




**COLORADO**  
Division of Water Resources  
Department of Natural Resources

1313 Sherman Street, Room 821  
Denver, CO 80203

## Response to Consideration of 112c Construction Materials Reclamation Permit Application

DATE: May 30, 2018  
TO: Michael Cunningham, Environmental Protection Specialist ([michaela.cunningham@state.co.us](mailto:michaela.cunningham@state.co.us))  
CC: Water Commissioner, District 7  
FROM: Sarah Brucker, P.E.   
RE: Douglas Mountain Mine, File No. M-2018-016  
Applicant/Operator: Empire Aggregates, Inc.; (970) 485-4818  
Sections 27 & 28, Twp 3 South, Rng 74 West, 6th P.M., Clear Creek County

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### CONDITIONS FOR APPROVAL

- ☒ The proposed operation does not anticipate exposing groundwater. Therefore, exposure of ground water must not occur during or after mining operations.
- ☒ Water is proposed to be used at the site for dust control, crushing and screening, and a wash plant. The applicant will need to document that the water was obtained from a legal source, or the water was diverted in priority under a water right decreed for such mining/industrial use.
- ☒ If stormwater runoff is intercepted by this operation and is not diverted or captured in priority, it must be released to the stream system within 72 hours; otherwise the operator will need to make replacements for evaporation.

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**COMMENTS:** The subject application is for a surface mining operation on 91.6 permitted acres located approximately ½ mile southeast of the Town of Empire. The primary commodities to be mined at the site are sand and gravel. The site is proposed to be reclaimed to its current use of rangeland upon completion of mining.

The site is proposed to be mined to a depth of approximately 200 feet. The groundwater table is well below the bottom of the pit; however, if groundwater is encountered during mining, the pit will be backfilled to two feet above groundwater exposure. During mining, runoff will be routed to the active mining pit where it is expected to infiltrate into the ground within 72 hours.

The site is proposed to contain a portable asphalt plant, portable concrete plant, office, portable crusher, portable wash plant, and wash plant recycle pond. Portable toilets will be used for employees. Water demands for dust control, crushing and screening, and the wash plant are estimated to total 28 acre-feet per year. Water is proposed to be supplied via either ditch rights or onsite wells. Prior to the construction or use of a well for these purposes, the applicant will need to obtain a well permit allowing for such commercial/industrial use, which will require an approved substitute water supply plan or decreed plan for augmentation.

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

