COLORADO
Division of Water Resources
Department of Natural Resources

Response to Reclamation Permit Application Consideration

DATE: December 13, 2022

TO: Eric Scott, Division of Reclamation, Mining & Safety (DRMS), eric.scott@state.co.us

CC: Division 1 Office, District 2 Water Commissioner

FROM: Wenli Dickinson, E.I.T., State Engineer's Office (SEO), wenli.dickinson@state.co.us

RE: West Farm Reservoirs, File No. M-2022-048
Operator: L. G. Everist, Inc.
Contact: Robert E. Everist; 350 S. Main Ave, Ste 400, Sioux Falls, SD 57104; (605) 334-5000
& Steve O'Brian; Environment, Inc.; 303-423-7297
Part of Section 14, Twp. 3 North, Rng. 67 West, 6th P.M., Weld County

CONDITIONS FOR APPROVAL

☒ The proposed operation will consume groundwater by: ☒ evaporation, ☒ dust control, ☒ dewatering, ☒ water removed in the mined product, ☒ washing, and ☒ reclamation.

Prior to initiation of these uses of groundwater, 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: The subject application is for a surface mining operation on approximately 472.4 located in part of Section 14, Twp. 3 North, Rng. 67 West, 6th P.M., Weld County. The areas to be mined are currently used for agricultural purposes.

The mining plan calls for excavation of an approximately 364.71-acre portion of the property. Mining will occur in four phases at a minimum distance of 250 feet from the bank of the South Platte River which runs by the east side of the property. The primary materials to be mined at the site are gravel, sand, topsoil, overburden and borrow materials. Groundwater occurs at an average depth of 3.5 feet below the ground surface for Phases 1 and 3 and an average depth of 19.5 feet for Phases 2 and 4. Groundwater will be consumed by evaporation, dust control,

dewatering, water removed in the minded product, washing, and reclamation. Slurry liners will be installed for each phase prior to mining. Dewatering will occur until mining ends for each phase. Mining will be accomplished by dry-mining method. All mined areas will be reclaimed as groundwater storage reservoirs.

Prior to the use or exposure of any groundwater, the applicant must first obtain a well permit and a substitute water supply plan ("SWSP") or decreed plan for augmentation to replace depletions caused by groundwater consumption. According to the mining plan, the applicant intends to replace depletions under an approved SWSP until reclamation. The site must continue to be operated under a SWSP until such time as the proposed reservoirs are lined (lining approved by this office, backfilling is completed, and replacement of lagged depletions shall continue until there is no longer an effect on stream.

The mining plan states that any water wells encountered during mining will be plugged and abandoned. The applicant must submit abandonment reports for such wells (form GWS-09) within 60 days of plugging and sealing the well/hole to the State Engineer's Office ("SEO").

Additionally in certain areas of the South Platte River Basin, SEO staff have observed groundwater problems that appear to be related to the lining of gravel pits located near streams, and in particular, these problems occur when multiple liners are located adjacent to each other. This office requests that DMRS consider the siting and design of lined gravel pits to ensure that they will not individually, or cumulatively, result in impacts to the timing and quantity of groundwater flow from upgradient locations back to the stream system. In addition to impacts to property, such as flooding upgradient and reduced water levels downgradient of the liner, there are decrees of the court that specify the timing, quantity, and amount of water depleted from the streams by wells and accreted to the stream through recharge operations. The installation of a gravel pit liner should not result in changes to the timing, location, and amount of such groundwater flow.

Lastly, any stormwater runoff intercepted by this operation that is not diverted or captured in-priority must infiltrate into the ground or be released to the stream system within 72 hours. Otherwise, the operator will be required to make replacements for evaporation.

The applicant may contact the SEO at (303) 866-3581 with any questions.