMMISSION
-Claim Form-

Please note that all sections must be completed, or this form will be returned to you, which will delay the processing of your claim.

1. Claimant's Legal Counsel - proceed to section 2) ☒ **(If representing yourself (Pro Se) please check this box and**

Arkansas State Claims Commission
MAR 28 2026
RECEIVED

(last name) (first name) (email)

(address) (city) (state) (zip) (primary phone)

Arkansas Bar Number: *If not licensed to practice law in Arkansas, please contact the Claims Commission for more information.*

2. Claimant

RENFROE, TODD [redacted]

(title/last name/first name or company) (email)

[redacted]

(address) (city) (state) (zip) [redacted]

3. State Agency Involved: (must be an Arkansas state agency. The Ark[redacted] has no jurisdiction over county, city, or other municipalities)

ARDOT

(state agency involved)

4. Incident Date

7/17/24 TO PRESENT

5. Claim Type

Please provide a brief explanation of your claim. If additional space is required please attach additional statements to this form.

DURING CONSTRUCTION OF THE INTERSTATE OVERPASS SPANNING BRUSH CREEK ROAD A HOLE WAS BORED INTO THE AQUIFER THAT SUPPLIES OUR WATER WHICH HAS RENDERED IT USELESS AS OUR PRIMARY SOURCE.

5a. Check here if this claim involves damage to a motor vehicle. ☐

5b. Check here if this claim involves damage to property other than a motor vehicle. ☒

All property damage claims require a copy of your insurance declarations covering the property or motor vehicle at the time of damage.

I did not have insurance covering my property/motor vehicle at the time of damage. ☒

All property damage claims require ONE of the following (please attach):

1. **Invoice(s) documenting repair costs, OR**
2. **Three (3) estimates for repair of the damaged property, OR**
3. **An explaination why repair bill(s) or estimate(s) cannot be provided.**

6. Was a state vehicle involved? (If Yes, please complete the following section)

_____

(type of state vehicle involved) (license number) (driver)

7. Check here if this claim involves personal injury.

All personal injury claims require a copy of your medical insurance information and relevant medical bills in place at the time of the incident.

I do not have health insurance ☐

8. Amount Sought: _____

The undersigned certifies that to the best of my knowledge, information, and belief, this claim is not being presented for any improper purpose; this claim is warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law; and the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

Claimant

ACKNOWLEDGEMENT

State of Arkansas
County of Washington

On this the 14 day of March, 2026, before me, the undersigned notary, personally appeared Todd A Renfroe known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Signature of Notary Public

My Commission expires: Oct 18, 2033

[seal of office]

MONICA VARGAS
Notary Public - Arkansas
Washington County
Commission # 12725188
My Commission Expires Oct 18, 2033

The following expenses are on the conservative

side and do not include tax or installation.

What is Needed, Cost:

-A city waterline installed for an alternative water source; monthly fees notwithstanding.

[Do Not Know the cost.]

I prefer a well be drilled, but ARDOT said the water would probably be like the spring.

-Waterline hookups with ability to switch over to our spring when able.

[Do Not Know. Parts can be estimated, but I do not know the Labor cost.]

-Compensation for two washing machines.

[$1,396]

-Compensation for two hot water heaters.

[$3,718]

-Compensation for whole house filters, under sink filters, and refrigerator filters for the last 20 months.

[$1,270] Before this we only had to switch them out every six months.

-Remuneration for loss and damages anticipated regarding dishwasher, outdoor furnace, and existing waterlines.

[$1,000]

For example, we have an outdoor wood furnace. The build-up in and around the level switch necessitated me having to put in a bypass with a petcock and constantly check it manually.

As I write this I have no water and had to switch to propane to heat the house, as the furnace requires water. There've been many such incidental expenses over the last year and a half plus. The water in the spring right now has turned from red-brown to gray. I do have pictures of all of this if required.

I am also providing this black & white copy of the same information.

The color copy keeps messing up the format, but it does allow the color of the water to be seen.

Todd Renfroe
[redacted]

7/20/24

Hello Rep. Lundstrum. I enjoyed getting to visit with you this morning.

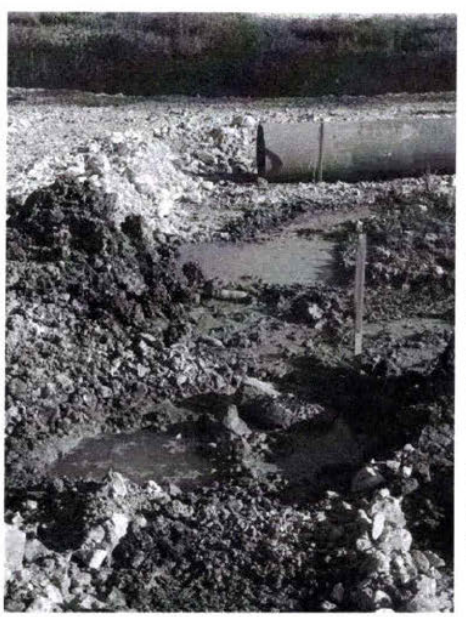
Here's a brief regarding my water issues:

Our water comes from a spring near our house. It goes through a whole-house filter plus additional filters for our drinking water.

Wednesday afternoon, July 17, I got a call from my kids that there was "muddy water" coming out of the faucets.

Long story short, that evening I eventually realized a drill rig I had seen being positioned that morning had punched into the aquifer from which my water comes.

(The 612 spur being constructed to connect with Hwy 412 is being worked on about 500 yards from my place.)



The next morning, Thursday, July 18, I went to the job site and talked to the workers and operator and told them what had happened. They took my name, address, and phone number saying they would pass it on to their superintendent, Ron.

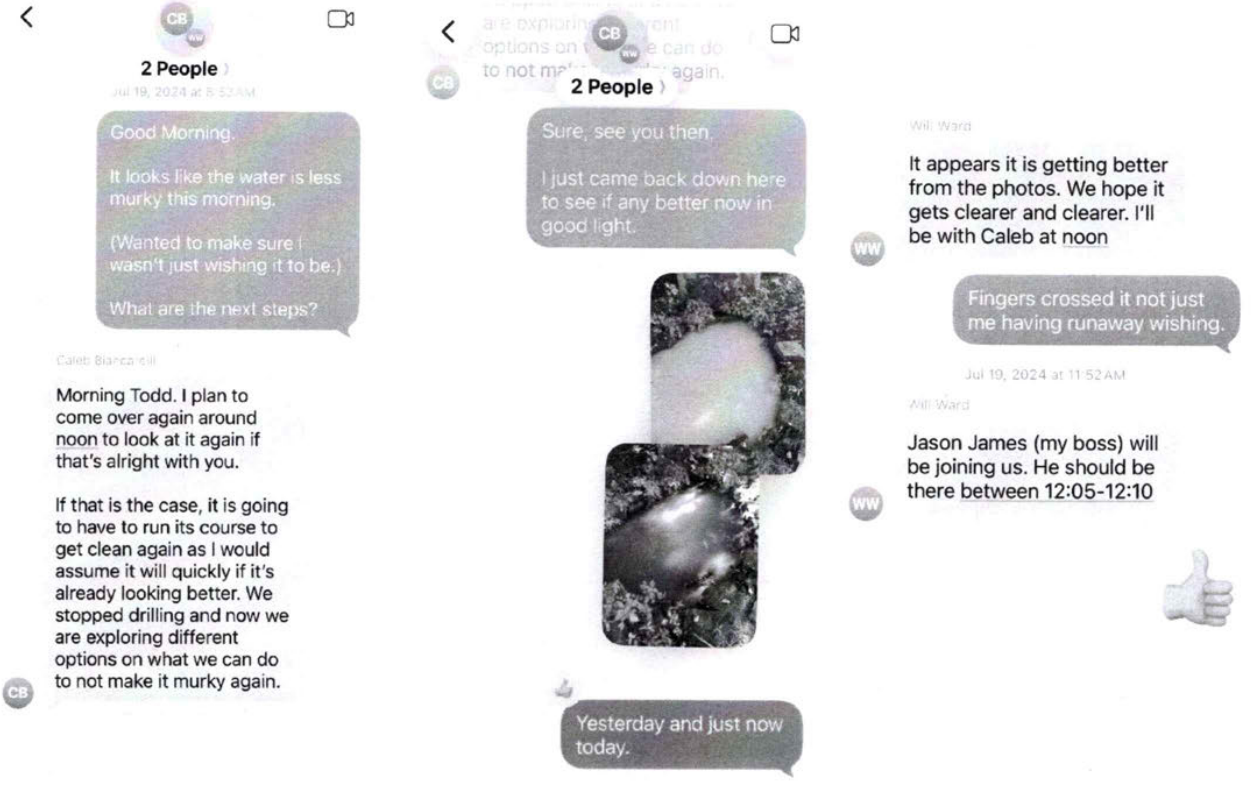
I came back to the house and started making phone calls.

That afternoon, Caleb Biancarelli with Emery Sapp & Sons, and Will Ward from ArDOT came by my house to discuss and inspect the situation. Unsure whether or not they had caused it, *they ceased drilling and filled the hole with gravel to see if that would affect my spring.* They also sent us six cases of water and two bags of ice.

The hole in the left foreground is where they drilled that messed up the spring. [Drill went through rock 13 feet down then hit my water.]

Friday morning, July 19, the water had begun to clear and I sent pictures to Caleb and Will. They came out and we spent a good amount of time discussing next steps. They could see that, although the water was indeed beginning to clear, the volume level had decreased. Four pylons have to be constructed in that area, and all of them will probably go into my aquifer. It seems it will be four cycles of water muddying, then

eventually clearing before all is done. Another question now is if my volume will be further affected. They also left me with two cases of water.



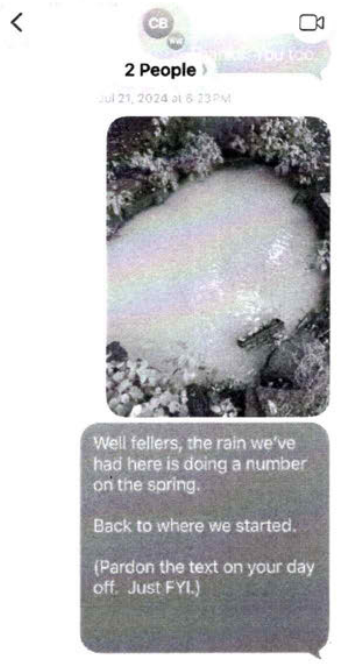
This morning, July 20, I sent a picture to them as requested. Slowly but surely the water is clearing. They said they would be back Monday, July 22 with some ideas.



So far I have been pleased with their quick response and do hope I don't have to end up using city water, or that this becomes a civil matter.

And I do appreciate you (Rep. Lundstrum) getting back with me and your willingness to help!

Timeline Since Then:



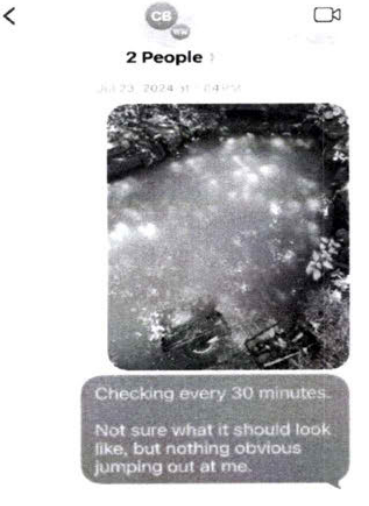
Rain Saturday night to Sunday morning **(July 20-21)** has put us back to square one. It's again as it was Wednesday, July 17.

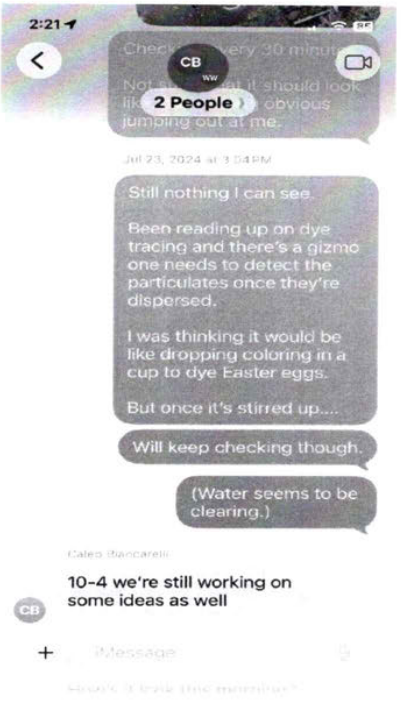
Caleb and Will out today, Monday, **July 22**, to discuss plans to bring out a 250 gal. water tank and hook it up to our house. They will also run a dye test. Option of hooking me up to Washington County Water is off the table according to Caleb. *I prefer my spring, but worried about possible problems in the future regarding contaminants and volume.*

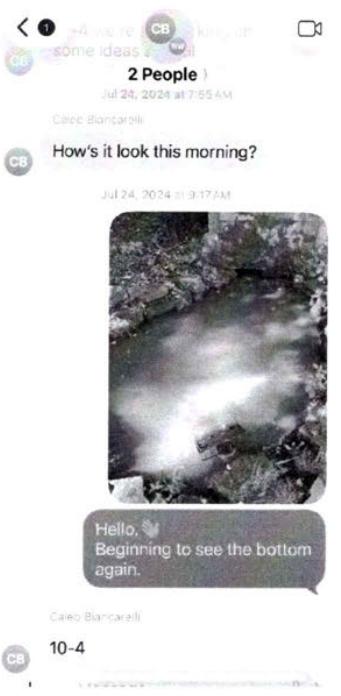


Dye test was unsuccessful today, Tuesday, **July 23**. They had no way to test for particulates after dispersion. A water tank is hooked up to the house. Water usage will have to be minimal. Without rain the flowers and plants in our numerous flower beds and planters are doomed. Will was out here twice. Once with a coworker named Jesse. Later in the afternoon with his boss, Jason James.





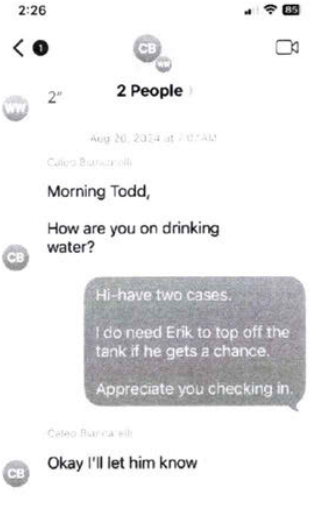




Thursday, **July 25**: Things are pretty dire with dishes and laundry piling up, and having to haul water to flush the toilets. The longest we've had water is for about 45 minutes one time. My wife is having to shower and get ready at work. I've run two of my boys through the three times it was on for a bit. I finally got to shower after three days. My youngest hasn't had a chance for four. Erik, the fellow who has been working on our water switched the pump out this morning and moved the water tank. It quit working when a toilet was flushed. He made a second trip out and I started a load of laundry while he was here. Went to pick up my soccer kid, who desperately is in need of a shower, and the water was out when I got back. Washer made it to the rinse cycle before it quit. I contacted the guys from Emery Sapp and ArDot. Erik was out here for a third time today and got it running. (Trouble w/ the adapters.) The above was texted to Caleb and Will.

8/17 Rained, (2") Water Muddy





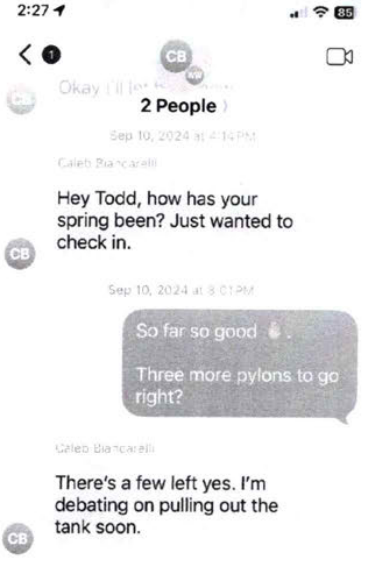
8/18 Water Clearing

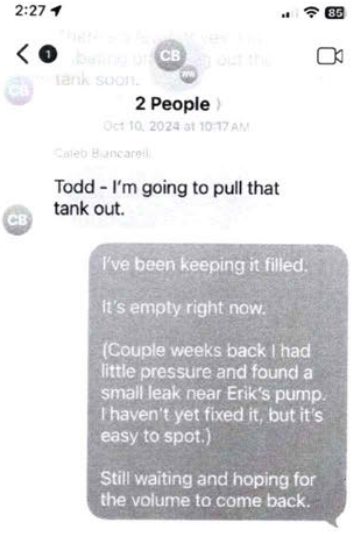
8/19 Rain, Water still Murky. Switched to tank.

8/21 Switched back to spring. Settled sediment covers bottom of pool.

8/23 Caleb asked about drinking water. I asked about whether or not they will be finished before winter sets in. Said they would.

9/10 Caleb said he was planning on pulling the tank out.





9/10 Tank picked up. I let Caleb and Will know that the volume has still not come back.

10/16 Perpetual stain in the toilet bowls is tan, sometimes gray.

11/5 Few times I've drawn water to shave (instead of letting it run) water is very light brown. Don't see it in just a glass or ice cubes.

My wife put something in the toilet tanks a couple of weeks back that turns the water blue, otherwise, the bowls quickly become discolored.

12/14/24

Work Continues on the bridge supports. Doesn't look like the water level is going to recover. Water is often not completely clear. For the four supports they are not drilling but excavating instead.

2/23/25

Sent a text to Caleb Biancarelli with Emery Sapp & Sons, and Will Ward from ArDot:

Sun, Feb 23 at 4:46 PM

Hello Fellas-
Before much more time went by I wanted to get on record that my water volume has never recovered.
Also there's algae growing in the spring pool which is a new thing.
Looks like y'all are making good progress on the road.
Best Wishes with the weather-
Todd Renfroe

(The water level in the pond the spring feeds has never been this low either.)

3/13/25

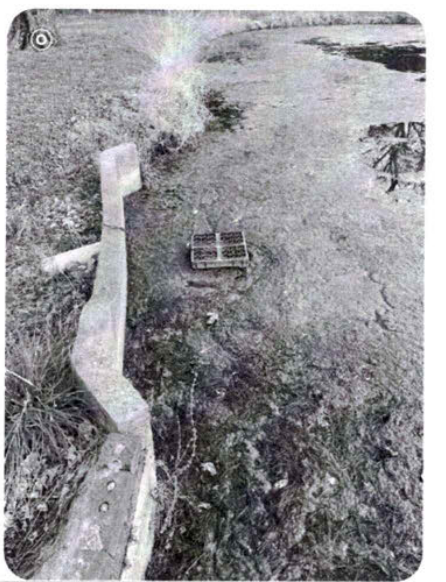


Hey Gentlemen....i took some pictures while ago. Love that daylight savings.

Will, thanks for coming out.

There's three or four of them I'm sending.

This is the outlet from the spring pool to the pond. Before the volume dropped it was like a column.



It feeds the pond. That milk crate (I use it as a filter for the bottom overflow pipe) was underwater.

(You can see at the far end of the concrete where the waterline used to be.)



These are overflow pipe from the pond to slough. Just barely a trickle.



This is the "Snake Hole" that is a pool (used to be). It's the other strong spring northwest of the house. Now it's simply damp soil where some water still trickles out

I'm wanting to keep this on y'all's mind.

Caleb, you said that running city water to us was taken "off the table."

I might need to put it back on.

Caleb Biancarelli

It was off the table for the temporary fix to make sure you had water at the time. As far as this goes, anything would have to be looked at by ArDOT and then any work would have to be directed by them and approved by them. Do you still have water running to your house?

CB

10:27 LTE 80

WW CB

2 People

Mah I apologize for contacting y'all at this time, but with three boys involved with every extracurricular there is at Bentonville High short of Interpretive Dance....

Yep we still have water.

(My wife put some kind of blue stuff in the toilet tank so the bowl was not always a range of light gray to brown. Do have to change the water filters often.)

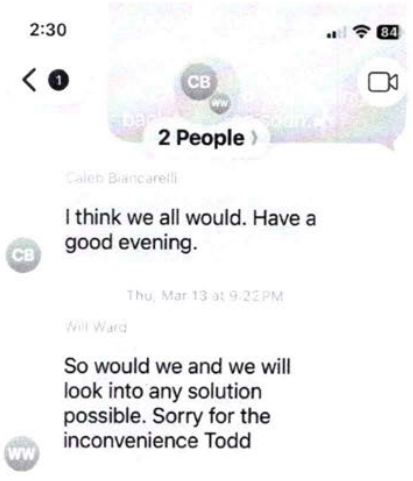
Caleb Biancarelli

It's alright we understand. As long as you have water now that's the main priority. Will and I will get together and see what needs to happen next if anything can happen, but unfortunately I think it's going to have to go above our heads.

CB

I'd like to avoid a long drawn out court thing.

+ Message



3/26/25

Water today is clearest it has been in months, but remains low.

4/19/25





Contacted Will and Caleb (above).

Also texted Rep. Lundstrom and Sen. Penzo.

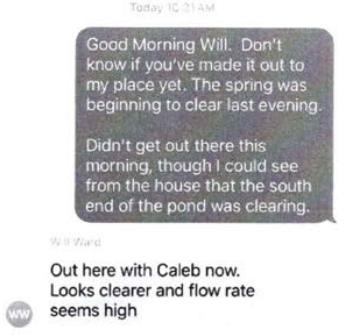
4/20/25

This evening the spring was beginning to clear.

4/21/25

Rep.Lundstrom texted for me to be expecting to be contacted by Gil Rogers of ARDOT.

The following text was sent to Will:



I was able to call at the time and Will was there with Caleb.

Nothing resolved, although I did gripe about all the filters I'm going through. The icebox one alone is $50.

4/21/25 (Con't) We also bemoaned the fact that it is now probably too late for the hole they drilled into the aquifer to be capped or sealed in some way since it is now under an interstate pylon.

4/22/25

Water is still clearing.

4/25/25

Waiting to hear from Gil Rogers.

4/27/25

Brown water coming out of sink faucets. Water pressure in the house is very low. Will go ahead and replace all the filters again.

4/28/25

Contacted by Lindsay Zweifel (ARDOT Environmental Division) to set up a meeting with her and others at our place; possibly on May 8, or May 12.

Communication with Clint Penzo and office by call, text, and email.

4/30/25

Area around the spring is completely flooded (!) with muddy water, but outlet pipe is clear; not stopped up.

5/3/25

Spring is clear.

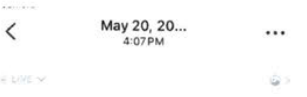
5/6/25

Sen. Penzo called re: Thursday's (5/8) meeting and explained the "claims process."

Left a message with Philip Taldo.

5/7/25

Contacted by Gil Rogers. Meeting Postponed.



5/19/25

Meeting finalized for Thursday, May 29 vis-à-vis Gil Rogers.

5/21/25

Storms day before yesterday. Spring became muddy and remains that way. Spring area is flooded to the tree line. Hoping it doesn't reach the pump. Muddy Pond>



5/23/25

Spring is clearing this morning.

Apparently the aquifer is now majorly breached and rain runoffs penetrate it.

Area around the spring is flooded as drainage pipe cannot handle the flow.

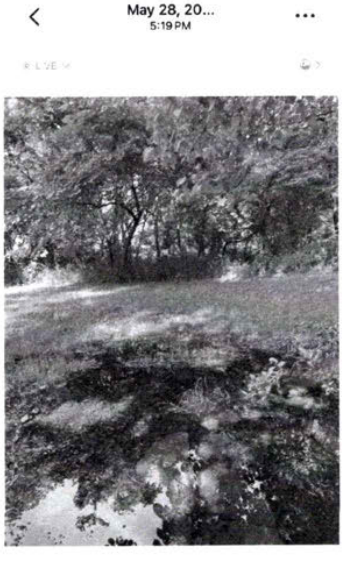
5/25/25

Rain last night.

Spring murky and still outside its bounds.

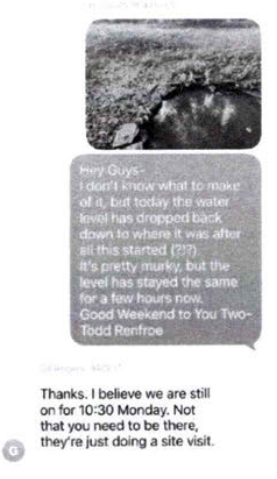
[Rain has never affected the spring. As discussed last summer, it has remained constant until the mishap last July.]





5/29/25 Met with ARDOT; Gil Rogers, Jason James, Lindsey Zweifel. (Didn't catch all the names.) Next step is for a consultant to be sent.

5/30/25 Mr. Rogers arranged for the water tank to be brought back out to use when the spring goes brown. These last 8 months we have been through dozens of filters.



6/11/2025

Gil called about doing a dye test on the SE Stream (what the consultants from Ozark Underground Laboratories would later refer to as ***"Stormwater Detention Feature #2***).

I pointed out that the work begun there was actually 3 months after the drilling that caused this.

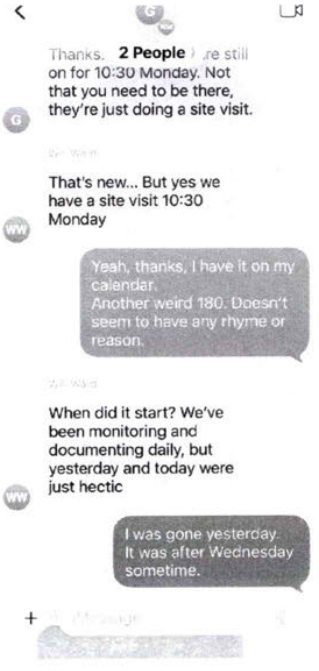
6/12/2025

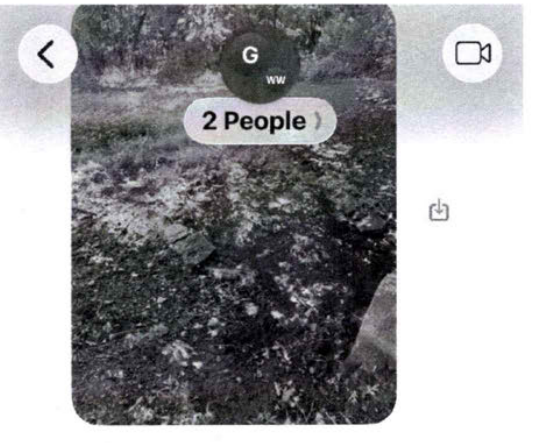
Will came out today to look at the spring. Will said that it would be monitored by ARDOT every day; either by him or someone else.

We also talked about how the work on the SE stream was 3 months AFTER the pylon hole.

7/25/25

Spring went back inside its bounds, but still muddy.





We looked at it yesterday and reported the spring "box " as overflowing. We will definitely look into it even more with the change in flow.

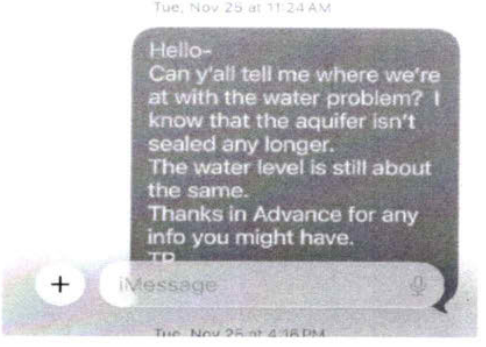
7/28/25

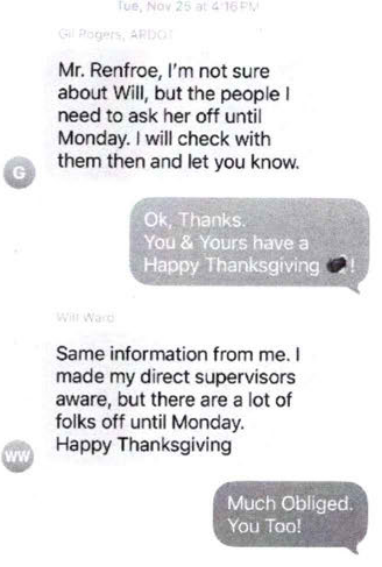
People from *Ozark Underground Laboratories* came out to assess and come up with a plan. Showed them the different springs in the area. In contact with them through October.

9/25/25

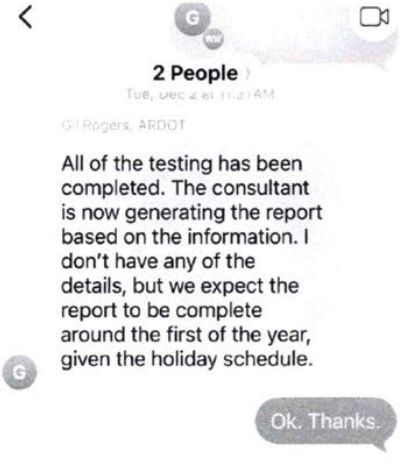
Switched back the water tank.

11/25/25



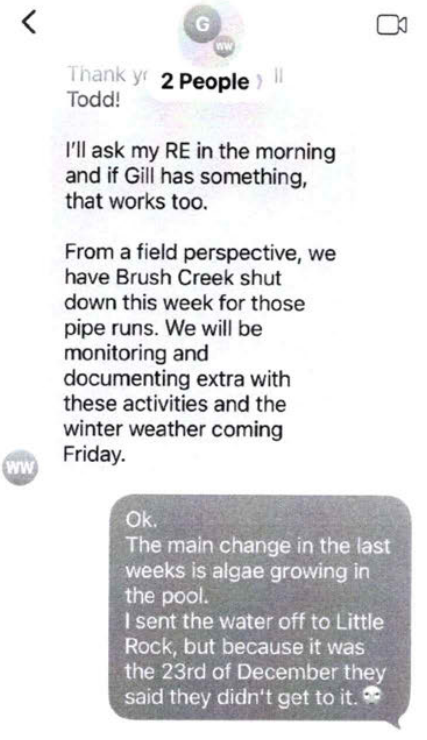


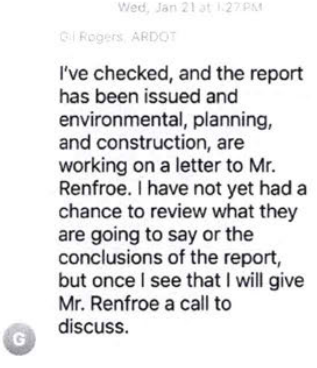
12/02/25



1/20/26







2/12/26

Spoke briefly with Gil regarding the report.



3/6/26

Switching over the water we saw a pipe swollen, leaking, and about to burst. It burst later that evening. ARDOT graciously arranged for it to be repaired the next night.

Is interesting how this has become just a part of life. A few days before my youngest walked past the room I was in and nonchalantly stated, "Water is brown again."

RE: **Assessment of Highway 412 Bypass Construction Activities and its Hydrologic Connectivity With Renfroe Spring**

Elm Springs, Arkansas

January 2026

Copy provided me dated February 10, 2026

Initial Notes:

[From Cover Letter by Chad Adams, P.E.]

"Under both existing and anticipated future conditions, there is potential for acute (short-term) and chronic (long-term) exposure to waterborne contaminants in the absence of adequate filtration or an ***alternative potable water source*** **(emphasis added)**."

"...the volume of water discharged into the spring's recharge area ***may increase*** **(emphasis added)** following the completion of the highway construction."

"Stormwater detention feature #2 will be removed when construction is complete and vegetation will be re-established in all disturbed areas, resulting in conditions that ***should*** **(emphasis added)** no longer impact the turbidity of the spring water."

***This does not address the water foaming up which seems to be associated with the presence of phosphorus as mentioned in earlier conversations with ARDOT. This may be why we now have algae growing in the spring.**

[From **Assessment of Highway 412 Bypass Construction Activities**]

Renfroe Spring is the sole source of potable water for the residence and provides

"Renfroe Spring is the sole source of potable water for the residence and provides baseflow to a spring-fed pond on the property. ARDOT was first notified of an issue by the property owner when he noticed that spring flow had appreciably declined and that the water discharging from the spring was turbid and ***gray in-color*** **(emphasis added)**. In a review of construction activities concurrent with the reported issue, ARDOT found that a geotechnical borehole was installed near Brush Creek and ***two stormwater basins had been installed around the same time*** **(emphasis added)** as changes to the spring were first observed."

"gray in-color." Was red clay as shown in pictures.

"two stormwater basins had been installed around the same time..." Was three months after the borehole.

Page 13, Paragraph 3. Page 14, Paragraph 2

ARDOT Trace 25-01 was conducted in a trench located north of Brush Creek and south of Brush Creek Road, ***near the area in which the geotechnical borehole was being drilled at the time the changes to spring flow were first observed*** **(emphasis added)** (36.208785°, -94.251657°; Figure 2). The purpose of this trace was to determine if activities associated with the drilling of a geotechnical borehole influenced the changes observed at Renfroe Spring, located approximately 2,000 feet southwest of the dye introduction trench. The dye introduction trench was excavated at 13:44 on October 14, 2025, to a ***final dimension of approximately 10 feet deep, 3 feet wide and 11 feet long*** **(emphasis added)** (Figure 4)…

Dye from Trace 25-01 was detected at sampling stations ARDOT-104, ARDOT-105, ARDOT-106, ARDOT-107, ARDOT-110, and ARDOT-112 (Figure 6). All stations that returned positive dye detections of fluorescein were located in Brush Creek downstream of the dye introduction trench, with the exception of ARDOT-106 which is a spring branch tributary to Brush Creek. ***No fluorescein was detected at Renfroe Spring, the unnamed tributary that flows beside and receives discharge from Renfroe Spring, or the upstream control station within Brush Creek. The data indicate that although drilling activities were coincident to changes in color and flow at Renfroe Spring, the area where drilling activities occurred does not contribute water to Renfroe Spring, under the conditions tested.*** **(emphasis added)**

"approximately 10 feet deep" Water Table is at 13 feet.

Page 19 & 20

At 15:08 on October 14th, 2025, two pounds of eosine dye mixture containing approximately 93% dye equivalent was introduced into Stormwater Detention Feature #2 (36.200901°, -94.251617°; Figure 2). The purpose of this trace was to determine if water within or discharging from Stormwater Feature #2 provides recharge to, and potentially influences, Renfroe Spring. The liquid eosine dye mixture was added on the upstream margin of the stormwater feature near where the inflow was entering the basin (Figure 9). The stormwater detention basin had water present at the time of dye introduction, however minimal inflow to the feature was observed (< 10 gallons per minute). ***Stormwater Feature #2 had a larger and more shallow coverage of standing water with vegetation present minimizing the rate of mixing of inflow waters within the basin. For this reason, flush water was added via gravity pressure upstream of the dye introduction location to promote mixing of the tracer dye throughout the feature. Approximately 2,500 gallons was flush water was added starting at 15:10 and terminating at 16:00.*** **(emphasis added)**

Dye from Trace 25-03 was detected at all sampling stations except for ARDOT-103 and ARDOT-109 (Figure 10). None of the tracer dyes from the three dye detections located in a small seep that exhibited minimal discharge throughout the study period. ARDOT-109 was the upstream control within Brush Creek upstream of all

three dye introduction locations. ***Dye was detected at ARDOT-102 (Renfroe Spring) in all carbon samplers collected throughout the study.*** **(emphasis added)** Automated grab water samples collected from ARDOT-102 demonstrated that ***dye from Trace 25-03 arrived at Renfroe Spring within 10 hours of dye introduction.*** **(emphasis added)** Dye concentrations remained detectable in grab water samples from ARDOT-102 from the time of first detection until sampling for this work was terminated. Based on the dye detections associated with Trace 25-03, **it appears that the primary losing stream segment, within the study area, providing water to Renfroe Spring occurs within or immediately downstream of Stormwater Feature #2 (emphasis added)** and extends potentially as far as ARDOT-111. This losing segment was identified by the lack of dye detections at ARDOT-111 immediately after dye introductions despite observed breakthrough of the tracer dye at ARDOT-102 (Renfroe Spring).

***This does not account, however, for the occasional heavy flooding and turbidity.**

Page 22

4.0 DISCUSSION Three traces were designed and conducted to investigate if highway construction activities potentially caused water quality changes observed at Renfroe Spring. ***Of the traces completed, the only trace resulting in positive dye detections at Renfroe Spring was Trace 25-03 introduced at Stormwater Detention Feature #2. Stormwater Detention Feature #2 is constructed within a blue line waterway and will eventually receive inflow from highway runoff as well as surface flow from upstream that is being conveyed through culverts beneath the new roadway.*** **(emphasis added)** Water discharged from Stormwater Detention Feature #2 directly enter an unnamed tributary of Brush Creek that then flows through the Renfroe Property and ultimately contributes water to Renfroe Spring via losing a stream segment(s). ***Based on the results of the tracer study, a losing segment of the unnamed tributary contributing water to Renfroe Spring was identified to occur beginning within Stormwater Detention Feature #2*** **(emphasis added)** and extending downstream to ARDOT-111. It is possible that additional areas may be contributing water to Renfroe Spring upstream of Stormwater Detention Feature #2, however those areas were not investigated as a part of this work.

Dye introduced in Stormwater Detention Feature #2 was first detected at Renfroe Spring approximately 10 hours after dye introduction. Such rapid travel time to Renfroe Spring and subsequent intake into the potable water system at the residence provides negligible natural attenuation and assimilation capacity. (emphasis added)

In addition to the rapid travel time to Renfroe Spring from Stormwater Detention Feature #2, the increase in impermeable surface area and conveyance of waters potentially collected outside of the natural recharge area of the spring may lead to significantly more water moving through the spring system than occurs naturally.

The addition of appreciable water to the system, and its flashy nature in response to precipitation events, may lead to water quality changes. **(emphasis added)**

Stormwater Detention Feature #2 is constructed within a blue line waterway and will eventually receive inflow from highway runoff as well as surface flow from upstream that is being conveyed through culverts beneath the new roadway.

-Meaning, that from this spot alone, it will only get worse.

Such rapid travel time to Renfroe Spring and subsequent intake into the potable water system at the residence provides negligible natural attenuation and assimilation capacity. -Nothing to stop what now flows into that area.

...significantly more water moving through the spring system than occurs naturally. ***The addition of appreciable water to the system, and its flashy nature in response to precipitation events, may lead to water quality changes.*** -What chemicals and/or bacteria are now entering?

Page 23

5.0 KEY FINDINGS

1. Stormwater Detention Feature #2 was identified as a likely contributor to water quality changes observed at Renfroe Spring.

2. Tracer dye introduced into Stormwater Feature #2 arrived at Renfroe Spring within 10 hours of dye introduction. Such rapid travel time to Renfroe Spring and subsequent intake into the potable water system at the residence provides negligible natural attenuation and assimilation capacity.

3. Both chronic and acute exposure potential is present, based on the current and likely future conditions, for the Renfroe household if no alternative source of potable water is acquired or adequate filtration system is installed.

4. With the increased catchment and impervious surface areas associated with highway development, a greater volume of water may discharge into the recharge area of Renfroe Spring.

5. Stormwater Detention Feature #1 discharges rapidly to Brush Creek. Without adequate treatment, this discharge places Brush Creek at additional risk of contaminants commonly associated with general highway runoff as well as discrete releases, such as spills. The OUL recommends evaluating treatment options that minimize impacts of highway construction, maintenance, and operations to nearby surface water and groundwater.

-All "**Key Findings**" are concerning.

According to the Clean Water Act – National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Exposure is violated:

- Discharges are causing water quality standard violations.

-Groundwater, surface waters, and our domestic water supply is compromised.

-There's a direct hydrologic pathway from highway infrastructure our spring.

-An increased risk of contaminants commonly associated with highway runoff.

- Demonstrated negligible natural attenuation.

- There is rapid transport into our potable water supply.

- Increased catchment and impervious surface areas from highway development.

- A greater discharge volume into the spring recharge area.

- Highly increased contaminant transport risk.

- Potential for both chronic and acute exposure to contaminants.

- Flashy runoff has degraded water quality.

-Although all has been attributed to Stormwater Detention Feature #2, ARDOT 25-01 (the Geotechnical Borehole Location) should not be discounted as abundant evidence shows that is also a major contributor.

What is Needed:

A city waterline installed for an alternative water source; monthly fees notwithstanding.

Waterline hookups with ability to switch over when necessary.

Compensation for two washing machines.

Compensation for two hot water heaters.

Compensation for whole house filters, under sink filters, and refrigerator filters.

Remuneration for loss and damages anticipated regarding dishwasher, outdoor furnace, and existing waterlines.

What our place was called:



The following expenses are on the conservative

side and do not include tax or installation.

What is Needed, Cost:

-A city waterline installed for an alternative water source; monthly fees notwithstanding.

[Do Not Know the cost.]

I prefer a well be drilled, but ARDOT said the water would probably be like the spring.

-Waterline hookups with ability to switch over to our spring when able.

[Do Not Know. Parts can be estimated, but I do not know the Labor cost.]

-Compensation for two washing machines.

[$1,396]

-Compensation for two hot water heaters.

[$3,718]

-Compensation for whole house filters, under sink filters, and refrigerator filters for the last 20 months.

[$1,270] Before this we only had to switch them out every six months.

-Remuneration for loss and damages anticipated regarding dishwasher, outdoor furnace, and existing waterlines.

[$1,000]

For example, we have an outdoor wood furnace. The build-up in and around the level switch necessitated me having to put in a bypass with a petcock and constantly check it manually.

As I write this I have no water and had to switch to propane to heat the house, as the furnace requires water. There've been many such incidental expenses over the last year and a half plus. The water in the spring right now has turned from red-brown to gray. I do have pictures of all of this if required.

Todd Renfroe

7/20/24

[redacted]

Hello Rep. Lundstrum. I enjoyed getting to visit with you this morning.

Here's a brief regarding my water issues:

Our water comes from a spring near our house. It goes through a whole-house filter plus additional filters for our drinking water.

Wednesday afternoon, July 17, I got a call from my kids that there was "muddy water" coming out of the faucets.

Long story short, that evening I eventually realized a drill rig I had seen being positioned that morning had punched into the aquifer from which my water comes.

(The 612 spur being constructed to connect with Hwy 412 is being worked on about 500 yards from my place.)



The next morning, Thursday, July 18, I went to the job site and talked to the workers and operator and told them what had happened. They took my name, address, and phone number saying they would pass it on to their superintendent, Ron.

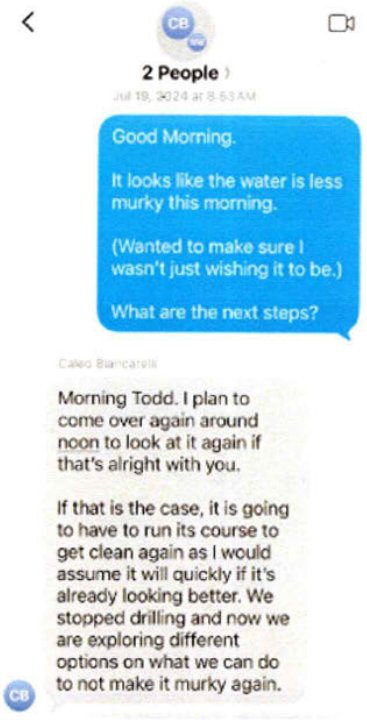
I came back to the house and started making phone calls.

That afternoon, Caleb Biancarelli with Emery Sapp & Sons, and Will Ward from ArDOT came by my house to discuss and inspect the situation. Unsure whether or not they had caused it, *they ceased drilling and filled the hole with gravel to see if that would affect my spring.* They also sent us six cases of water and two bags of ice.

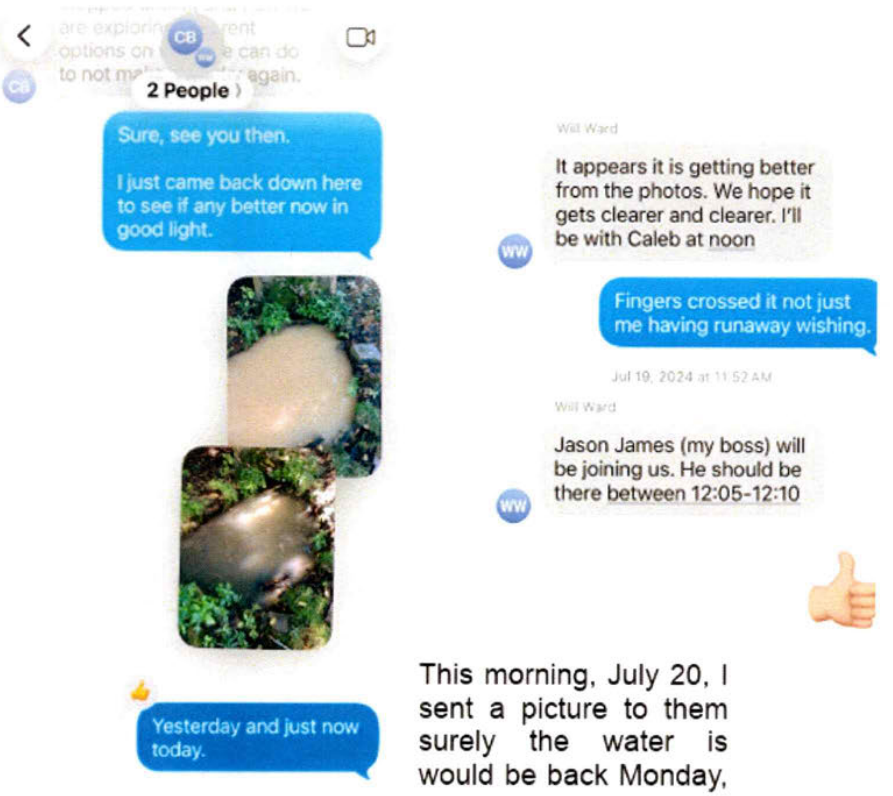
The hole in the left foreground is where they drilled that messed up the spring. [Drill went through rock 13 feet down then hit my water.]

Friday morning, July 19, the water had begun to clear and I sent pictures to Caleb and Will. They came out and we spent a good amount of time discussing next steps. They could see that, although the water was indeed beginning to clear, the volume level had decreased. Four pylons have to be constructed in that area, and all of them will probably go into my aquifer. It seems it will be four cycles of water muddying, then eventually clearing before all is done. Another

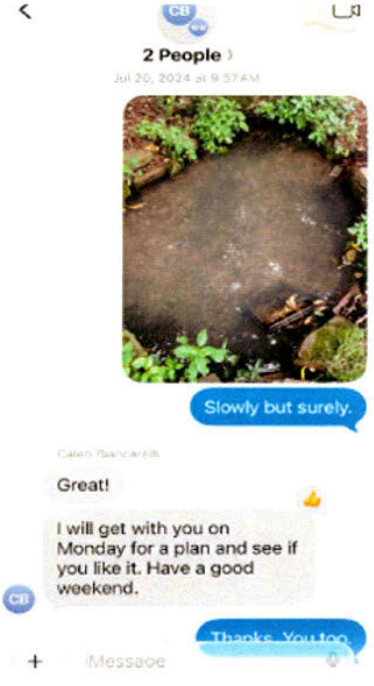
question now is if my volume will be further affected. They also left me with two cases of water.



as requested. Slowly but clearing. They said they July 22 with some ideas.



This morning, July 20, I sent a picture to them surely the water is would be back Monday,



So far I have been pleased with their quick response and do hope I don't have to end up using city water, or that this becomes a civil matter.

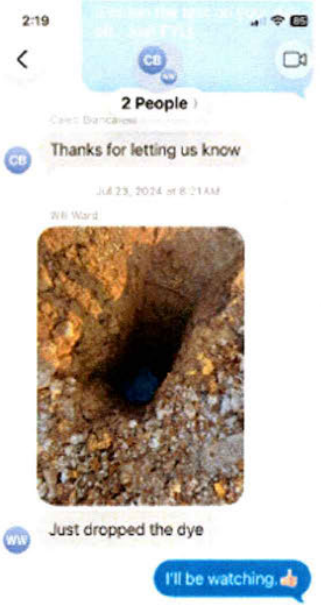
And I do appreciate you (Rep. Lundstrum) getting back with me and your willingness to help!

Timeline Since Then:



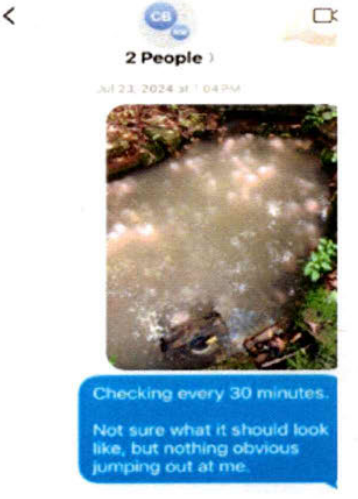
Rain Saturday night to Sunday morning **(July 20-21)** has put us back to square one. It's again as it was Wednesday, July 17.

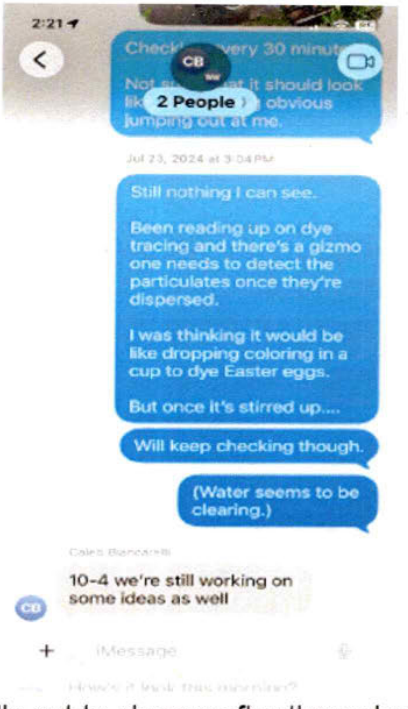
Caleb and Will out today, Monday, **July 22**, to discuss plans to bring out a 250 gal. water tank and hook it up to our house. They will also run a dye test. Option of hooking me up to Washington County Water is off the table according to Caleb. *I prefer my spring, but worried about possible problems in the future regarding contaminants and volume.*

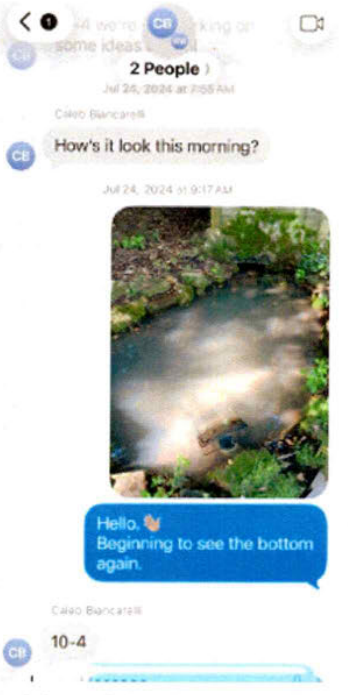


Dye test was unsuccessful today, Tuesday, **July 23**. They had no way to test for particulates after dispersion. A water tank is hooked up to the house. Water usage will have to be minimal. Without rain the flowers and plants in our numerous flower beds and planters are doomed. Will was out here twice. Once with a coworker named Jesse. Later in the afternoon with his boss, Jason James.





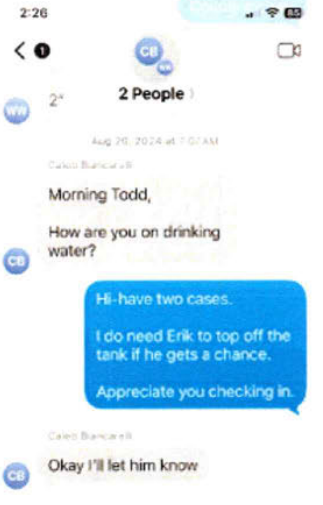




Thursday, Things are with and piling up, having to water to toilets. longest had water about 45 one time. having to and get work. I've my boys the three was on for **July 25**: pretty dire dishes laundry and haul flush the The we've is for minutes My wife is shower ready at run two of through times it a bit. I finally got to shower after three days. My youngest hasn't had a chance for four. Erik, the fellow who has been working on our water switched the pump out this morning and moved the water tank. It quit working when a toilet was flushed. He made a second trip out and I started a load of laundry while he was here. Went to pick up my soccer kid, who desperately is in need of a shower, and the water was out when I got back. Washer made it to the rinse cycle before it quit. I contacted the guys from Emery Sapp and ArDot. Erik was out here for a third time today and got it running. (Trouble w/ the adapters.) The above was texted to Caleb and Will.

8/17 Rained, (2") Water Muddy





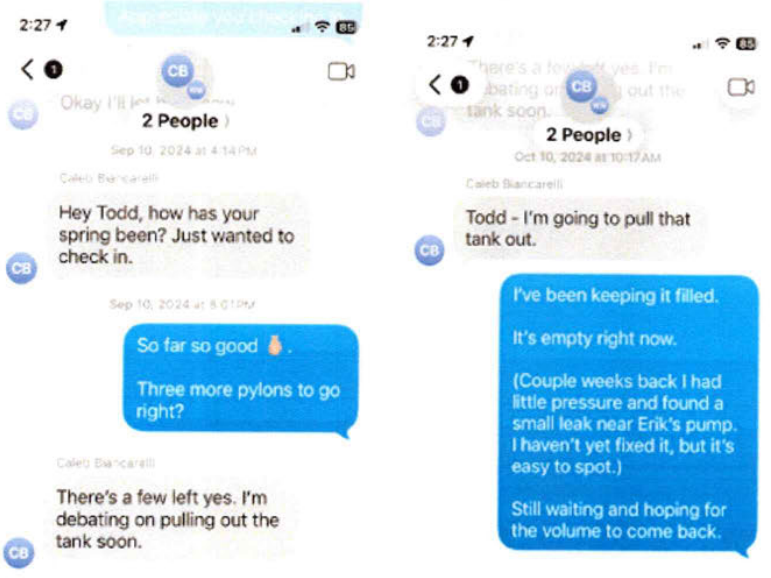
8/18 Water Clearing

8/19 Rain, Water still Murky. Switched to tank.

8/21 Switched back to spring. Settled sediment covers bottom of pool.

8/23 Caleb asked about drinking water. I asked about whether or not they will be finished before winter sets in. Said they would.

9/10 Caleb said he was planning on pulling the tank out.



9/10 Tank picked up. I let Caleb and Will know that the volume has still not come back.

10/16 Perpetual stain in the toilet bowls is tan, sometimes gray.

11/5 Few times I've drawn water to shave (instead of letting it run) water is very light brown. Don't see it in just a glass or ice cubes.

My wife put something in the toilet tanks a couple of weeks back that turns the water blue, otherwise, the bowls quickly become discolored.

12/14/24

Work Continues on the bridge supports. Doesn't look like the water level is going to recover. Water is often not completely clear. For the four supports they are not drilling but excavating instead.

2/23/25

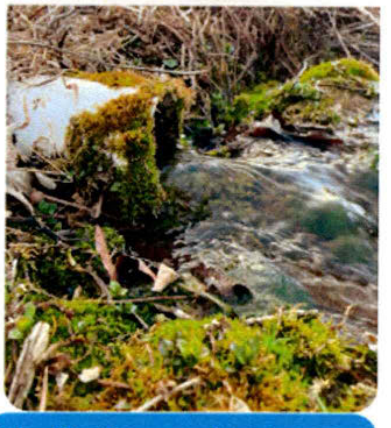
Sent a text to Caleb Biancarelli with Emery Sapp & Sons, and Will Ward from ArDot:

Sun, Feb 23 at 4:46 PM

Hello Fellas-
Before much more time went by I wanted to get on record that my water volume has never recovered.
Also there's algae growing in the spring pool which is a new thing.
Looks like y'all are making good progress on the road.
Best Wishes with the weather-
Todd Renfroe

(The water level in the pond the spring feeds has never been this low either.)

3/13/25



Hey Gentlemen....i took some pictures while ago. Love that daylight savings.

Will, thanks for coming out.

There's three or four of them I'm sending.

This is the outlet from the spring pool to the pond. Before the volume dropped it was like a column.



It feeds the pond. That milk crate (I use it as a filter for the bottom overflow pipe) was underwater.

(You can see at the far end of the concrete where the waterline used to be.)



These are overflow pipe from the pond to slough. Just barely a trickle.



This is the "Snake Hole" that is a pool (used to be). It's the other strong spring northwest of the house. Now it's simply damp soil where some water still trickles out

I'm wanting to keep this on y'all's mind.

Caleb, you said that running city water to us was taken "off the table."

I might need to put it back on.

Caleb Biancarelli

It was off the table for the temporary fix to make sure you had water at the time. As far as this goes, anything would have to be looked at by ArDOT and then any work would have to be directed by them and approved by them. Do you still have water running to your house?

10:27 LTE 80

WW CB

2 People

Man I apologize for contacting y'all at this time, but with three boys involved with every extracurricular there is at Bentonville High short of Interpretive Dance....

Yep we still have water.

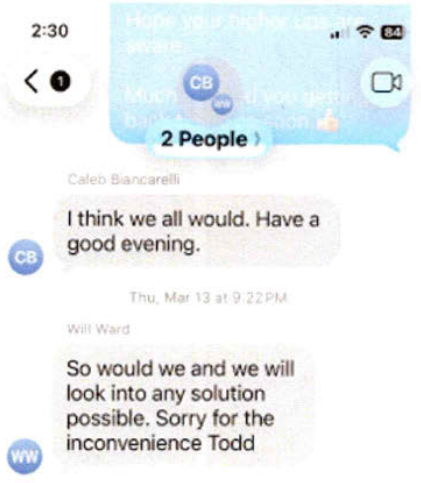
(My wife put some kind of blue stuff in the toilet tank so the bowl was not always a range of light gray to brown. Do have to change the water filters often.)

Caleb Biancarelli

It's alright we understand. As long as you have water now that's the main priority. Will and I will get together and see what needs to happen next if anything can happen, but unfortunately I think it's going to have to go above our heads.

I'd like to avoid a long drawn out court thing.

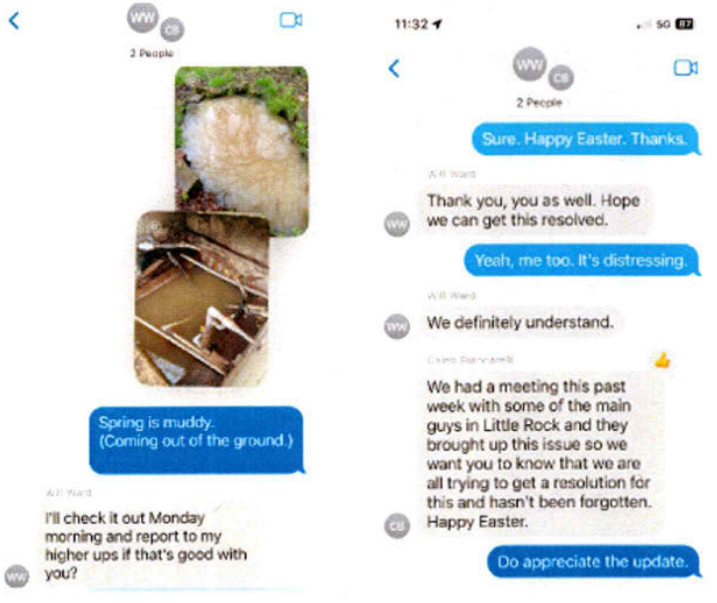
+ iMessage



3/26/25

Water today is clearest it has been in months, but remains low.

4/19/25



Contacted Will and Caleb (above).

Also texted Rep. Lundstrom and Sen. Penzo.

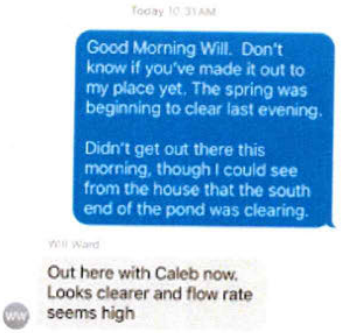
4/20/25

This evening the spring was beginning to clear.

4/21/25

Rep.Lundstrom texted for me to be expecting to be contacted by Gil Rogers of ARDOT.

The following text was sent to Will:



I was able to call at the time and Will was there with Caleb.

Nothing resolved, although I did gripe about all the filters I'm going through. The icebox one alone is $50.

4/21/25 (Con't) We also bemoaned the fact that it is now probably too late for the hole they drilled into the aquifer to be capped or sealed in some way since it is now under an interstate pylon.

4/22/25

Water is still clearing.

4/25/25

Waiting to hear from Gil Rogers.

4/27/25

Brown water coming out of sink faucets. Water pressure in the house is very low. Will go ahead and replace all the filters again.

4/28/25

Contacted by Lindsay Zweifel (ARDOT Environmental Division) to set up a meeting with her and others at our place; possibly on May 8, or May 12.

Communication with Clint Penzo and office by call, text, and email.

4/30/25

Area around the spring is completely flooded (!) with muddy water, but outlet pipe is clear; not stopped up.

5/3/25

Spring is clear.

5/6/25

Sen. Penzo called re: Thursday's (5/8) meeting and explained the "claims process."

Left a message with Philip Taldo.

5/7/25

Contacted by Gil Rogers. Meeting Postponed.



5/19/25

Meeting finalized for Thursday, May 29 vis-à-vis Gil Rogers.

5/21/25

Storms day before yesterday. Spring became muddy and remains that way. Spring area is flooded to the tree line. Hoping it doesn't reach the pump. Muddy Pond>



5/23/25

Spring is clearing this morning.

Apparently the aquifer is now majorly breached and rain runoffs penetrate it.

Area around the spring is flooded as drainage pipe cannot handle the flow.

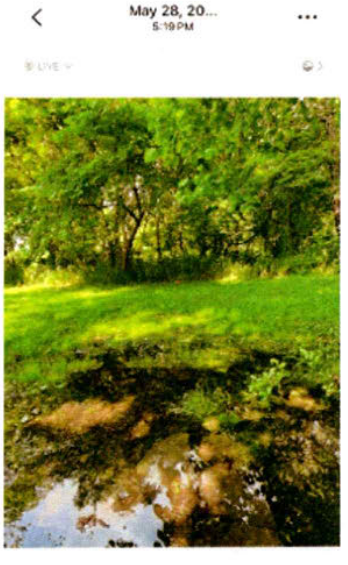
5/25/25

Rain last night.

Spring murky and still outside its bounds.

[Rain has never affected the spring. As discussed last summer, it has remained constant until the mishap last July.]





5/29/25 Met with ARDOT; Gil Rogers, Jason James, Lindsey Zweifel. (Didn't catch all the names.) Next step is for a consultant to be sent.



5/30/25 Mr. Rogers arranged for the water tank to be brought back out to use when the spring goes brown. These last 8 months we have been through dozens of filters.

6/11/2025

Gil called about doing a dye test on the SE Stream (what the consultants from Ozark Underground Laboratories would later refer to as ***"Stormwater Detention Feature #2***).

I pointed out that the work begun there was actually 3 months after the drilling that caused this.

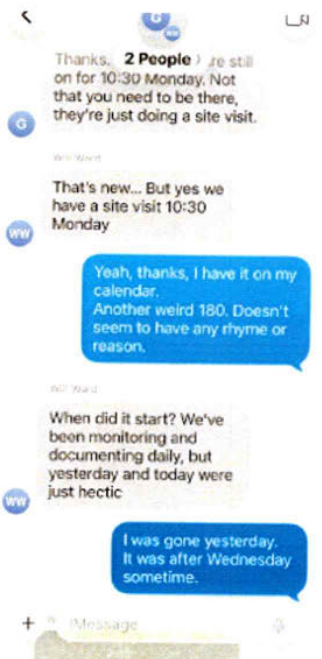
6/12/2025

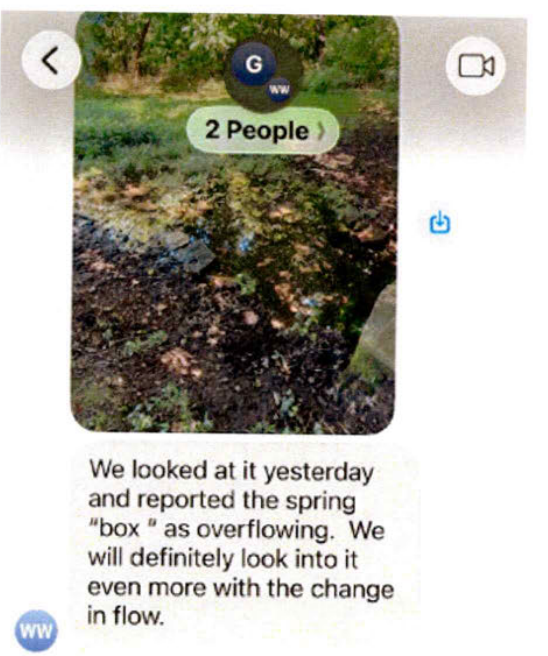
Will came out today to look at the spring. Will said that it would be monitored by ARDOT every day; either by him or someone else.

We also talked about how the work on the SE stream was 3 months AFTER the pylon hole.

7/25/25

Spring went back inside its bounds, but still muddy.





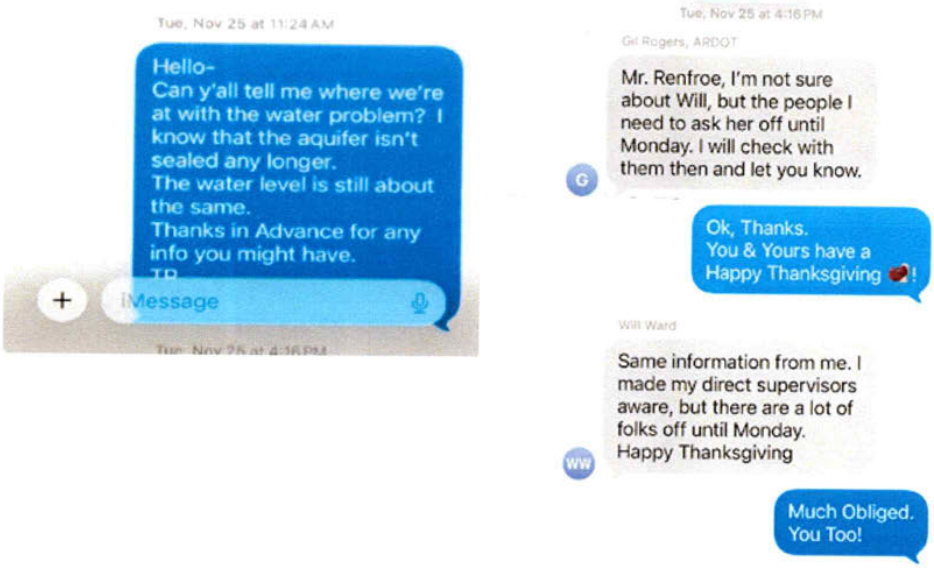
7/28/25

People from *Ozark Underground Laboratories* came out to assess and come up with a plan. Showed them the different springs in the area. In contact with them through October.

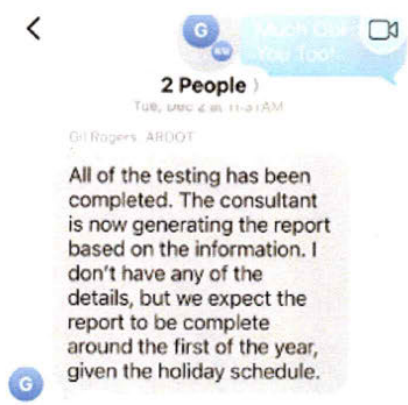
9/25/25

Switched back the water tank.

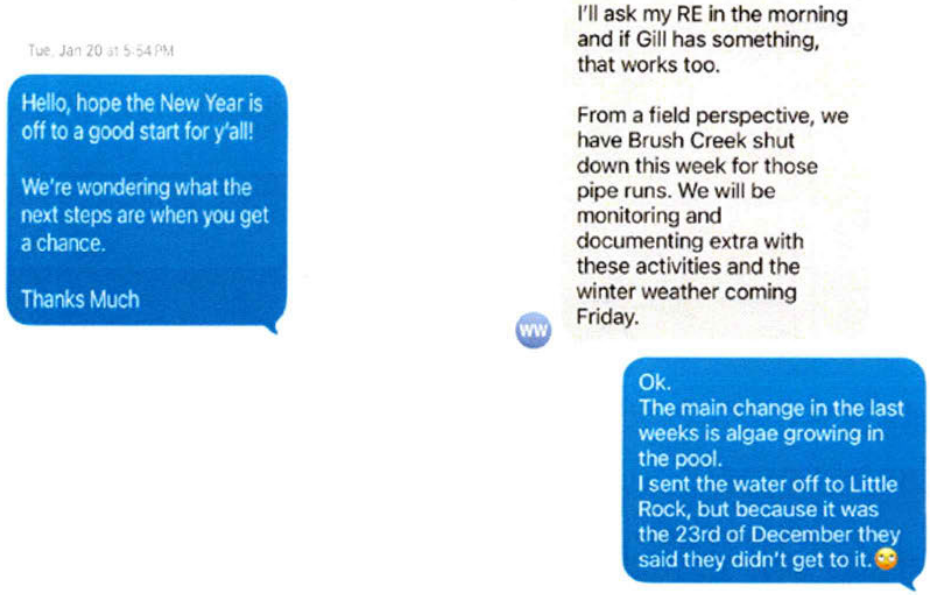
11/25/25

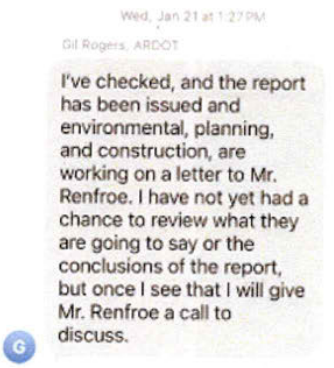


12/02/25



1/20/26





2/12/26

Spoke briefly with Gil, but nothing resolved. (Had a disturbing call right before and was mentally distracted.)



3/6/26

Switching over the water we saw a pipe swollen, leaking, and about to burst. It burst later that evening. ARDOT graciously arranged for it to be repaired the next night.

Is interesting how this has become just a part of life. A few days before my youngest walked past the room I was in and nonchalantly stated, "Water is brown again."

RE: **Assessment of Highway 412 Bypass Construction Activities and its Hydrologic Connectivity With Renfroe Spring**

Elm Springs, Arkansas

January 2026

Copy provided me dated February 10, 2026

Initial Notes:

[From Cover Letter by Chad Adams, P.E.]

"Under both existing and anticipated future conditions, there is potential for acute (short-term) and chronic (long-term) exposure to waterborne contaminants in the absence of adequate filtration or an ***alternative potable water source*** **(emphasis added)**."

"…the volume of water discharged into the spring's recharge area ***may increase*** **(emphasis added)** following the completion of the highway construction."

"Stormwater detention feature #2 will be removed when construction is complete and vegetation will be re-established in all disturbed areas, resulting in conditions that ***should*** **(emphasis added)** no longer impact the turbidity of the spring water."

***This does not address the water foaming up which seems to be associated with the presence of phosphorus as mentioned in earlier conversations with ARDOT. This may be why we now have algae growing in the spring.**

[From **Assessment of Highway 412 Bypass Construction Activities**]

Page 2, Paragraph 3

[redacted] the property owner when he noted that spring flow had appreciably declined and that the water discharging from the spring was turbid and ***gray in-color*** **(emphasis added)**. In a review of construction activities concurrent with the reported issue, ARDOT found that a geotechnical borehole was installed near Brush Creek and ***two stormwater basins had been installed around the same time*** **(emphasis added)** as changes to the spring were first observed."

"gray in-color." Was red clay as shown in pictures.

"two stormwater basins had been installed around the same time..." Was three months after the borehole.

Page 13, Paragraph 3. Page 14, Paragraph 2

ARDOT Trace 25-01 was conducted in a trench located north of Brush Creek and south of Brush Creek Road, ***near the area in which the geotechnical borehole was being drilled at the time the changes to spring flow were first observed*** **(emphasis added)** (36.208785°, -94.251657°; Figure 2). The purpose of this trace was to determine if activities associated with the drilling of a geotechnical borehole influenced the changes observed at Renfroe Spring, located approximately 2,000 feet southwest of the dye introduction trench. The dye introduction trench was excavated at 13:44 on October 14, 2025, to a ***final dimension of approximately 10 feet deep, 3 feet wide and 11 feet long*** **(emphasis added)** (Figure 4)...

Dye from Trace 25-01 was detected at sampling stations ARDOT-104, ARDOT-105, ARDOT-106, ARDOT-107, ARDOT-110, and ARDOT-112 (Figure 6). All stations that returned positive dye detections of fluorescein were located in Brush Creek downstream of the dye introduction trench, with the exception of ARDOT-106 which is a spring branch tributary to Brush Creek. ***No fluorescein was detected at Renfroe Spring, the unnamed tributary that flows beside and receives discharge from Renfroe Spring, or the upstream control station within Brush Creek. The data indicate that although drilling activities were coincident to changes in color and flow at Renfroe Spring, the area where drilling activities occurred does not contribute water to Renfroe Spring, under the conditions tested.*** **(emphasis added)**

"approximately 10 feet deep" Water Table is at 13 feet.

Page 19 & 20

At 15:08 on October 14th, 2025, two pounds of eosine dye mixture containing approximately 93% dye equivalent was introduced into Stormwater Detention Feature #2 (36.200901°, -94.251617°; Figure 2). The purpose of this trace was to determine if water within or discharging from Stormwater Feature #2 provides recharge to, and potentially influences, Renfroe Spring. The liquid eosine dye mixture was added on the upstream margin of the stormwater feature near where the inflow was entering the basin (Figure 9). The stormwater detention basin had water present at the time of dye introduction, however minimal inflow to the feature was observed (< 10 gallons per minute). ***Stormwater Feature #2 had a larger and more shallow coverage of standing water with vegetation present minimizing the rate of mixing of inflow waters within the basin. For this reason, flush water was added via gravity pressure upstream of the dye introduction location to promote mixing of the tracer dye throughout the feature. Approximately 2,500 gallons was flush water was added starting at 15:10 and terminating at 16:00.*** **(emphasis added)**

Dye from Trace 25-03 was detected at all sampling stations except for ARDOT-103 and ARDOT-109 (Figure 10). None of the tracer dyes from the three dye detections located in a small seep that exhibited minimal discharge throughout the study period. ARDOT-109 was the upstream control within Brush Creek upstream of all three dye introduction locations. ***Dye was detected at ARDOT-102 (Renfroe Spring) in all carbon samplers collected throughout the study.*** **(emphasis added)** Automated grab water samples collected from ARDOT-102 demonstrated that ***dye from Trace 25-03 arrived at Renfroe Spring within 10 hours of dye introduction.*** **(emphasis added)** Dye concentrations remained detectable in grab water samples from ARDOT-102 from the time of first detection until sampling for this work was terminated. Based on the dye detections associated with Trace 25-03, **it appears that the primary losing stream segment, within the study area, providing water to Renfroe Spring occurs within or immediately downstream of Stormwater Feature #2 (emphasis added)** and extends potentially as far as ARDOT-111. This losing segment was identified by the lack of dye detections at ARDOT-111 immediately after dye introductions despite observed breakthrough of the tracer dye at ARDOT-102 (Renfroe Spring).

***This does not account, however, for the occasional heavy flooding and turbidity.**

Page 22

4.0 DISCUSSION Three traces were designed and conducted to investigate if highway construction activities potentially caused water quality changes observed at Renfroe Spring. ***Of the traces completed, the only trace resulting in positive dye detections at Renfroe Spring was Trace 25-03 introduced at Stormwater Detention Feature #2. Stormwater Detention Feature #2 is constructed within a blue line waterway and will eventually receive inflow from highway runoff as well as surface flow from upstream that is being conveyed through culverts beneath the new roadway.*** **(emphasis added)** Water discharged from Stormwater Detention Feature #2 directly enter an unnamed tributary of Brush Creek that then flows through the Renfroe Property and ultimately contributes water to Renfroe Spring via losing a stream segment(s).

Based on the results of the tracer study, a losing segment of the unnamed tributary contributing water to Renfroe Spring was identified to occur beginning within Stormwater Detention Feature #2 **(emphasis added)** and extending downstream to ARDOT-111. It is possible that additional areas may be contributing water to Renfroe Spring upstream of Stormwater Detention Feature #2, however those areas were not investigated as a part of this work.

Dye introduced in Stormwater Detention Feature #2 was first detected at Renfroe Spring approximately 10 hours after dye introduction. Such rapid travel time to Renfroe Spring and subsequent intake into the potable water system at the residence provides negligible natural attenuation and assimilation capacity. (emphasis added)

In addition to the rapid travel time to Renfroe Spring from Stormwater Detention Feature #2, the increase in impermeable surface area and conveyance of waters potentially collected outside of the natural recharge area of the spring may lead to significantly more water moving through the spring system than occurs naturally. ***The addition of appreciable water to the system, and its flashy nature in response to precipitation events, may lead to water quality changes.*** **(emphasis added)**

Stormwater Detention Feature #2 is constructed within a blue line waterway and will eventually receive inflow from highway runoff as well as surface flow from upstream that is being conveyed through culverts beneath the new roadway.

-Meaning, that from this spot alone, it will only get worse.

Such rapid travel time to Renfroe Spring and subsequent intake into the potable water system at the residence provides negligible natural attenuation and assimilation capacity. -Nothing to stop what now flows into that area.

…significantly more water moving through the spring system than occurs naturally. ***The addition of appreciable water to the system, and its flashy nature in response to precipitation events, may lead to water quality changes.*** -What chemicals and/or bacteria are now entering?

Page 23

5.0 KEY FINDINGS

[redacted]

quality changes observed at Renfroe Spring.

2. Tracer dye introduced into Stormwater Feature #2 arrived at Renfroe Spring within 10 hours of dye introduction. Such rapid travel time to Renfroe Spring and subsequent intake into the potable water system at the residence provides negligible natural attenuation and assimilation capacity.

3. Both chronic and acute exposure potential is present, based on the current and likely future conditions, for the Renfroe household if no alternative source of potable water is acquired or adequate filtration system is installed.

4. With the increased catchment and impervious surface areas associated with highway development, a greater volume of water may discharge into the recharge area of Renfroe Spring.

5. Stormwater Detention Feature #1 discharges rapidly to Brush Creek. Without adequate treatment, this discharge places Brush Creek at additional risk of contaminants commonly associated with general highway runoff as well as discrete releases, such as spills. The OUL recommends evaluating treatment options that minimize impacts of highway construction, maintenance, and operations to nearby surface water and groundwater.

-All "**Key Findings**" are concerning.

According to the Clean Water Act – National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Exposure is violated:

- Discharges are causing water quality standard violations.

-Groundwater, surface waters, and our domestic water supply is compromised.

-There's a direct hydrologic pathway from highway infrastructure our spring.

-An increased risk of contaminants commonly associated with highway runoff.

- Demonstrated negligible natural attenuation.

- There is rapid transport into our potable water supply.

- Increased catchment and impervious surface areas from highway development.

- A greater discharge volume into the spring recharge area.

- Highly increased contaminant transport risk.

- Potential for both chronic and acute exposure to contaminants.

- Flashy runoff has degraded water quality.

-Although all has been attributed to ***Stormwater Detention Feature #2****, ARDOT 25-01 (the Geotechnical Borehole Location) should not be discounted as abundant evidence shows that is also a major contributor.*

What is Needed:

A city waterline installed for an alternative water source; monthly fees notwithstanding.

Waterline hookups with ability to switch over when necessary.

Compensation for two washing machines.

Compensation for two hot water heaters.

Compensation for whole house filters, under sink filters, and refrigerator filters.

Remuneration for loss and damages anticipated regarding dishwasher, outdoor furnace, and existing waterlines.

What our place was called:



The following expenses are on the conservative side and do not include tax or installation.

What is Needed, Cost:

-A city waterline installed for an alternative water source; monthly fees notwithstanding.

[Do Not Know the cost.]

I prefer a well be drilled, but ARDOT said the water would probably be like the spring.

-Waterline hookups with ability to switch over to our spring when able.

[Do Not Know. Parts can be estimated, but I do not know the Labor cost.]

-Compensation for two washing machines.

[$1,396]

-Compensation for two hot water heaters.

[$3,718]

-Compensation for whole house filters, under sink filters, and refrigerator filters for the last 20 months.

[$1,270] Before this we only had to switch them out every six months.

-Remuneration for loss and damages anticipated regarding dishwasher, outdoor furnace, and existing waterlines.

[$1,000]

For example, we have an outdoor wood furnace. The build-up in and around the level switch necessitated me having to put in a bypass with a petcock and constantly check it manually.

As I write this I have no water and had to switch to propane to heat the house, as the furnace requires water. There've been many such incidental expenses over the last year and a half plus. The water in the spring right now has turned from red-brown to gray. I do have pictures of all of this if required.

From:	ASCC New Claims
To:	Davenport, Michelle L.; Wallace, Courtney E.; Walker, LaKeysha N.
Cc:	Kathryn Irby
Subject:	CLAIM: Todd Renfroe v. ArDOT, Claim No. 261409
Date:	Monday, April 6, 2026 2:48:00 PM
Attachments:	Todd Renfroe v. ArDOT agency ltr .pdf Todd Renfroe Claim - 261409.pdf

---

Dear Ms. Davenport,

Please confirm receipt of the attached claim file. The agency may file its response to this claim electronically by sending it to asccpleadings@arkansas.gov, with a copy to the claimant pursuant to the Arkansas Rules of Civil Procedure.

Please contact Kathryn Irby with any questions.

Thank you,
Caitlin

Caitlin McDaniel
Administrative Specialist II
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-1619

ARKANSAS STATE CLAIMS COMMISSION

(501)682-1619
FAX (501)682-2823

KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, AR 72201-3823

April 6, 2026

Ms. Michelle Davenport (*via email*)
Arkansas Department of Transportation
Post Office Box 2261
Little Rock, Arkansas 72209

RE: ***Todd Renfroe v. Arkansas Department of Transportation***
Claim No. 261409

Dear Ms. Davenport,

Enclosed please find a copy of the above-styled claim filed against the Arkansas Department of Transportation. Pursuant to the Arkansas Rules of Civil Procedure, as well as Claims Commission Rule 2.2, you have **thirty days from the date of service** in which to file a responsive pleading.

Your responsive pleading should include your agency number, fund code, appropriation code, cost center, and activity/section/unit/element that this claim should be charged against, if liability is admitted, or if the Claims Commission approves this claim for payment. This information is necessary even if your agency denies liability.

Sincerely,

Kathryn Irby

ES: cmcdaniel

cc: Todd Renfroe, *Claimant* (w/o encl.) (*via email*)

Note to Claimant or Claimant's counsel: The Claims Commission copied you on this correspondence to provide you with confirmation that your claim has been processed and served upon the respondent agency.

From: ASCC New Claims
To: [redacted]
Bcc: Kathryn Irby
Subject: Todd Renfroe v. ArDOT, Claim No. 261409
Date: Monday, April 6, 2026 2:48:00 PM
Attachments: Todd Renfroe v. ArDOT agency ltr .pdf

Dear Mr. Renfroe,

Attached please find a copy of the letter sent with your claim to the Arkansas Department of Transportation.

Thank you,
Caitlin

Caitlin McDaniel
Administrative Specialist II
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-1619

From: Wallace, Courtney E.
To: ASCC New Claims
Cc: Kathryn Irby; Davenport, Michelle L.; Walker, LaKeysha N.
Subject: RE: CLAIM: Todd Renfroe v. ArDOT, Claim No. 261409
Date: Monday, April 6, 2026 2:58:39 PM
Attachments: image001.png

CAUTION: External Email

Received

Courtney Wallace
Legal Technician

PH: 501-569-2277
Email: Courtney.Wallace@ardot.gov

From: ASCC New Claims <ASCC.New.Claims@arkansas.gov>
Sent: Monday, April 6, 2026 2:49 PM
To: Davenport, Michelle L. <Michelle.Davenport@ardot.gov>; Wallace, Courtney E. <Courtney.Wallace@ardot.gov>; Walker, LaKeysha N. <LaKeysha.Walker@ardot.gov>
Cc: Kathryn.Irby <Kathryn.Irby@arkansas.gov>
Subject: CLAIM: Todd Renfroe v. ArDOT, Claim No. 261409

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Davenport,

Please confirm receipt of the attached claim file. The agency may file its response to this claim electronically by sending it to asccpleadings@arkansas.gov, with a copy to the claimant pursuant to the Arkansas Rules of Civil Procedure.

Please contact Kathryn Irby with any questions.

Thank you,
Caitlin

Caitlin McDaniel
Administrative Specialist II
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-1619

From: Wallace, Courtney E.
To: ASCC Pleadings
Cc: Newberry, Helen A.; Eenigenburg, Cody W.; Martinez, Ivan; Walker, LaKeysha N.; Story, Tyler
Subject: Renfroe v. ARDOT Claim 261409 - ANSWER
Date: Thursday, April 9, 2026 3:09:56 PM
Attachments: image001.png
Renfroe.261409.ANS.2026.04.09.pdf

CAUTION: External Email

Please acknowledge receipt of the attached Answer for the referenced claim.

Courtney Wallace
Legal Technician
PH: 501-569-2277
Email: Courtney.Wallace@ardot.gov

ARDOT.gov | Jared D. Wiley, P.E., Director
LEGAL DIVISION
Helen Newberry | Staff Attorney | Helen.Newberry@ardot.gov
10324 Interstate 30 | P.O. Box 2261, Little Rock, AR 72203-2261
Phone: (501) 569-2003 | Fax: (501) 569-2164

April 9, 2026

Todd Renfroe
[redacted]

Re: *Todd Renfroe v. Arkansas Department of Transportation*
Claim No. 261409

Dear Mr. Renfroe:

My name is Helen Newberry, I am the attorney handling your claim at ARDOT. First, although I want you to know that I intend to work with you to come to a settlement that you will find acceptable, it is important for you to remember that I represent ARDOT, and that if you need legal advice you should contact an attorney of your choice.

I reviewed the documents you sent with your claim for your damages. In order for us to start working on determining the value of your damages, I will need more specific estimates. For example, it is important to get an estimate for how much it will cost to run a city water line to your property and estimates for connecting that water to your home, et cetera. I will be meeting with witnesses soon, and after that I will reach out to you for more information. If you have any questions in the meantime, please feel free to give me a call or forward any estimates to my email address as listed in the heading of this letter.

The handling of your claim, as well as the final decision, is made by the Arkansas State Claims Commission. If you have questions concerning when a decision will be issued, you can contact them at (501) 682-1619.

All responses and documents should be filed with the Arkansas State Claims Commission. Their address is 101 E. Capitol Avenue, #410, Little Rock, AR 72201. The law requires that you provide a copy to our Legal Division so that we are aware of the information as well. Our address is Arkansas Department of Transportation, Legal Division, P.O. Box 2261, Little Rock, AR 72203.

We appreciate your patience as we seek a resolution to this disagreement through the process that has been established by State law.

Sincerely,

Helen Newberry
Attorney, Arkansas Dept. of Transportation

HAN/cew
Enclosure

cc: Kathryn Irby, Director
Arkansas State Claims Commission *(via email)*

ARDOT.gov | Jared D. Wiley, P.E., Director
LEGAL DIVISION
Helen Newberry | Staff Attorney | Helen.Newberry@ardot.gov
10324 Interstate 30 | P.O. Box 2261, Little Rock, AR 72203-2261
Phone: (501) 569-2003 | Fax: (501) 569-2164

April 9, 2026

Ms. Kathryn Irby, Director *(via email)*
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, AR 72201-3823

Re: *Todd Renfroe v. Arkansas Department of Transportation*
Claim No. 261409

Dear Ms. Irby:

Please find attached the Answer in the above-styled claim. Please confirm receipt at your earliest convenience.

Sincerely,

Helen Newberry
Attorney, Arkansas Dept. of Transportation

HAN/cew
Enclosure

cc: Todd Renfroe
[redacted]

BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS

TODD RENFROE **CLAIMANT**

V. **CLAIM NO. 261409**

ARKANSAS DEPARTMENT OF TRANSPORTATION **RESPONDENT**

ANSWER

COMES NOW the Respondent, Arkansas Department of Transportation, by and through counsel, Helen Newberry and Cody Eenigenburg, and for its Answer to the Claim of Todd Renfroe, states the following:

1. Respondent admits that there are facts showing that it is at least partially liable for some of the damages pleaded by Claimant.

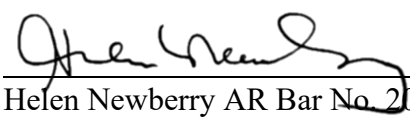
2. Respondent does not admit any of the allegations with particularity considering that further investigation is needed.

3. Respondent respectfully requests that this matter be placed into discovery status to allow for further investigation and possible settlement negotiations.

4. Respondent reserves the right to amend its pleading and/or plead any additional defenses or facts that may arise during the course of discovery in this case.

WHEREFORE, Respondent, Arkansas Department of Transportation, prays that this matter be placed into discovery status, and for all other just and equitable relief to which it may be entitled.

Respectfully submitted,
Arkansas Department of Transportation

By: 

Helen Newberry AR Bar No. 2018101
Cody Eenigenburg, Ark. Bar No. 2012119
Arkansas Dept. of Transportation

P.O. Box 2261
Little Rock, AR 72203-2261
(501) 569-2003
(501) 441-8809
helen.newberry@ardot.gov
cody.eenigenburg@ardot.gov

CERTIFICATE OF SERVICE

I, Helen Newberry, hereby certify that on April 9, 2026, a true and correct copy of the foregoing was sent via U.S. Mail to the following:

Todd Renfroe
[redacted]

Helen Newberry

From: Newberry, Helen A.
To: Kathryn Irby; [redacted] Eenigenburg, Cody W.
Cc: Martinez, Ivan; Walker, LaKeysha N.; Story, Tyler; Wallace, Courtney E.; Misty Scott
Subject: Re: DISCOVERY STATUS: Renfroe v. ARDOT Claim 261409 - ANSWER
Date: Friday, April 10, 2026 9:22:23 AM
Attachments: image001.png
Outlook-skiqkfki.png

CAUTION: External Email

Thank you, Ms. Irby. We will do so.

Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Friday, April 10, 2026 8:06 AM
To: [redacted] Newberry, Helen A. <Helen.Newberry@ardot.gov>; Eenigenburg, Cody W. <Cody.Eenigenburg@ardot.gov>
Cc: Martinez, Ivan <Ivan.Martinez@ardot.gov>; Walker, LaKeysha N. <LaKeysha.Walker@ardot.gov>; Story, Tyler <Tyler.Story@ardot.gov>; Wallace, Courtney E. <Courtney.Wallace@ardot.gov>; Misty Scott <Misty.Scott@arkansas.gov>
Subject: DISCOVERY STATUS: Renfroe v. ARDOT Claim 261409 - ANSWER

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Renfroe, Ms. Newberry, and Mr. Eenigenburg:

In light of ArDOT's request for additional time to investigate and possibly enter into settlement negotiations with Mr. Renfroe, the Commission has placed this claim into a discovery status. However, the Commission requests that ArDOT provide a status update or file an amended answer by July 1, 2026.

Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

(501) 682-2822

From: Wallace, Courtney E. <Courtney.Wallace@ardot.gov>
Sent: Thursday, April 9, 2026 3:10 PM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Newberry, Helen A. <Helen.Newberry@ardot.gov>; Eenigenburg, Cody W. <Cody.Eenigenburg@ardot.gov>; Martinez, Ivan <Ivan.Martinez@ardot.gov>; Walker, LaKeysha N. <LaKeysha.Walker@ardot.gov>; Story, Tyler <Tyler.Story@ardot.gov>
Subject: Renfroe v. ARDOT Claim 261409 - ANSWER

CAUTION: External Email

Please acknowledge receipt of the attached Answer for the referenced claim.

Courtney Wallace
Legal Technician
PH: 501-569-2277
Email: Courtney.Wallace@ardot.gov

From: Newberry, Helen A.
To: [redacted] Eenigenburg, Cody W.; Kathryn Irby
Cc: Martinez, Ivan; Walker, LaKeysha N.; Story, Tyler; Wallace, Courtney E.; Misty Scott
Subject: Re: DISCOVERY STATUS: Renfroe v. ARDOT Claim 261409 - ANSWER
Date: Wednesday, May 27, 2026 12:54:21 PM
Attachments: image001.png
Outlook-idn5ipbh.png

CAUTION: External Email

Email is fine, thank you!

Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003

From: Todd Renfroe[redacted]
Sent: Wednesday, May 27, 2026 12:36 PM
To: Newberry, Helen A. <Helen.Newberry@ardot.gov>; Eenigenburg, Cody W. <Cody.Eenigenburg@ardot.gov>; Kathryn.Irby <Kathryn.Irby@arkansas.gov>
Cc: Martinez, Ivan <Ivan.Martinez@ardot.gov>; Walker, LaKeysha N. <LaKeysha.Walker@ardot.gov>; Story, Tyler <Tyler.Story@ardot.gov>; Wallace, Courtney E. <Courtney.Wallace@ardot.gov>; Misty Scott <misty.scott@arkansas.gov>
Subject: Re: DISCOVERY STATUS: Renfroe v. ARDOT Claim 261409 - ANSWER

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello-
I'm still waiting (since May 1st) for one last estimate. Once I receive it I'll forward all of them at once.
Is email OK, or do you prefer regular mail?
Thank You-
Todd Renfroe

On Friday, April 10, 2026 at 08:07:04 AM CDT, Kathryn Irby <kathryn.irby@arkansas.gov> wrote:

Mr. Renfroe, Ms. Newberry, and Mr. Eenigenburg:

In light of ArDOT's request for additional time to investigate and possibly enter into settlement negotiations with Mr. Renfroe, the Commission has placed this claim into a discovery status. However, the Commission requests that ArDOT provide a status update or file an amended

answer by July 1, 2026.

Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

From: Wallace, Courtney E. <Courtney.Wallace@ardot.gov>
Sent: Thursday, April 9, 2026 3:10 PM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>
Cc: Newberry, Helen A. <Helen.Newberry@ardot.gov>; Eenigenburg, Cody W. <Cody.Eenigenburg@ardot.gov>; Martinez, Ivan <Ivan.Martinez@ardot.gov>; Walker, LaKeysha N. <LaKeysha.Walker@ardot.gov>; Story, Tyler <Tyler.Story@ardot.gov>
Subject: Renfroe v. ARDOT Claim 261409 - ANSWER

CAUTION: External Email

Please acknowledge receipt of the attached Answer for the referenced claim.

Courtney Wallace
Legal Technician
PH: 501-569-2277
Email: Courtney.Wallace@ardot.gov

From: Newberry, Helen A.
To: ASCC Pleadings; Kathryn Irby
Cc: Wallace, Courtney E.; [redacted]
Subject: Refroe v ARDOT Claim 261409 update letter
Date: Wednesday, July 1, 2026 10:28:15 AM
Attachments: Outlook-aowd3mxw.png
Renfroe.261409.update ltr to CC.2026.07.01.pdf

CAUTION: External Email

Ms. Irby,

The Commission asked that the parties keep them updated in the above matter. Please see attached an update letter to the Commission. Thank you.

Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003

ARDOT.gov | Jared D. Wiley, P.E., Director
LEGAL DIVISION
Helen Newberry | Staff Attorney | Helen.Newberry@ardot.gov
10324 Interstate 30 | P.O. Box 2261, Little Rock, AR 72203-2261
Phone: (501) 569-2003 | Fax: (501) 569-2164

July 1, 2026

Ms. Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, AR 72201-3823

(via email)

Re: *Todd Renfroe v. Arkansas Department of Transportation*
Claim No. 261409

Dear Ms. Irby:

The purpose of this letter is to updated the Commission on the above matter. Mr. Renfroe and I have been in communication since he filed his claim. We are still working to compile cost estimates, etc. We will continue to work diligently, and will update the Commission when we are ready to move forward with the matter.

Sincerely,

Helen Newberry
Attorney, Arkansas Dept. of Transportation

HAN/cew
Enclosure

cc: Todd Renfroe
[redacted]

From: Newberry, Helen A.
To: ASCC Pleadings; Kathryn Irby
Cc: [redacted] Wallace, Courtney E.
Subject: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment
Date: Wednesday, September 2, 2026 11:48:15 AM
Attachments: Outlook-jr50qbk4.png
Renfroe.261409 emergency motion for partial payment.pdf

CAUTION: External Email

Ms. Irby,

Please see attached ARDOT's motion in the above matter. I have spoken with Mr. Renfroe and he is in agreement with the pleading and I have cc'd him here so he can reply all and confirm he is in agreement. Please present to the Commissioners as soon as you deem best. Let me know if you need anything else from me.

Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003

BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS

TODD RENFROE **CLAIMANT**

VS. **CLAIM NO. 261409**

ARKANSAS DEPARTMENT OF TRANSPORTATION **RESPONDENT**

EMERGENCY MOTION FOR PAYMENT TO REPLACE WATER TANK AND PUMP

COMES THE RESPONDENT, Arkansas Department of Transportation, by and through its Staff Attorney, Helen Newberry, and for its Emergency Motion for Payment to Replace Water Tank and Pump, states the following:

1. That the Claimant filed the instant claim for damages against Respondent in connection to ARDOT Job 012326.

2. That after informal discovery, the Respondent does not dispute liability.

3. There is no genuine dispute as to any material fact, and the Respondent is entitled to judgment as a matter of law, pursuant to Ark. R. Civ. Proc. 56.

4. That although Respondent admits liability, due to the amount of the claim and nature of the damages Respondent and Claimant are still negotiating a final settlement.

5. That upon information and belief, Claimant's is currently using a tank and pump for water provided by Emery Sapp & Sons, the construction company awarded the bid on ARDOT Job 012326.

6. That ARDOT Job 012326 is coming to completion, and Emery Sapp & Sons will soon require use of the tank and pump provided to Claimant.

7. That because of the complexity and dollar amount of the expected judgment for the Claimant in this matter, it is in the best interest of both parties for Claimant to be provided with a tank and pump and thereby mitigate future damages.

8. That the imminence of the tank and pump removal and Claimant's family's reliance on said tank and pump creates an emergency, hence why Respondent asks that the Claims Commission issue a partial judgment immediately.

9. That the estimated replacement would cost $760 after taxes. *See tank and pump estimates attached and incorporated as Exhibit A*.

10. It is reasonable for the Respondent to pay the cost of replacement of the tank and pump relied on by Claimant and his family so they may continue to have access to water, in consideration that Respondent is at fault for Claimant's damage.

11. There is no genuine issue of material fact, and the Arkansas State Claims Commission should enter partial judgment in the amount of $760, which reflects the replacement costs of the tank and pump.

12. Upon information and belief Claimant does not dispute this motion. Respondent has discussed the filing of this motion with Claimant, explained to him the contents, and Claimant has agreed to the terms of this motion for emergency partial payment.

WHEREFORE, Respondent prays that partial Judgment in the total amount of $760 be paid to avoid further harm to Claimant, and for all other just and proper relief to which it may be entitled.

RESPECTFULLY SUBMITTED,
ARKANSAS DEPARTMENT OF TRANSPORTATION

By: _____

Helen Newberry AR Bar No. 2018101
Staff Attorney
(501) 569-2003

helen.newberry@ardot.gov
Arkansas Department of Transportation
P. O. Box 2261
Little Rock, AR 72203-2261

CERTIFICATE OF SERVICE

I, Helen Newberry, certify that I have served the foregoing Motion for Emergency Payment upon the Claimant by mailing a true copy this 2nd day of September 2026, by email to:

Todd Renfroe
[redacted]

Helen Newberry

EXHIBIT A

Rogers 10PM 72758 What can we help you find today? Shop All Services DIY Log In



New

Shop VPC

330 gal. Intermediate Bulk Container IBC Tank

(107) Questions & Answers (103)

$399.99

Pay **$349.99** after **$50 OFF** your total qualifying purchase upon opening a new card.

Apply for a Home Depot Consumer Card

- 330 gallon, caged and palleted HDPE IBC tank
- Approved and applicable for potable water
- Includes a 2 in. valve and 6 in. top fill hole
- View More Details

Nominal Tank Capacity (gallons): **330 gal**



GOEHNER'S 110V AC Fresh Water Pump 6GPM 70 PSI Self-Priming Diaphragm with Power Plug

Brand: GOEHNER'S

$293.79

Free US shipping

Product Overview

Brand	Kitvance
Power Source	Corded Electric
Manufacturer	Kitvance
UPC	744128607115

- [SPECIFICATION] 110V AC WATER PUMP features 6GPM water flow, the fast speed at which the water gets released. Pressure switch is set to

From: Kathryn Irby
To: "Newberry, Helen A."
Cc: Wallace, Courtney E.
Subject: RE: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment
Date: Wednesday, September 2, 2026 1:01:00 PM
Attachments: image001.png

Also, Helen, I do not see where ArDOT has provided funding codes. Those will be needed before the Commission can issue payment.

Kathryn

From: Newberry, Helen A. <Helen.Newberry@ardot.gov>
Sent: Wednesday, September 2, 2026 11:48 AM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: [redacted] Wallace, Courtney E. <Courtney.Wallace@ardot.gov>
Subject: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment

CAUTION: External Email

Ms. Irby,

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Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003



From: Kathryn Irby
To: Newberry, Helen A.; ASCC Pleadings
Cc: [redacted] Wallace, Courtney E.
Subject: RE: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment
Date: Wednesday, September 2, 2026 12:46:03 PM
Attachments: image001.png

If I can get written confirmation from Mr. Renfroe today that he is in agreement with the emergency motion, I can submit a proposed order to the Commission tomorrow for approval.

I will wait to hear from Mr. Renfroe.

Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

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Sent: Wednesday, September 2, 2026 11:48 AM
To: ASCC Pleadings <ASCCPleadings@arkansas.gov>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Cc: [redacted] Wallace, Courtney E. <Courtney.Wallace@ardot.gov>
Subject: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment

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Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003



From: [redacted]
To: Newberry, Helen A.; ASCC Pleadings; Kathryn Irby
Cc: Wallace, Courtney E.
Subject: Re: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment
Date: Wednesday, September 2, 2026 3:29:52 PM
Attachments: image001.png

You don't often get email from [redacted] Learn why this is important

CAUTION: External Email

Good Afternoon Ms. Irby-
I am in agreement. Thank You for trying to provide us a tank.
Best Wishes-
Todd Renfroe

On Wednesday, September 2, 2026 at 12:46:05 PM CDT, Kathryn Irby <kathryn.irby@arkansas.gov> wrote:

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Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003



From: Newberry, Helen A.
To: Kathryn Irby
Cc: Wallace, Courtney E.
Subject: Re: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment
Date: Wednesday, September 2, 2026 1:36:27 PM
Attachments: image001.png
Outlook-hfettshm.png

CAUTION: External Email

My apologies! Please let me know if you need this in a more formal format.

Business Unit [redacted]
Cost Center [redacted]
Fund [redacted]
GL [redacted] (15-Claims & Awards)

Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Wednesday, September 2, 2026 1:01 PM
To: Newberry, Helen A. <Helen.Newberry@ardot.gov>
Cc: Wallace, Courtney E. <Courtney.Wallace@ardot.gov>
Subject: RE: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment

CAUTION: This email originated from outside of ARDOT. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003



BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

TODD RENFROE **CLAIMANT**

V. **CLAIM NO. 261409**

ARKANSAS DEPARTMENT OF TRANSPORTATION **RESPONDENT**

ORDER

Now before the Arkansas State Claims Commission (the "Commission") is the emergency motion filed by Arkansas Department of Transportation (the "Respondent") for partial payment of the damages incurred by Todd Renfroe (the "Claimant"). Based upon a review of the emergency motion, the arguments made therein, and the law of Arkansas, the Commission hereby finds as follows:

1. Claimant filed the instant claim, alleging that, during construction of an interstate overpass, a hole was bored into the aquifer, which has affected the supply of water to Claimant's house.

2. Respondent filed an answer admitting liability for at least part of Claimant's damages.

3. The parties began conducting discovery.

4. On September 2, 2026, Respondent filed an emergency motion seeking an order to pay Claimant for replacement of his water tank and pump. Respondent requested that the Commission enter an order directing Claimant to be paid $760 to avoid further harm. Respondent stated in the emergency motion that, upon information and belief, Claimant is in agreement with the emergency motion.

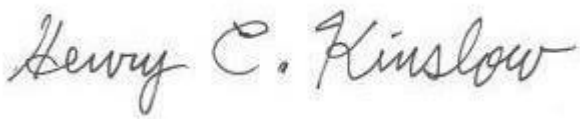
5. As such, for good cause shown, the Commission herein AWARDS Claimant a partial payment of $760.00, as recommended by Respondent, and directs the Commission clerk to

issue a voucher in payment thereof. The Commission notes that, once the partial payment is issued to Claimant, the claim will remain in a discovery status until the parties reach a final agreement.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Dee Holcomb



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow



ARKANSAS STATE CLAIMS COMMISSION
Paul Morris, chair

DATE: September 3, 2026

Notice(s) which may apply to your claim

(1) A party has forty (40) days from transmission of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Commission. Ark. Code Ann. § 25-44-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the transmission of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Commission. Ark. Code Ann. § 25-44-211(a)(1)(B)(ii). A decision of the Commission may only be appealed to the General Assembly. Ark. Code Ann. § 25-44-211(a)(3).

(2) If a Claimant is awarded $15,000.00 or less by the Commission at hearing, that award is held forty (40) days from the date of disposition before payment will be processed to allow either party to utilize its remedies under Ark. Code Ann. § 25-44-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.

(3) Awards or negotiated settlement agreements of more than $15,000.00 are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 25-44-215(b).

From: Kathryn Irby
To: [redacted] Newberry, Helen A.
Cc: Wallace, Courtney E.; SaBreana Hyche
Bcc: Mika Tucker
Subject: ORDER: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment
Date: Monday, September 7, 2026 2:26:00 PM
Attachments: A47--Renfroe v. ArDOT, 261409.pdf
image001.png

Mr. Renfroe and Ms. Newberry, please see attached order entered by the Commission. We are in the process of requesting checks from DFA this week, and we will send the check to Mr. Renfroe as soon as we receive.

Kathryn Irby

Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

From: Todd Renfroe [redacted]
Sent: Wednesday, September 2, 2026 3:30 PM
To: Newberry, Helen A. <helen.newberry@ardot.gov>; ASCC Pleadings <asccpleadings@arkansas.gov>; Kathryn Irby <kathryn.irby@arkansas.gov>
Cc: Wallace, Courtney E. <courtney.wallace@ardot.gov>
Subject: Re: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment

You don't often get email from [redacted] Learn why this is important

CAUTION: External Email

Good Afternoon Ms. Irby-
I am in agreement. Thank You for trying to provide us a tank.
Best Wishes-
Todd Renfroe

On Wednesday, September 2, 2026 at 12:46:05 PM CDT, Kathryn Irby <kathryn.irby@arkansas.gov> wrote:

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Ms. Irby,

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Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003



From: [redacted]
To: Kathryn Irby
Subject: Re: ORDER: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment
Date: Tuesday, September 8, 2026 9:05:42 AM
Attachments: image001.png

CAUTION: External Email

Thank You.

On Monday, September 7, 2026 at 02:27:04 PM CDT, Kathryn Irby <kathryn.irby@arkansas.gov> wrote:

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Kathryn Irby
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

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Sent: Wednesday, September 2, 2026 3:30 PM
To: Newberry, Helen A. <helen.newberry@ardot.gov>; ASCC Pleadings <asccpleadings@arkansas.gov>; Kathryn Irby <kathryn.irby@arkansas.gov>
Cc: Wallace, Courtney E. <courtney.wallace@ardot.gov>
Subject: Re: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment

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Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003



From: Newberry, Helen A.
To: [redacted]; Kathryn Irby
Cc: Wallace, Courtney E.; SaBreana Hyche
Subject: Re: ORDER: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment
Date: Wednesday, September 9, 2026 9:21:13 AM
Attachments: image001.png

CAUTION: External Email

Thank you so much!

Get Outlook for iOS

From: Kathryn Irby <kathryn.irby@arkansas.gov>
Sent: Monday, 07 September 2026 14:26:43
To: Todd Renfroe [redacted]; Newberry, Helen A. <Helen.Newberry@ardot.gov>
Cc: Wallace, Courtney E. <Courtney.Wallace@ardot.gov>; SaBreana Hyche <SaBreana.Hyche@arkansas.gov>
Subject: ORDER: Renfroe v. ARDOT Claim 261409 Motion for Emergency Payment

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Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2822

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Sent: Wednesday, September 2, 2026 3:30 PM
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You don't often get email from [redacted] Learn why this is important

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Helen Newberry
Senior Attorney

Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003



From:	SaBreana Hyche
To:	helen.newberry@ardot.gov
Cc:	cody.eenigenburg@ardot.gov; ivan.martinez@ardot.gov; lakeysha.walker@ardot.gov; tyler.story@ardot.gov; Kathryn Irby; Mika Tucker
Subject:	PAYMENT NOTIFICATION: Todd Renfroe vs ATDOT, Claim no. 261409
Date:	Thursday, October 1, 2026 4:45:00 PM
Attachments:	Todd Renfroe vs. ARDOT.pdf

Ms. Newberry,

Please see attached. Contact Kathryn Irby with any questions.

SaBreana

SaBreana J. Hyche
Arkansas State Claims Commission
Administrative Analyst
101 East Capitol Ave., Suite 410
Little Rock, AR 72201
501-682-2819 (wk)
SaBreana.Hyche@arkansas.gov

ARKANSAS STATE CLAIMS COMMISSION

(501)682-1619
FAX (501)682-2823

KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

September 25, 2026

Todd Renfroe
[redacted]

RE: ***Todd Renfroe v. Arkansas Department of Transportation***
Claim No. 261409

Dear Mr. Renfroe,

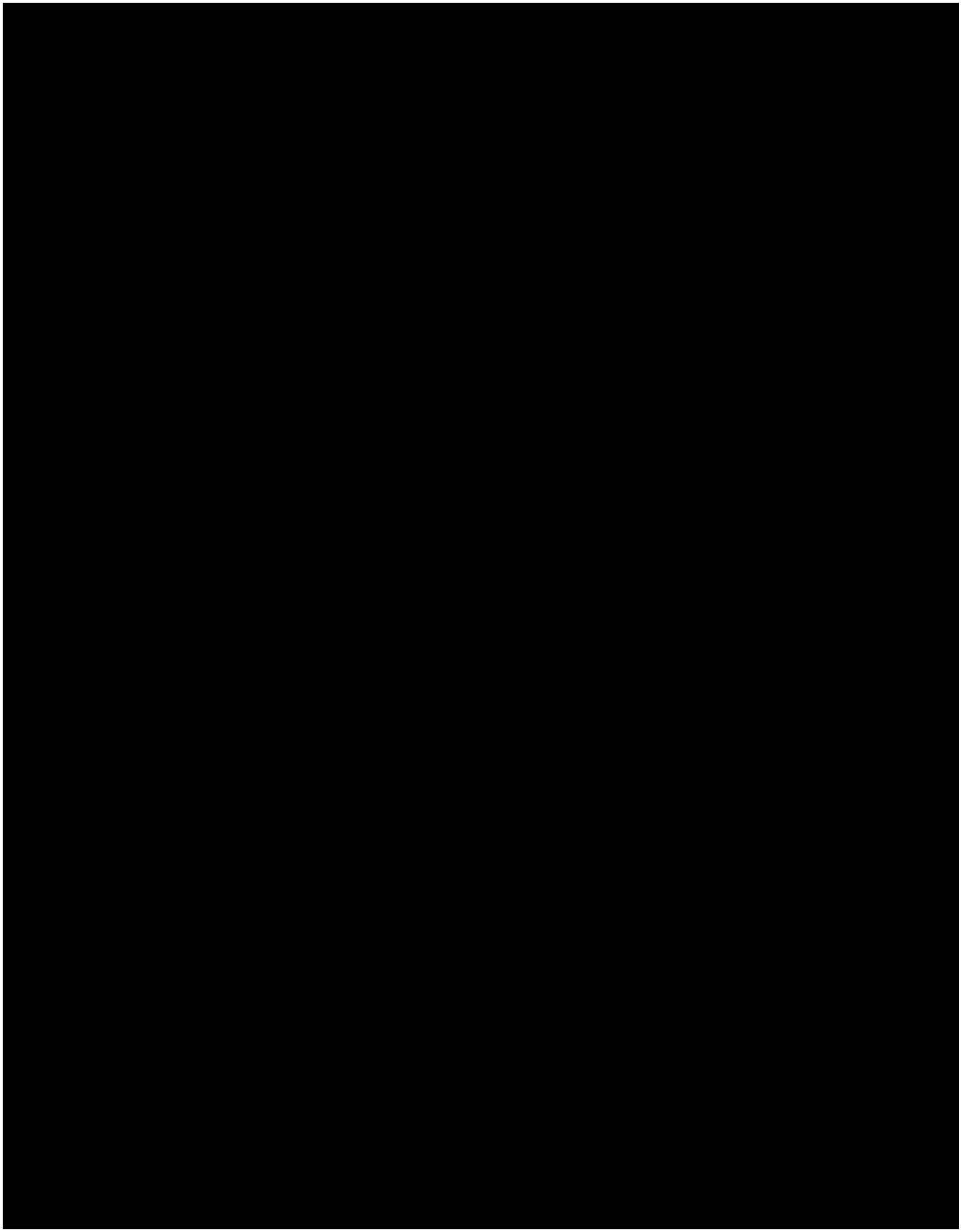
Enclosed please find Warrant No. [redacted] in the amount of $760.00.

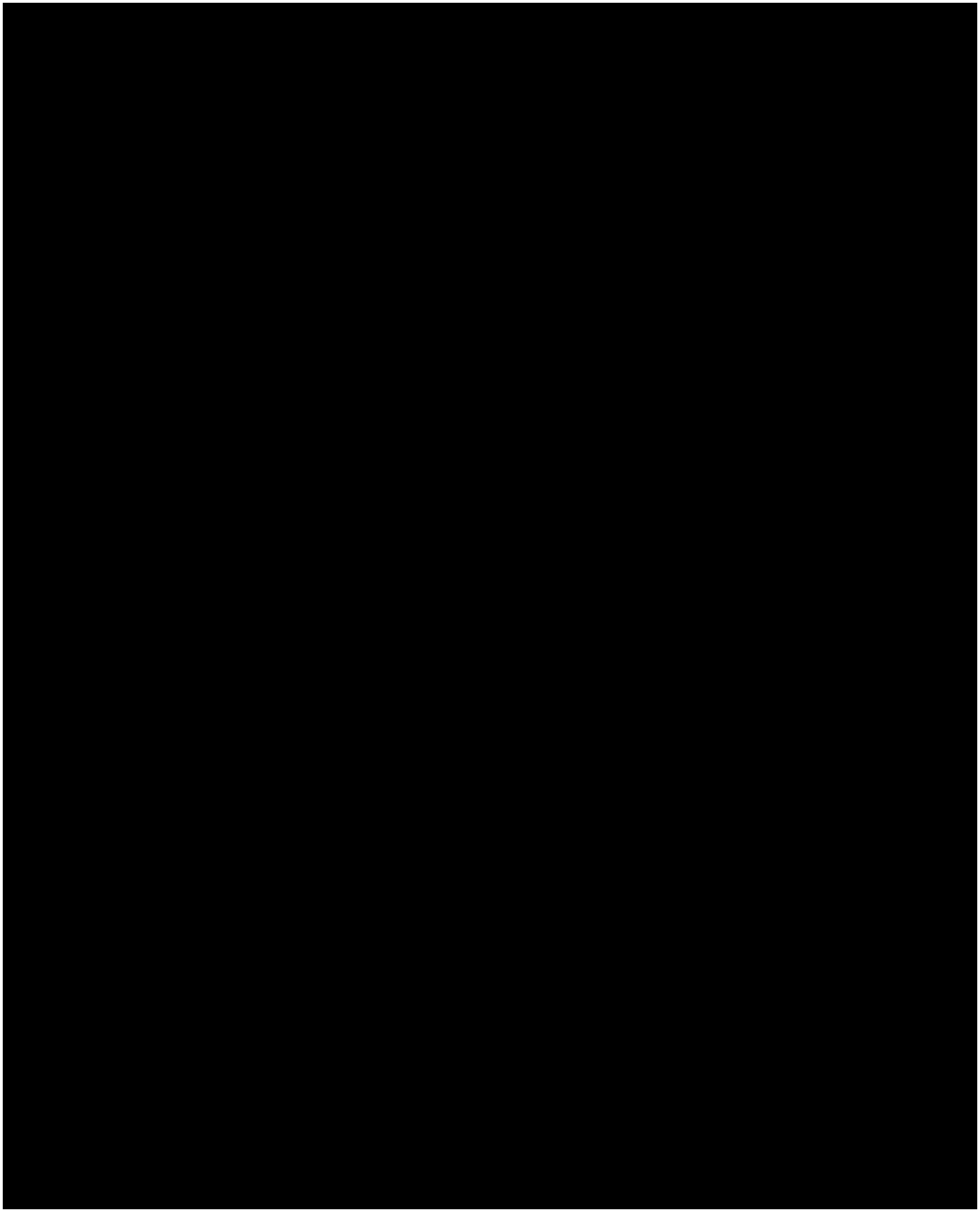
Sincerely,

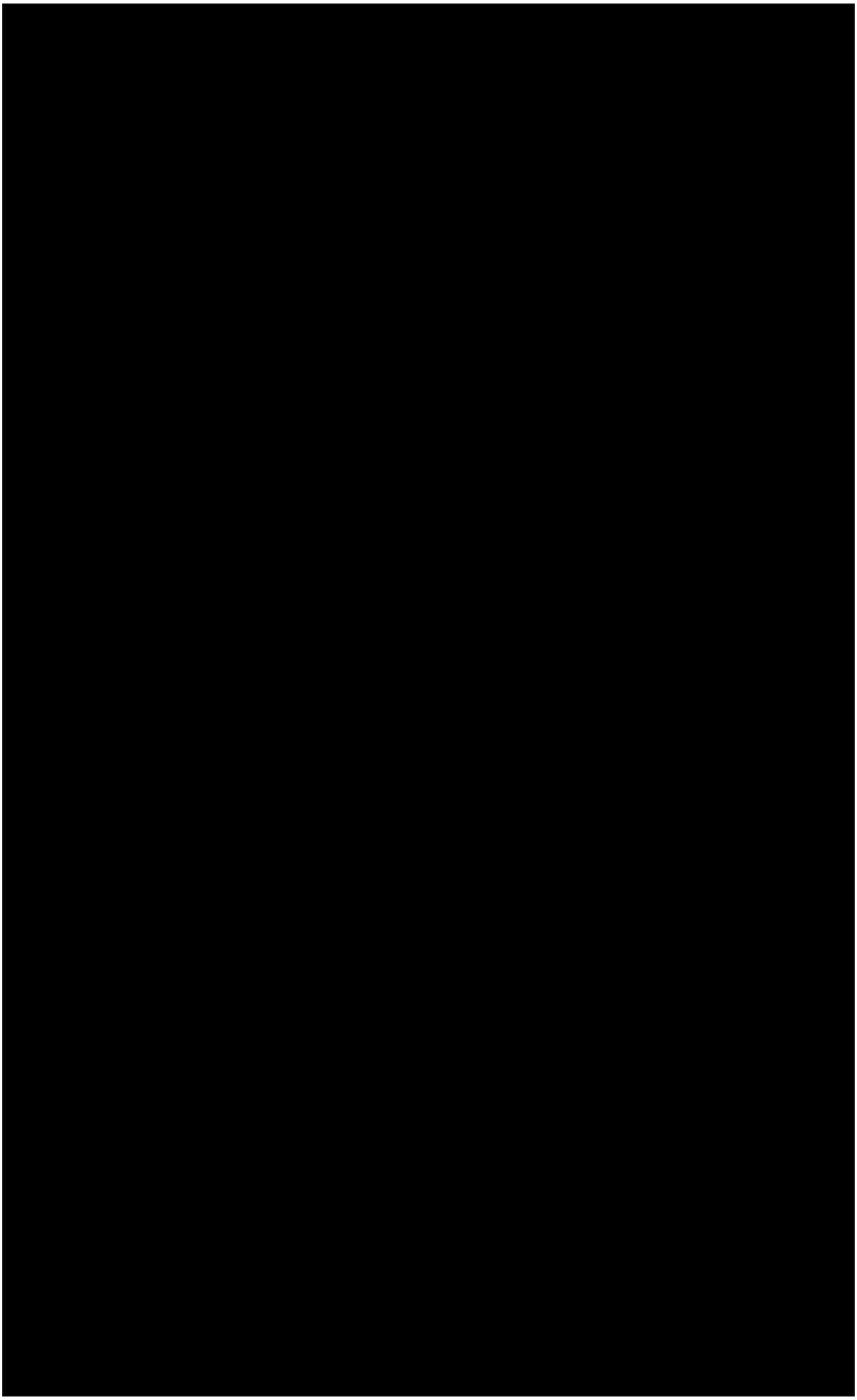
Kathryn Irby

ES: sjhyche

cc: Helen Newberry, *counsel for Respondent* (w/o enclosure) (*via email*)







From: Newberry, Helen A.
To: Kathryn Irby; ASCC Pleadings
Cc: Story, Tyler; [redacted]; Eenigenburg, Cody W.; Martinez, Ivan
Subject: Renfroe v. ARDOT 261409 consent filing
Date: Friday, October 9, 2026 2:00:04 PM
Attachments: Outlook-3b43zkmu.png
Signed Consent Judgement Renfroe 261409.pdf
Renfroe.261409.Consent Judgment HAN edit.docx

CAUTION: External Email

Good afternoon Ms. Irby,

Please find attached the consent judgment entered into by Mr. Renfroe and ARDOT. I have included the word version as well for the Commission's convenience. Please let me know if there is anything else I can provide. Thank you!

Helen Newberry
Senior Attorney
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261
Phone: 501-569-2003

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

TODD RENFROE **CLAIMANT**

VS. **CLAIM NO. 261409**

ARKANSAS DEPARTMENT OF TRANSPORTATION **RESPONDENT**

CONSENT JUDGMENT

NOW ON THIS DAY comes on for consideration the cause of Todd Renfroe, Claimant, vs. the Arkansas Department of Transportation, Respondent, on the agreed amount to be awarded to Claimant in the herein action.

1. Claimant and Respondent have agreed that the sum of $60,000.00 (sixty thousand dollars and zero cents) resolves this claim. This is in addition to any emergency funds paid out prior to the entry of this order.

2. That this agreement and negotiated sum include all damages of any nature whatsoever related to or arising from any statements made by Respondent or its agents and relied upon by Claimant or its predecessors in interest or successors in interest regarding the matters at issue in this claim.

3. That after the filing of this Consent Judgment, the Arkansas State Claims Commission shall, at the time appropriate, refer this Claim for acceptance and payment to the General Assembly as laid out in Ark. Code Ann. § 25-44-215.

4. Such payment shall constitute full and final satisfaction of the judgment granted herein and all parties are dismissed from this action.

IT IS SO ORDERED.

_____
ARKANSAS STATE CLAIMS COMMISSION

_____
ARKANSAS STATE CLAIMS COMMISSION

_____
ARKANSAS STATE CLAIMS COMMISSION

DATE: _____

APPROVED AS TO FORM AND CONTENT:

Helen Newberry AR Bar No. 2018101
Attorney for Respondent
P. O. Box 2261
Little Rock, AR 72203-2261
helen.newberry@ardot.gov
(501) 569-2003-Phone

APPROVED BY:

Todd Renfroe
Claimant
[redacted]

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

TODD RENFROE **CLAIMANT**

V. **CLAIM NO. 261409**

ARKANSAS DEPARTMENT OF TRANSPORTATION **RESPONDENT**

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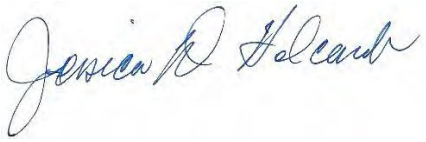
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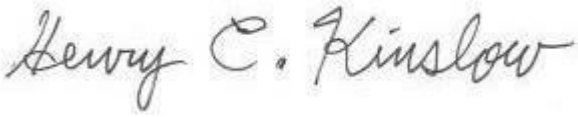
3. That after the filing of this Consent Judgment, the Arkansas State Claims Commission shall, at the time appropriate, refer this claim for acceptance and payment to the General Assembly as laid out in Ark. Code Ann. § 25-44-215.

4. Such payment shall constitute full and final satisfaction of the judgment granted herein and all parties are dismissed from this action.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Dee Holcomb



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow, Chair



ARKANSAS STATE CLAIMS COMMISSION
Sylvester Smith

DATE: November 6, 2026

Notices which may apply to this claim

(1) A party has forty (40) days from transmission of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Commission. Ark. Code Ann. § 25-44-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the transmission of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Commission. Ark. Code Ann. § 25-44-211(a)(1)(B)(ii). A decision of the Commission may only be appealed to the General Assembly. Ark. Code Ann. § 25-44-211(a)(3).

(2) If a Claimant is awarded $15,000.00 or less by the Commission at hearing, that award is held forty (40) days from the date of disposition before payment will be processed to allow either party to utilize its remedies under Ark. Code Ann. § 25-44-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.

(3) Awards or negotiated settlement agreements of more than $15,000.00 are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 25-44-215(b).

IT IS SO ORDERED.

_____
ARKANSAS STATE CLAIMS COMMISSION

_____
ARKANSAS STATE CLAIMS COMMISSION

_____
ARKANSAS STATE CLAIMS COMMISSION

DATE: _____

APPROVED AS TO FORM AND CONTENT:

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APPROVED BY:

Todd Renfroe
Claimant
[redacted]