



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: March 11, 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: Richard Fryear; Fryrear Gravel Pit; File No. M-1998-071
Section 2, Twp 5 N, Rng 47 W, 6th P.M., Yuma County

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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
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John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

February 28, 2014

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

RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration
Richard Fryrear, Fryrear Gravel Pit, Permit No. M-1998-071

Shannon V. Johnson

Please be advised that on February 28, 2014, Richard Fryrear, whose address and telephone number are 8085 CR 13, Haxtun, CO 80731; (970) 774-6551, filed an Amendment application to M-1998-071, Fryrear Gravel Pit, which is located at or near Section 2, Township 5N, Range 47W, 06th Prime Meridian, in Yuma County. The application decision is scheduled for May 29, 2014.

A copy of the application is available for review, unless you receive a CD, at the Yuma 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 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 black ink, appearing to read "Eric C. Scott".

Eric C. Scott
Environmental Protection Specialist