



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

December 14, 2022

Chris Zadel
Northern Colorado Constructors
9075 Weld County Road 10
Fort Lupton, CO 80621

**Re: Northern Colorado Constructors, Bennett Pit, Permit No. M-2016-085,
Division of Water Resources Comment Letter**

Mr. Zadel,

On December 13, 2022, the Division of Reclamation, Mining and Safety (Division/DRMS) received an updated comment letter from the Division of Water Resources (DWR) regarding the Bennett Pit. A copy of the letter is attached.

If you have any questions, please contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,

Peter S. Hays
Environmental Protection Specialist

Enclosure – DWR comment letter

**Ec: Jared Ebert, Division of Reclamation, Mining & Safety
J.C. York, J&T Consulting, Inc.**





Response to Reclamation Permit Application Consideration

DATE: December 13, 2022
TO: Peter Hays, Environmental Protection Specialist
CC: Division 1 Office, District 2 Water Commissioner
FROM: Ioana Comaniciu, P.E.
RE: Bennett Pit, File No. M-2016-085
Operator: Northern Colorado Constructors, Inc.
Contact: Chris Zadel, (303) 857-1754
Sections 1 and 12, Twp 2 North, Rng 67 West, 6th P.M., Weld County

COMMENTS: This updated comment letter for Bennett Pit, File M-2016-085 is related to the two lined gravel pits located at site which potentially could impede the flow of water through the aquifer along the South Platte River.

The Bennett Pit, File M-2016-085 site is located in the SW1/4 of the SE1/4 of Section 1 and the N1/2 of Section 12, Twp. 2N, Rng. 67W and consists of two cells known as the north and the south cells. Slurry walls were constructed around the two cells. The liner of the north cell was provisionally approved on November 2, 2020 and the liner of the south cell was provisionally approved on April 24, 2022.

The Farmers Reservoir and Irrigation Company (FRICO) has filed for an application for a storage right in Bennett Reservoir in pending case no. 2022CW3130. The Bennett Reservoir is located in an area where there are several other lined gravel pits and staff of Division of Water Resources (DWR) has 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. Specifically, DWR has concerns about water mounding behind the slurry walls and injury due to return flows not being able to naturally accrue to the river.

The DWR staff has not observed high groundwater in the Bennett Pit Area. However, when DWR evaluated the application for a storage water right in case no. 2022CW3130, we concluded that it was an opportunity to notify DRMS of potential problems prior to FRICO obtaining a storage water right.

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

