



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: Bob Oswald, Environmental Protection Specialist  
CC: Division 4 Office; District 59 Water Commissioner  
FROM: Ivan Franco, Water Resources Engineer *HIF*  
DATE: February 3, 2014  
RE: Tomichi Pit, File No. M-2013-081  
Section 4, Twp 49 North, Rng 1 West, 6<sup>th</sup> P.M., Gunnison County  
Operator: Gunnison Valley Properties, Inc.  
Contact: Gunnison Valley Properties, Inc.  
234 North Main St., Suite 3A  
Gunnison, CO. 81230  
(970) 641-4531

**RECEIVED**

FEB 03 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 in overappropriated areas.
- ☒ 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. 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.

**COMMENTS/NOTES:** The applicant needs to obtain a legal replacement water source, either approved by this office through an SWSP or by the Division 5 Water Court, and a gravel pit well permit prior to any out of priority water diversions or ground water exposure. To obtain this they will need to clearly quantify how much water will be required by all aspects of the operation on a yearly basis.

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

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Tomichi Pit, File No. M-2013-081

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# 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 17 2014

WATER RESOURCES  
STATE ENGINEER  
COLO



John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Pineda  
Director

January 14, 2014

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

RE: Notice of 112 Construction Materials Reclamation Permit Application  
ConsiderationGunnison Valley Properties, LLC, Tomichi Pit, File No. M-2013-081

Shannon Johnson

Please be advised that on January 13, 2014, Gunnison Valley Properties, LLC, whose address and telephone number are 234 North Main St., Suite 3A, Gunnison, CO 81230; (970) 641-4531, filed an application to conduct surface extraction of construction materials and reclamation, at or near Section 4, Township 49N, Range 1W, 10th Principal Meridian, in Gunnison 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 April 13, 2014.

A copy of the application is available for review at the Gunnison 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 last 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 cursive script, appearing to read "Bob Oswald".

Bob Oswald  
Environmental Protection Specialist