



Response to Reclamation Permit Application Consideration

To: Eric C. Scott, Environmental Protection Specialist
From: Megan Sullivan, Water Resource Engineer
Date: October 22, 2020
Re: Permit No. M-2020-041
Operator: Kilgore Companies, LLC dba Peak Materials – Peak Ranch Resource site
Section 20, Twp 3 S, Rng 78 W, 6th P.M.; Summit County

CONDITIONS FOR APPROVAL

- ☒ For Phase 1, the proposed operation does not anticipate exposing groundwater. Therefore, exposure of ground water must not occur during this mining phase.
- ☒ If storm water is contained on-site, the applicant should be aware that, unless the storm water detention structures can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR’s *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado* (available at: <http://water.state.co.us/DWRIPub/Documents/DWR%20Storm%20Water%20Statement.pdf>) to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located online at: <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.
- ☒ For Phase 2, the proposed operation will consume ground water by: evaporation, dust control, and water removed in the mined product.

Prior to initiation of these uses or any use of ground water, the applicant will need to obtain either a gravel pit or other type of well permit, as applicable. However, prior to obtaining a permit, an approved water supply plan or decreed plan for augmentation is required.
- ☒ Prior to approving a well permit, the applicant must conduct a field inspection of the site and document the locations of all wells within 600 feet of the permit area. The applicant must then obtain a waiver of objection from all well owners with wells within 600 feet of the permit area or request a hearing before the State Engineer.

COMMENTS:

From the information provided:

In Phase 1 the pit will be dry mined and the applicant does not anticipate exposing groundwater in the gravel pit(s). The applicant stated that if groundwater is encountered, the pit will be backfilled to two feet above the discovered water table.



According to the applicant, water for dust control during Phase 1 will be supplied by water pumped from the Blue River into a lined pond.

For Phase 2, the applicant anticipates the site will be wet mined and groundwater will be exposed in an open water pond. No dewatering of the site will take place. Once mining is complete, a 26-acre pond will be left.

Applicant has indicated that prior to exposing groundwater to evaporation in Phase 2, a Water Court approved plan for augmentation will be in place.

Mined materials will not be washed or processed on site. Instead, all mined materials will be hauled to the Maryland Creek Ranch gravel operation site.

Once mining is complete, as a part of the reclamation plan, the applicant may use an existing water right, the Hawk Hill Pump and Pipeline, for irrigation to re-establish vegetation.

Based on the above:

At this location, the Blue River is over-appropriated. Any out of priority depletions associated with the diversion of surface water and groundwater must be replaced either through a Water Court approved augmentation plan or a State Engineer approved temporary substitute water supply plan. Out of priority depletions may result from out of priority diversions of surface water, evaporation of groundwater and moisture loss in mined product. In addition, any out of priority depletions resulting from the processing of materials at the Maryland Creek Ranch site must also be included in a decreed plan for augmentation or State Engineer approved temporary substitute water supply plan.

The use of any existing water rights must be in accordance with terms and conditions of the decree from the Water Court, including decreed uses, rates and place of use.