



**COLORADO**  
Division of Water Resources  
Department of Natural Resources

Office of the State Engineer  
1313 Sherman St, Suite 818  
Denver, CO 80203

## Response to Reclamation Permit Amendment Application Consideration

DATE: January 6, 2016  
TO: Dustin M. Czapla, Environmental Protection Specialist  
CC: Division 2 Office; District 11 Water Commissioner  
FROM: Caleb Foy, P.E.  
RE: Avery Construction Pit, File No. M-1979-010  
Operator: ACA Products, Inc.  
Contact: Shiela Moore, (719) 395-3790  
Sec. 17, Twp. 14S, Rng. 78W, 6<sup>th</sup> P.M., Chaffee County

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### CONDITIONS FOR APPROVAL

- ☒ The proposed operation does not anticipate exposing groundwater. Therefore, exposure of ground water must not occur during or after mining operations. If stormwater is contained on-site, it must infiltrate into the ground or be released to the natural stream system within 72 hours, or all work must cease until a substitute water supply plan, or augmentation plan approved by water court, is obtained. Reclamation plans must ensure water will not be retained onsite for more than 72 hours unless an augmentation plan approved by water court is obtained.
- ☒ The proposed operation will consume water by: ☐ evaporation, ☒ dust control, ☐ reclamation, ☐ water removed in the mined product, ☐ processing, ☒ other: haul roads.
- ☒ Other: All water used on-site for mining needs shall be a legal supply of water provided by an appropriate supplier.

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**COMMENTS:** The local Water Commissioner, Brian Sutton, may be contacted at (719) 221-0367 or [Brian.Sutton@state.co.us](mailto:Brian.Sutton@state.co.us) regarding legal supplies of water in the area.

