



Response to Consideration of 110c Construction Materials Reclamation Permit Application

To: Lucas West, Environmental Protection Specialist
From: Justina P. Mickelson, Physical Science Researcher/Scientist
Date: August 29, 2019
Re: Operator: John Kuijvenhoven; Horsefly Rock Source; Permit No. M-2019-010
Section 7, Twp 46 N, Rng 9 W, New Mex. P.M.; Ouray County

CONDITIONS FOR APPROVAL

The proposal for Horsefly Rock Source is a 9.41-acre surface mining area with 0.55 acres for haul road areas, for a total permit area of 9.96 acres. The proposed operation does not anticipate exposing groundwater. Therefore, exposure of ground water must not occur during or after mining operations.

According to our records, there does not appear to be a production well permitted at the mining location. A valid well permit must be obtained for any exposure of ground water occurring during or after mining operations and for any ground water uses. This location is considered overappropriated and augmentation will be required if groundwater is exposed.

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.

COMMENTS

This office has no objections to the Notice of 110c Construction Materials Reclamation Permit 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 4 Engineer
District 68 Water Commissioner

