



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 Amendment Consideration

DATE: January 28, 2014
TO: Eric C. Scott, Environmental Protection Specialist
CC: Division 1 Office, District 65 Water Commissioner
FROM: Justina P. Mickelson, Physical Science Researcher Scientist JPM
RE: Operator: Consideration Phillips County; Kennedy Pit; File No. M-1990-116
Section 21, Twp 7 N, Rng 43 W, 6th P.M., Phillips County

RECEIVED

JAN 29 2014

**Division of Reclamation,
Mining & 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.
- ☐ 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. Applicant needs to demonstrate 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 _ as necessary at the permit site. Per the applicant, the source of water for this use is to be obtained from _. Applicant should be able to document that this water came from a source approved for industrial use. Applicant should contact the water commissioner for further information.
- ☒ The applicant has not identified any proposed use of water at the permit site. If water will be used for any purpose at this site, the applicant will need to document that the water was obtained from a legal source, the water was diverted in priority under a water right decreed for such industrial use or the use of water was approved by the Colorado Ground Water Commission for such industrial use.

COMMENTS: The applicant may contact the State Engineer's Office with any questions.

Office of the State Engineer

1313 Sherman Street, Suite 818 • Denver, CO 80203 • Phone: 303-866-3581 • Fax: 303-866-2223
www.water.state.co.us

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

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JAN 08 2014

WATER RESOURCES
STATE ENGINEER
COLORADO



John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

December 30, 2013

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

RE: Notice of 110(c) to 112(c) Construction Materials Reclamation Permit Conversion Application
Consideration Phillips County, Kennedy Pit, Permit No. M-1990-116

Shannon V. Johnson
Department of Natural Resources

Please be advised that on December 30, 2013, Phillips County, whose address and telephone number are 221 S. Interocean Ave. , Holyoke, CO 80734; (970) 854-3778, filed an application to convert M-1990-116, Kennedy Pit, a 110(c) Limited Impact Construction Materials Permit to a 112(c) Regular Construction Materials Permit. The mining and reclamation operation is located at or near Section 21, Township 7N, Range 43W, 06th Prime Meridian, in Phillips County. The application decision is scheduled for March 31, 2014.

A copy of the application is available for review at the Phillips 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, they must be submitted within twenty (20) 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,

A handwritten signature in black ink, appearing to read "Eric C. Scott".

for Eric C. Scott
Environmental Protection Specialist