



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

May 25, 2018

Don Summers
Todd Creek Village Metropolitan District
10450 E. 159th Court
Brighton, Colorado 80602

**RE: Signal Reservoir No. 1 Expansion, DRMS Application No. M-2017-013
Adequacy Review No. 1**

Dear Mr. Summers,

The Colorado Division of Reclamation, Mining, and Safety (Division or Office) received the above referenced application on Friday March 23, 2018. The application was deemed completed for review on May 21, 2018. The following items will need to be addressed prior to the approval of the application:

Rule 6.3.3 – Exhibit C – Mining Plan

1. It is understood that the access road to the permit area is from a gated entrance off of East 168th Avenue. This road appears to travel south to the oil well facility. However, the road is not depicted as entering the permit area. Please depict where the road enters the permit area on the Exhibit E1 map. In accordance with Rule 6.3.3(g), new or improved roads must be included as part of the permitted acreage.
2. Page 12 of the application indicates that water will be used to control dust, please specify how much water will be used in conjunction with the operation.
3. Based on the Exhibit B Site Description and the Mining Plan, it appears groundwater will be encountered and surface water intercepted by the operation. Please describe how mining will affect the quantity and quality of the surface and ground water system and the methods that will be used to minimize the disturbance to these systems.
4. Please specify if an effluent discharge permit will be obtained from the Colorado Department of Public Health and Environment.
5. Please specify how you will comply with applicable Colorado water laws and regulations governing existing water rights.
6. The Division assumes no explosives will be used during the operation. Please confirm. If explosives will be used, please address the requirements of Rule 6.3.3(p) and 6.5(4).



May 25, 2018

Rule 6.3.4 – Exhibit E – Map

7. Please revise the Exhibit E1 map to identify the owner of the substance to be mined and the owners of record of the permanent or man-made structures within 200 feet of the affected land.
8. Please revise the Exhibit E1 map to indicate the direction that construction material extraction will proceed.

Rule 6.3.6 – Exhibit F – List of Other Permit and Licenses Required

9. Please indicate if a well permit, substitute water supply plan and/or a effluent discharge permit will be required.

Rule 6.3.12 – Exhibit L – Permanent Man-Made Structures

10. This exhibit included engineering evaluations for structures within 200 feet of the affected land owned by KP Kaufman Company, Inc. and ERN Limited Partnership Et Al. These evaluations assert that the structures will be stable given the 3H:1V constructed slopes of the reservoir. Please provide documentation such as modeling to support this assertion. Enclosed is a Mined Land Reclamation Board approved policy regarding accepted factors of safety for slope stability/geotechnical analyses associated with mining operations. Or, if the entities described above have signed the structure damage agreements, you may submit those signed copies instead of the documentation and modeling.

The Division is required to issue a decision to approve, approve with conditions or deny the 111c application by June 5, 2018. If you need additional time to address the adequacy review issues noted above, please request an extension of the decision date. 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.) *Factor of Safety for Slope Stability/Geotechnical Analyses Associated with Mining Operations, dated May 16, 2018.*

EC: Don Summers, Todd Creek Village Metro. District, don@pssmail.com