

STATE OF
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

M-1979-097 East Rigden Pit, Response to Partial Acreage Release Request

Vargas-Johnson - DNR, Javier <javier.vargasjohnson@state.co.us>

Mon, Aug 24, 2020 at 4:55 PM

To: Amy Eschberger - DNR <amy.eschberger@state.co.us>

Dear Ms. Eschberger,

Please see the attached document for comments regarding the partial acreage release request for the East Rigden Pit, File No. M-1979-097. Please add the electronic copy to your Laserfiche files.

Thank you,

Javier Vargas-Johnson
Water Resources Engineer



COLORADO
Division of Water Resources
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M-1979-097 East Rigden Pit AR02.pdf

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Response to Reclamation Permit Partial Acreage Release Request Consideration

DATE: August 24, 2020
TO: Amy Eschberger, Environmental Protection Specialist
FROM: Javier Vargas-Johnson
RE: East Rigden Pit, File No. M-1979-097 - AR02
Applicant/Operator: City of Fort Collins, (970) 416-2096
Section 21, Twp 7 North, Rng 68 West, 6th P.M., Larimer County

COMMENTS: The applicant has requested a partial acreage release for 10.28 acres located along the northwest boundary of the East Rigden Pit. The land area to be released consists of a portion of the northwest pond and the surrounding area. Approximately 503 acres will remain within the mining permit boundary.

The unlined northwest pond has a total of 8.5 acres of open water surface. Pursuant to section 37-90-137(11)(b), C.R.S., and 2009CW49, a gravel pit operator or property owner does not need to replace depletions that occur due to evaporation from groundwater exposed prior to January 1, 1981 (“pre-81”) as a result of open mining and gravel. The 8.5 acres of open water surface have been previously documented by our office as having been exposed prior to January 1, 1981. The Division of Mining Reclamation and Safety (“DRMS”) conducted a field inspection in January 2019 where they found that the acreage of exposed groundwater of the ponds at site had expanded beyond the approved pre-81 boundaries. DRMS estimated that the acreage of the northwest pond had increased by approximately 0.38 acres, however our office conducted an analysis of currently exposed areas shown on aerial imagery and agreed with the applicant that the 0.38 acres could be attributed to mapping accuracy discrepancies and accepted the applicant’s proposal to maintain the acreage of the northwest pond as the 8.5 acres previously approved as pre-81.

Based on the above, this office has no concerns regarding the requested partial acreage release. The Division of Reclamation, Mining and Safety and/or the applicant may contact the State Engineer’s Office with any questions.

