



STATE OF  
COLORADO

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## Permit M-1994-117 Revision AM-01

1 message

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Greetings to all:

I am writing today regarding the amended application to permit Colorado Milling Company to pump water from Left Hand Creek to Times mine adit for use at the Gold Hill Mill. As a current resident of Gold Hill (and former resident of Summerville downstream from Gold Hill Mill at a time when illegal discharges occurred in my side yard) I request the following comments to be considered:

First, the applicants state they own 20 shares of Left Hand District Water. Let's consider the as-proposed use of this amount in dry years for example. Dry year amount would equal roughly 10.4 acre feet, or 3,388,850 gallons of water pumped. (Applicants also propose in wet years to use 22.53 acre feet, or more than double dry year amount). Let's not disregard that the pump proposed for this task moves water at the rate of 50 gallons /minute. So, in order to use the full allotment in a dry year the pump would run 1130 hours. Even if the full allotment would not be required for whatever task performed at the mill, the provision here is to move, store and use a substantial amount of water---and it is unclear if there is to be any noise abatement at the pumping site, where neighboring properties' peace and quiet may be affected.

2.Proposal is for this large amount water to be stored in the Times mine, the adit of which is still in Left Hand Creek watershed. However, this water would be used at the Gold Hill Mill which is in the Boulder Creek watershed. It is possible that this water might be accessed by a bore hole that would also be in Boulder Creek watershed, I don't know, but somehow the water has to be moved again, across the divide(Sunshine Canyon Drive) to the mill site for use there. If there should be an accident related to this water or mismanagement thereof, it would be discharged into Cash Gulch, headwaters of Gold Run, then into Four Mile Creek in Boulder Creek watershed, as has happened numerous times in the past. It is unclear how Left Hand Water feels about their water potentially being discharged into another watershed.

3.Four Mile Creek is also a source of water for the Pine Brook Water District to treat for potable use by 1200 people. From what I understand, PBWD treatment facilities can treat for naturally occurring contaminants, but tailings and mine waste are beyond the scope of their facilities to provide safe water for their subscribers.

4.I mention these facts because there have been several illegal discharges by various operators of this mill in the past. One such discharge into Cash Gulch in early 1990's was estimated by the Division of Minerals and Geology to have contained 10,000 cubic feet(~75,000 gallons) of contaminated water. More illegal discharges have occurred as recently as 2009 and 2011. Some of the discharges I refer to occurred under the permit M-1983-141, which is the permit for operation of the Cash and Who Do mines. The ore from these two mines is the only ore permitted to be milled at the Gold Hill Mill, and the permit holder for M-1983-141 is the same Colorado Milling Company. Although these illegal discharges have occurred under various managers employed by the land owners, through all these the current applicant's representative, Mark A. Steen has been affiliated with the operations there either as land owner or silent partner.

5.There are also numerous other violations in the permit files both recent and past relating to mismanagement of the facilities at the Gold Hill Mill which have occurred on both permits M-1983-141 and M-1994-117. The permit file also reflects several requests for extensions of time to remedy violations and a general history of foot-dragging by the operators to comply with enforcement re these violations.

While I realize that the current amended application deals only with the water-pumping and storage aspects of their operation on the mill permit, I submit these comments to be considered with the intent of insuring water quality and safety of all concerned. My understanding is that mining operations at the mill,etc.are currently in cessation, but expect that water quality monitoring will be ongoing as accidents may happen. If and when the permits are approved to re-start operations, I expect that the amount of the surety bond required by the permittee will be increased substantially by MLRB to reflect the increased downstream threat posed by M-1994-117 Revision AM-01.

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Please feel free to reply with comments and corrections.

Respectfully submitted, Dick Cole  
Gold Hill