



COLORADO
Division of Water Resources
Department of Natural Resources

Water Division 2 - Main Office
310 E. Abriendo Ave, Suite B
Pueblo, CO 81004

January 31, 2018

J.C. York, P.E., Principal
J & T Consulting, Inc
305 Denver Avenue, Suite D
Fort Lupton, CO 80621

Re: West Farm Gravel Pit Slurry Wall, Phase 2
Slurry Wall 90-Day Performance Test Final Report
Sections 33 & 28, T22S, R46W, 6th PM
M-08-078
Water Division 2, Water District 67

Dear Mr. York:

The purpose of this letter is to approve the lining of the above referenced site based on your January 12, 2018 submittal of the Performance Test report and documentation. The measured outflow due to pumping indicate that this site **has been lined to the design standard** referenced in the August, 1999 State Engineer Guidelines for Lining Criteria for Gravel Pits. **Meeting the design standard requires that all water inflows and outflows for this site must be accounted for on at least a monthly basis.**

The following are terms and conditions associated with this approval. Not all of these requirements may be within your control so please ensure that your client is fully aware of each requirement.

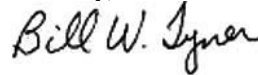
1. This gravel mining operation is not currently operating under an approved plan for augmentation or substitute supply plan. GP Aggregates, LLC must take one of the following actions **by March 1, 2018** to remedy this situation:
 - a. Provide written notification to Melissa van der Poel, Team 237 Team Lead, at the State Engineer's Office regarding whether approval for depletion replacement should be authorized pursuant to the SWSP request previously submitted by Michelle Hatcher, Clear Water Solutions, Inc. on behalf of GP Aggregates, LLC; or
 - b. Provide written notification to Melissa van der Poel that the gravel pit (WDID 6706650, Permit 75864-F), which is currently not covered by any plan, will be added to LAWMA's plan for augmentation (similar in manner to inclusion of WDID 6705373 in Case No. 12CW037) so that the entire mining operation is officially covered by LAWMA's plan for augmentation. Note that LAWMA is currently replacing depletions caused by the entire mining operation, despite the fact that the gravel mine has not been added to the LAWMA augmentation plan and is not covered by an SWSP associated with LAWMA.
2. **By February 12, 2018**, confirm that the accounting for operation of the West Farm Pit (including ongoing metering of dewatering pumping associated with any ground water leakage into the mine) will be provided as follows:
 - a. Sarah Morrissey, Accounting Manager, C&A Holding Company, will email the GP Aggregates accounting spreadsheet to:
 - i. Randy Hendrix (randy@hendrix-wai.com)
 - ii. Rebecca Nichols, WD 67 Water Commissioner (rebecca.nichols@state.co.us)
 - iii. Division 2 (dnr_div2ground.water@state.co.us)
 - iv. Bill Tyner (bill.tyner@state.co.us)
 - b. Randy Hendrix will include the reported depletions and associated replacement in the LAWMA monthly accounting provided to Division 2.



3. To the extent that the mined reservoir begins to be used for storage of water, adequate accounting must be provided that documents and incorporates the stage area capacity surveyed data for the completed cell, records any measured deliveries and releases of water from the reservoir, and demonstrates that any ongoing leakage is removed from the storage vessel daily or as authorized by the Division Engineer. Alternatively, should GP Aggregates or LAWMA obtain a decree to fully augment the depletions caused by out-of-priority storage of the leakage, including a specific beneficial use of the retained ground water, the accounting should be set up to account for leakage separate from water delivered to the reservoir.

Please call me if you have any questions.

Sincerely,



Bill W. Tyner, P.E.
Assistant Division Engineer

Enclosure

CC: Rebecca Nichols, Water Commissioner, Water District 67
Lonnie Spady, Water Commissioner, Water Districts 17/67
Charlie DiDomenico, Augmentation Coordinator Rachel Zancanella, Assistant Division Engineer
Melissa van der Poel, Denver SEO Team 237 Dan DiRezza, Ground Water Commissioner
Michelle L. Hatcher, Clear Water Solutions Don Higbee, LAWMA
Randy Hendrix, Hendrix-WAI Bethany Arnold, Water Resources Engineer
Richard Mehren, Moses, Wittemyer, Harrison and Woodruff, P.C.
Sarah Morrissey, C&A Holding Company Audrey Sartin, Decreed Augmentation Coordinator