



COLORADO
Division of Water Resources
Department of Natural Resources
1313 Sherman St., Room 821
Denver, CO 80203

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MAY 22 2018

**DIVISION OF RECLAMATION
MINING AND SAFETY**

**Response to Notice of 112 Construction Materials Reclamation Permit Amendment
Application Consideration**

To: Lucas J. West, Environmental Protection Specialist
From: Justina P. Mickelson, Physical Science Researcher/Scientist
Date: May 22, 2018
Re: Permit No. M-1994-053
Operator: Rock Pile LLC; Base Product Gravel Pit 1
Section 13, Twp 49 N, Rng 10 W, New Mex. P.M.; Montrose County

CONDITIONS FOR APPROVAL

The proposed operation does not anticipate exposing groundwater. Therefore, exposure of ground water must not occur during or after mining operations.

According to the applicant, water will be trucked to the site by the Operator for dust mitigation and the washing or crushing of gravel. The applicant will need to document that the water was obtained from a legal source that allows such industrial use.

According to our records, there does not appear to be a production well permitted at the location of this site. A valid well permit must be obtained for any exposure of ground water occurring during or after mining operations and for any ground water uses.

If storm water is not diverted or captured in priority, Colorado Water Law requires it to be released, or replacement for evaporation will be required of the impounder/operator/owner of the gravel pit. The State Engineer's current policy requires that all impounded water be released to the stream system within a maximum of 72 hours after impoundment. Unless captured in priority, impounded water may not be used for any purpose except as approved under a water supply plan or decreed plan for augmentation.

COMMENTS:

This office has no objections to the Notice of 112 Construction Materials Reclamation Permit Amendment Application so long as the site operates under a valid well permit for any ground water exposure or use.

The applicant may contact the State Engineer's Office with any questions.

Cc: Division 4 Engineer
District 41 Water Commissioner

