



Response to Notice of 112 Construction Materials Reclamation Permit Amendment Application

DATE: December 6th, 2018
TO: Peter Hays, Environmental Protection Specialist (peter.hays@state.co.us)
CC: Division 1 Office, District 64 Water Commissioner
FROM: Colin Watson, P.E.
RE: Riverside Pit, File No. M-1976-056 (AM02)
Applicant/Operator: McAtee Construction Company; (970) 522-3647
SE¼ of Section 28, Twp 8 North, Rng 52 West, 6th P.M., Logan County

CONDITIONS FOR APPROVAL

- ☒ The Applicant must either modify the augmentation plan decreed in case no. 07CW300 or obtain a valid substitute water supply plan, or an additional decreed plan for augmentation, to replace the depletions resulting from increasing the pond surface area to the amended amount.
 - ☒ The Applicant must re-permit well permit no. 66811-F to reflect the changes requested in this amendment.
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COMMENTS: The subject application is an amendment to the permitted area and reclamation plan for the Riverside Pit (WDID 6403005), file no. M-1976-056, located 0.5 miles east of the Town of Sterling. The Applicant has requested to increase the current permitted area from 86.35 acres to 107.60 acres. Also, the Applicant has requested an amendment to the reclamation plan that will result in an increase to the surface area of ponds on site from the current area of 22.75 acres to 61.57 acres.

Depletions at Riverside Pit, permitted as well permit no. 66811-F, are replaced by the Logan Well Users Association Augmentation Plan (WDID 6402539) decreed in case no. 07CW300. Case no. 07CW300 decreed a groundwater right for the McAtee Riverside Pit in the amount of 120 acre-feet, conditional (of which 102.5 acre-feet were made absolute in case no. 17CW3062). Pursuant to the decree, the consumptive use factor for all gravel pit uses is 100%. If the surface area of the ponds at the site is increased from 22.75 acres to 61.57 acres, this limit of 120 acre-feet will be exceeded. **Therefore, prior to increasing the exposed water surface area at the site to an acreage that will result in depletions exceeding the 120 acre-foot limit, the Applicant must either amend the annual volumetric limit in case no. 07CW300 or obtain a valid substitute water supply plan, or an additional decreed plan for augmentation.**

Additionally, well permit no. 66811-F limits the total surface area of the ponds on site to 24.32 acres and the annual amount of water consumed to 67.56 acre-feet. **The Applicant must obtain a new gravel pit well permit for the site consistent with the increased pond surface area and associated water consumption on site.**

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

