



STATE OF
COLORADO

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

M-1985-184 - Well Permit

A B <bivensrecycling@yahoo.com>

Thu, Apr 29, 2021 at 1:09 PM

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

Hi Amy,

Attached is the approved well permit.

Thank you,

Amy
Bivens Trucking & Excavating, Inc.



Well Permit.pdf
344K



ORIGINAL PERMIT APPLICANT(S)

BIVENS TRUCKING AND EXCAVATING INC

AUTHORIZED AGENT

TELESTO SOLUTIONS INC (GERKEN, TIM)

APPROVED WELL LOCATION

Water Division: 1 Water District: 3

Designated Basin: N/A

Management District: N/A

County: LARIMER

Parcel Name: N/A

Physical Address: N/A

SE 1/4 SW 1/4 Section 35 Township 8.0 N Range 69.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: 492517.8 Northing: 4495748.9

PERMIT TO EXPOSE WATER IN A EXISTING PIT

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-137 (2) and (11) for the operation of a well (gravel pit pond) on the condition that this well is operated in accordance with the Charles R. & Connie L. Nauta Augmentation Plan approved by the Division 1 Water Court in case no. 90CW0129. If this well is not operated in accordance with the terms of said decree, it will be subject to administration including orders to cease diverting water.
- 4) The use of groundwater from this well, in addition evaporation, is limited to water lost with the removal of a maximum of 30,000 tons of material mined per year and dust control. No other use of water is allowed unless a permit therefore is approved.
- 5) The total surface area of groundwater exposed to the atmosphere at the site is limited to a maximum of 6.05 acres.
- 6) During gravel mining operations the annual amount of groundwater to be appropriated shall not exceed 8.69 acre-feet, consumed by evaporative loss, water lost with the mined product, and dust suppression. After gravel mining operations, the annual amount of groundwater to be appropriated shall not exceed 6.53 acre-feet consumed by evaporative loss.
- 7) The owner shall mark the well (gravel pit pond) in a conspicuous place with well permit number(s) and court case number(s) as appropriate. The owner shall take necessary means and precautions to preserve these markings.
- 8) A totalizing flow meter must be installed so as to measure any pumping from this gravel pit pond and maintained in good working order. Permanent records of all diversions from the gravel pit pond, tonage of mined product, and the surface area of groundwater exposure shall be maintained by the well owner (recorded at least monthly) and submitted to the Division Engineer upon request.
- 9) Pursuant to Rule 9.3.3 of the Water Well Construction Rules, groundwater ponds and gravel pit wells are exempt from the minimum well construction and location standards except for contamination considerations as stated in the Rule. The owner shall take necessary means and precautions to prevent contaminants from entering the groundwater pond or gravel pit well.
- 10) The boundaries of the gravel pit pond shall be located more than 600 feet from any existing well, completed in the same aquifer, that is not owned by the applicant, excluding those wells whose owners were notified pursuant to CRS 37-90-137(2)(b)(II)(A). Notice was sent to the owner of 1721 N. Whitcomb Street and no response was received.
- 11) This well is subject to administration by the Division Engineer in accordance with applicable decrees, statutes, rules, and regulations.

NOTE: The owner's designation for this well is the Bivens Pit, also known as Nauta Pit #2, WDID 0307846, DRMS Permit No. M-1985-184.

WELL PERMIT NUMBER 85326-F

RECEIPT NUMBER 10009775



Date Issued: 4/5/2021

Expiration Date: N/A

Issued By SARAH BRUCKER