



DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WATER RESOURCES

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Dick Wolfe, P.E.  
Director/State Engineer

**Response to Reclamation Permit Application Consideration**

TO: Travis Marshall, Environmental Protection Specialist  
CC: Division 4 Office; District 63 Water Commissioner  
FROM: Ivan Franco, Water Resources Engineer *IF*  
DATE: December 3, 2013  
RE: Liberty Mine, File No. M-2013-070  
Section 10, Twp 50 North, Rng 19 West, NM P.M., Mesa County  
Operator: Liberty Mining, LLC  
Contact: Liberty Mining, LLC  
1300 South Highway 191  
P.O. Box 1032  
Moab, UT 84532

**RECEIVED**

DEC 03 2013

DIVISION OF RECLAMATION  
MINING AND SAFETY

**CONDITIONS FOR APPROVAL**

- ☒ The proposed operation does not anticipate exposing groundwater. Therefore, exposure of ground water must not occur during or after mining operations.
- ☐ The proposed operation will consume ground water by: ☐ evaporation, ☐ dust control, ☐ reclamation, ☐ water removed in the mined product, ☐ processing, ☐ other: \_\_\_\_.  
Prior to initiation of these uses of ground water, the applicant will need to obtain either a gravel pit or other type of well permit, as applicable. However, prior to obtaining a permit, an approved water supply plan or decreed plan for augmentation is required in overappropriated areas. Currently this location is not considered overappropriated, however, if this area becomes overappropriated, augmentation will be required.
- ☐ Prior to approving a well permit, the applicant must conduct a field inspection of the site and document the locations of all wells within 600 feet of the permit area. The applicant must then obtain a waiver of objection from all well owners with wells within 600 feet of the permit area or request a hearing before the State Engineer.
- ☐ The proposed operation may have potential impact on existing water rights near the project location. Please provide evidence that the proposed project will not alter or impact the historic operation of existing water rights.
- ☐ The applicant has indicated plans to use other water for: ☐ uses at the permit site, ☒ storage in the excavated area(s), ☐ other: \_\_\_\_\_. The applicant will need to provide evidence to this office that the water is permitted or decreed for such uses.
- ☒ Other: If storm water is not diverted or captured in priority, Colorado Water Law requires it to be released, or replacement for evaporation will be required of the impounder/operator/owner of the gravel pit. Currently this location is not considered overappropriated, however, this operation may be subject to administration in the water rights priority system in the future. It is recommended that a water court decree be obtained to affirm the priority of the use of water associated with this operation. Any exposed ground water must be backfilled immediately until a well permit issued

Office of the State Engineer

1313 Sherman Street, Suite 818 • Denver, CO 80203 • Phone: 303-866-3581 • Fax: 303-866-3589

<http://water.state.co.us>

## DIVISION OF WATER RESOURCES

---

File No. M-2013-070

Page 2 of 2

pursuant to CRS 37-90-137(2), allowing the exposure of ground water in a pit, is obtained from the State Engineer.

---

**COMMENTS/NOTES:** The files submitted to DRMS do not specify the exact location of the pit within the described Section. The lower portion of the section is considered over-appropriated and will require an augmentation plan should any ground water be exposed. Any exposed ground water must be backfilled immediately until a well permit issued pursuant to CRS 37-90-137(2), allowing the exposure of ground water in a pit, is obtained from the State Engineer.

# STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY  
Department of Natural Resources

1313 Sherman St., Room 215  
Denver, Colorado 80203  
Phone: (303) 866-3567  
FAX: (303) 832-8106

RECEIVED

NOV 27 2013

WATER RESOURCES  
STATE ENGINEER  
COLO



November 22, 2013

Shannon V. Johnson  
Department of Natural Resources  
Division of Water Resources  
1313 Sherman Street, Room 818  
Denver, CO 80203

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Pineda  
Director

RE: Notice of 110d Hard Rock Materials Reclamation Permit Application Consideration Liberty Mining, LLC, Liberty Mine, File No. M-2013-070

Shannon V. Johnson

Please be advised that on November 21, 2013, Liberty Mining, LLC, whose address and telephone number are 1300 South Highway 191 P.O. Box 1032, Moab, UT 84532; (435) 259-2333, filed an application to conduct Underground extraction of hard rock materials and reclamation, at or near Section 40, Township 50N, Range 19W, 10th Prime Meridian, in Mesa County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for December 21, 2013.

A copy of the application is available for review, unless you receive a CD, at the Mesa County Clerk & Recorder's office and at the office of the Division of Reclamation, Mining and Safety, Room 215, 1313 Sherman Street, Denver, Colorado 80203.

If you desire to make comments or objections of the mine plan and/or the reclamation plan, they must be submitted within ten (10) days of the date of the newspaper public notice to be considered in the application review process by the Division. You should contact the applicant for the newspaper publication date. If we do not receive your comments or any objection by the end of the public comment period, the Office will assume you have no objection or comment to the proposed activity.

If you have any questions, please contact me.

Sincerely,

Travis H. Marshall  
Environmental Protection Specialist