



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

December 8, 2015

Jeff Martin, P.E.

Gross Reservoir Expansion – Denver Water
1600 West 12th Avenue
Denver, CO 80204-3412

RE: No Need for State Reclamation Permit, Gross Reservoir, File No. M-2014-071

Dear Mr. Martin:

On November 25, 2015, the Division of Reclamation, Mining and Safety (the Division) received your correspondence, dated November 24, 2015, responding to the Division's inquiry, RE: Need for State Reclamation Permit: "Is It Mining". The Division has assigned file number M-2014-071 to this project. Please identify the file number in any correspondence regarding this specific project.

The information you provided indicates approximately 1.7 million cubic yards of raw material will be extracted from lands owned by Denver Water and utilized to raise the height of the Gross Dam from 340 feet to 471 feet, thereby increasing the capacity of the Gross Reservoir. Gross Reservoir is owned and operated by Denver Water in accordance with License No. 2035-006, issued by the Federal Energy Regulatory Commission (FERC). The reservoir expansion project is subject to review and approval by FERC and the US Army Corps of Engineers. The extraction site is located within the FERC project boundary, and will be inundated by the expanded water surface resulting from the dam raise. The landowner will not receive compensation for the extracted materials.

The Colorado Mined Land Reclamation Board has requested the Division make preliminary determinations regarding the need for a mined land reclamation permit. Based on the information provided in your response, it is the Division's opinion that the proposed activity is not a mining operation and a Colorado reclamation permit is not required. However, if any of the above described project conditions are altered, the Division's opinion may no longer be applicable.

Sincerely,

Wallace H. Erickson

Senior Environmental Protection Specialist

