



COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

Response to Reclamation Permit Amendment Application Consideration

DATE: January 31, 2018
TO: Michael A. Cunningham, Environmental Protection Specialist
CC: Division 1 Office, District 23 Water Commissioner
FROM: Colin Watson, P.E.
RE: Alma Placer Mine, File No. M-1985-029
Applicant/Operator: High Mountain Mining Co., LLC
Contact: Jim Murray, (303) 806-8487
Section 12, T9 South, R78 West, 6th P.M., Park County

RECEIVED

JAN 31 2018

**DIVISION OF RECLAMATION
MINING AND 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: .
- ☒ The applicant has indicated plans to use surface water at the permit site for the following purposes: ☐ evaporation, ☒ dust control, ☐ reclamation, ☐ water removed in the mined product, ☒ processing, ☒ other: materials handling and domestic/sanitary uses in the shop building and living trailers.
- ☒ 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 substitute water supply plan or decreed plan for augmentation is required.

COMMENTS: The Applicant has submitted an amendment request for a surface mining operation on approximately 216.1 permitted acres near Alma, Colorado. The amendment request is to increase the permitted area by 13.6 acres, bringing the total permitted area to 229.7 acres. The primary commodity mined at the site is gold, with incidental mining of gravel. The site is proposed to be reclaimed to its pre-mining use of rangeland upon completion of this mining operation.

According to the submitted information, 5 ponds currently exist at the site with a total surface area of 4.27 acres that were present before mining and possibly for as long as 130 years. If the ponds exposed ground water to the atmosphere prior to January 1, 1981, as a result of open mining of sand and gravel, then pursuant to § 37-90-137(11)(b), C.R.S. and 2009CW49, the gravel pit operator or property owner does not need to replace depletions that occur due to evaporation from the ponds. However, pre-81 areas are tied to the physical location at which the groundwater was exposed prior to January 1, 1981 and may not be re-allocated to other areas of ground water exposure within the permit boundaries. Additionally, the backfilling of a pre-81 area does not create a credit to be used elsewhere. Exhibit M of the submittal states that "a gravel well permit is not required since there will be no change to pond surface areas from historical conditions." This is in direct



conflict with the table provided in Exhibit G of the application, which shows that the configuration of these ponds will change and the total surface area will be increased. The applicant must obtain a gravel pit or other type of well permit for any new areas of ground water exposed after December 31, 1980, and must make replacements for any evaporative depletions or exposed groundwater.

The Mining Plan (Exhibit C) states both that the material to be mined will be wet, and that the pit will be dewatered prior to mining. If the site will be dewatered to prevent the exposure of ground water, the applicant must obtain a well permit for such dewatering use. In addition, the Applicant must make replacements for the water removed with the mined gravel product, which will occur even if mined in a dewatered state. The Applicant must obtain either a substitute water supply plan or decreed plan for augmentation for this site.

The applicant has indicated that water for processing, dust control, material handling, and domestic use will come from two sources available on site. These two sources are identified as the Columbia No. 1 Ditch (WDID 2300651; CA-1636, priority no. 9) and the Alma Point of Diversion for the Columbia No. 1 Ditch (WDID 2300674; 96CW149), which operates as an alternate point of diversion to the Columbia No. 1 Ditch. The decreed use of the Columbia No. 1 Ditch is placer mining purposes on Alma placers. Diversions are limited to 11 cfs during the period of November 1 to April 1, and 60 cfs from April 2 to October 31.

If stormwater runoff is intercepted by this operation and is not diverted or captured in priority, it must be released to the stream system or infiltrate into the ground within 72 hours; otherwise the operator will need to make replacements for evaporation.

Due to the lack of substitute water supply plan or decreed plan for augmentation, this office objects to the proposed amendment. The applicant may contact the State Engineer's Office with any questions.

