



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

To: Stephanie J. Mitchell, Environmental Protection Specialist  
From: Justina P. Mickelson, Physical Science Researcher/Scientist  
Date: June 12, 2019  
Re: Operator: Oldcastle SW Group, Inc. dba United Companies of Mesa County;  
Colona Gravel Pit; Permit No. M-1994-005-AR01  
Section 36, Twp 48 N, Rng 9 W, New Mex. P.M.; Montrose County

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### CONDITIONS FOR APPROVAL

The applicant is requesting a partial DRMS reclamation release of 36 acres (south pit) for a reclaimed, vegetated area. The area to remain is 37.9 acres (north pit).

Well Permit No. 77837-F was issued January 17, 2014 for the expansion of the Colona Pit (thereby cancelling Well Permit No. 66447-F) with the annual amount of ground water to be appropriated not to exceed 55.8 acre-feet with the total surface area of the gravel pit pond limited to 16.5 acres or the amounts covered under a water court-approved plan for augmentation or substitute water supply plan approved by the State Engineer, whichever is less. The use of ground water in addition to evaporation is limited to dust suppression and water lost with the mined product, or the amounts covered under a water court approved plan for augmentation or substitute water supply plan approved the State Engineer, whichever is less.

The current substitute water supply plan ("SWSP") expires September 30, 2019. The applicant is required to obtain a new well permit under this SWSP to reflect the higher depletions allowed under the SWSP. An SWSP renewal request must be received by this office no later than August 1, 2019.

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.

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### 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. As stated above, the applicant is required to obtain a new well permit under the current SWSP.

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

Cc: Division 4 Engineer  
District 41 Water Commissioner

