



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

May 24, 2017

James S. Miner
Builders Aggregate Company
510 Dahlia Street
Fort Morgan, CO 80701

**RE: Builders Aggregate Pit, M-1981-112, Acreage Reduction Request, AR01
Comment Received**

Dear Mr. Miner,

On May 23, 2017 the Colorado Division of Reclamation, Mining and Safety (DRMS) received the enclosed comment letter from the Colorado Division of Water Resources (DWR). According to the DWR, the area requested to be released includes part of a lake that is subject to the requirements of C.R.S. 37-90-137(11)(a). According to the DWR, a well permit, augmentation plan, and/or a substitute water supply plan must be obtained for the exposed groundwater included in the proposed release area. Given this, the DWR has objected to the partial release of acreage at this site.

In accordance with Rule 3.1.6(1) of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials, disturbances to the prevailing hydrologic balance of the affected land and the surrounding area and to the quantity or quality of water in the surface and groundwater system both during and after the mining operation and during reclamation shall be minimized. Prior to the Division's approval of the AR01 application, in accordance with Rule 3.1.6(1)(a) you must demonstrate compliance with applicable Colorado water laws and regulations governing injury to existing water rights.

If you have any questions feel free to contact me at (303) 866-3567, extension 8120.

Sincerely,

Jared Ebert
Environmental Protection Specialist III

Enclosures: 1.) *Response to Reclamation Permit Partial Acreage Release Request Consideration, May 23, 2017, Colorado Division of Water Resources.*

