

To: File (Fairplay Au Pit, Permit No. M-1991-037)

From: Elliott Russell (DRMS)

Date: August 1, 2019

Re: Resolution of Citizen Complaint CT-10

The Division of Reclamation, Mining and Safety (Division/DRMS) received a complaint against the Fairplay Au Pit, Permit No. M-1991-037, on July 26, 2019. The citizen complaint alleged there was a discharge from the mine site entering the South Platte River. The complaint included two photographs taken from State Highway 9; one was a zoomed in photograph of the alleged discharge emanating from historic gold dredge tailings and the other was a zoomed in photograph of a portion of the Fairplay Au Pit mine site.

Shortly after receiving the complaint, the Division attempted to contact the Operator to acquire information and left two voicemails on two contact numbers on file. The Division then contacted the local Deputy Water Commissioner, Jara Johnson. Ms. Johnson stated she was familiar with the “waterfall” east of the Fairplay Au Pit mine site and said it was likely the return flows from the Platte City River Placer Ditch, however offered to visit the site to ensure there were no issues.

After Ms. Johnson visited the mine site, she discussed her observations with the Division. Ms. Johnson met with J.R. McKee at the mine site. The Fairplay Au Pit and the neighboring mine site to the west, the Gloria Z Mine (M-1984-094), acquire water for their operations from the Platte City River Placer Ditch. Ms. Johnson stated the ditch was flowing at approximately 3 cfs at the head gate along Sacramento Creek, the Gloria Z Mine was using a small amount of water from the ditch, and the Fairplay Au Pit wasn’t using any of the water. Approximately 2.5 cfs was flowing down the ditch past the Fairplay Au Pit. The ditch channel disappears after the eastern property line of the mine (as it has historically) and return flows work their way through historic gold dredge tailings back to the Middle Fork of the South Platte River. The Division has determined the alleged discharge observed from Highway 9 is actually return flows from the Platte City River Placer Ditch and not a mine site discharge. Additionally, Ms. Johnson stated there was also not a breach or any over-topping of the mine site’s operational ponds.

The Division considers Citizen Complaint CT-10 resolved and no further action will be taken.

The Division greatly appreciates the cooperation and prompt assistance from Ms. Johnson on July 26, 2019.

