



## Response to Consideration of 110(1) Hard Rock Reclamation Permit Application

DATE: August 18, 2020  
TO: Peter Hays, Environmental Protection Specialist  
CC: Division 1 Office, District 7 Water Commissioner  
FROM: Javier Vargas-Johnson  
RE: Gladstone, Permit No. M-2020-030  
Applicant/Operator: Salisbury Gladstone LLC  
Phone Number: (719) 237-5914  
Pt. SE ¼ of the NW ¼ of Section 34, Twp 3 South, Rng 73 West, 6th P.M., Clear Creek County  
Water Division 1, Water District 7

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### CONDITIONS FOR APPROVAL

- ☒ The proposed operation does not anticipate exposing groundwater. Therefore, exposure of groundwater must not occur during or after mining operations.
  - ☒ If water will be used for any purpose at this site, the applicant will need to document that the water was obtained from a legal source, or was diverted in priority under a water right decreed for such mining/industrial use.
  - ☒ Any stormwater runoff intercepted by this operation that is not diverted or captured in priority must be released to the stream system within 72 hours.
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**COMMENTS:** The subject application is for a surface mining operation on 4 acres located approximately 1.5 miles west of Idaho Springs, Colorado. The application proposes to construct a mill to process existing waste rock. The primary commodities processed at the mill site will be gold, silver, sand, and clay slimes. The site is proposed to be reclaimed to the current industrial and commercial uses after mining is complete.

Milling activities are anticipated to begin as soon as the permit has been approved and the proposed date of completion is June 30, 2030. The application did not provide expected excavation depths, however the application does state that the operations will be removing waste rock and exposing original soil, therefore there should be no exposure of groundwater.

Water will be required for the ball mill, shaker tables, and settling tanks. Water will be stored in a clean water tank, and recycled water will be used for the shaker tables. The operation expects to use 40 gallons per minute. The proposed source of water is Clear Creek. The application included the original mining claim that conveyed “any vested and accorded” water rights. However, this office has no records of any water rights decreed for mining and or industrial for this operation or place of use. Any time there is a call on the river, the applicants would not be able to divert from Clear Creek for mining or industrial use without a decreed water right. To divert water from Clear Creek out-of-priority the applicant would be required to obtain a Substitute Water Supply Plan approved by this office or an augmentation plan approved by the water court. A reclamation permit should not be granted until the applicant has demonstrated that they have a legal water supply for the operation.



If water from another source will be used at the site, it is recommended that the applicant verify with this office that the water may legally be used for such commercial/industrial purposes.

If stormwater runoff is intercepted by this operation and is not diverted or captured in priority, it must infiltrate into the ground or be released to the stream system within 72 hours; otherwise, the operator must make replacements for evaporation. The operator has obtained a permit from the Colorado Department of Public Health & Environment to discharge into Clear Creek.

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