

November 15, 2018

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies of Mesa County
P.O. Box 3609
Grand Junction, CO 81502



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

RE: Virginia Acres, File No. M-1990-021, Comments Regarding Acreage Reduction-Partial Release Request AR-1

Dear Mr. Burkey:

On November 7, 2018 the Division of Reclamation, Mining and Safety (Division) received comments regarding the above referenced release request from Division of Water Resources (DWR). Attached is a copy of this comment. Please add this comment to your for file for your records.

If you require additional information, or have questions or concerns, please feel free to contact me. Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 970-254-8511 or via email at amy.yeldell@state.co.us

Sincerely,

Amy Yeldell
Environmental Protection Specialist

Cc:
Wally Erickson, Senior EPS, Grand Junction DRMS





COLORADO

Division of Water Resources

Department of Natural Resources

1313 Sherman St., Room 821

Denver, CO 80203

Response to Notice of 112c Construction Materials Reclamation Permit Partial Acreage Release Request Consideration

To: Amy C. Yeldell, Environmental Protection Specialist
From: Justina P. Mickelson, Physical Science Researcher/Scientist
Date: November 7, 2018
Re: Permit No. M-1990-021
Operator: Oldcastle SW Group, Inc. dba United Companies of Mesa County; Virginia Acres
Section 20, Twp 1 S, Rng 1 E, Ute P.M.; Mesa County

CONDITIONS FOR APPROVAL

The applicant is requesting a partial DRMS reclamation release for a reclaimed, vegetated area.

Well Permit No. 37605-F was issued August 27, 1991 with the annual amount of ground water to be appropriated not to exceed 86 acre-feet with the total surface area of the gravel pit pond limited to 8 acres. The use of ground water in addition to evaporation, is limited to dewatering and extraction of aggregate materials purposes.

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.

Currently this location is not considered overappropriated, however, if this area becomes overappropriated, the evaporation and other consumptive use from the gravel pit well, or any storm water impounded beyond 72 hours, will be subject to administration. It is recommended that a water court decree be obtained to affirm the priority of the uses of groundwater from the gravel pit well.

COMMENTS:

This office has no objections to the Notice of 112c Construction Materials Reclamation Permit Partial Acreage Release Request 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 5 Engineer
District 72 Water Commissioner

