



Response to Reclamation Permit Application Consideration

DATE: January 11, 2023

TO: Peter S. Hays, Division of Reclamation, Mining & Safety (DRMS), Peter.Hays@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: Hunt Irrigation Farm, File No. M-2022-050

Operator: J-2 Contracting Company

Contact: Chris Leone, 105 Coronado Ct, Unit A-101, Fort Collins, CO 80525

chrisleone@j2contracting.com and (970) 219-3916

J. C. York, 305 Denver Ave, Suite D, Fort Lupton, CO 80621

jcyork@j-tconsulting.com and (970) 222-9530

Part of Section 29, Twp. 4 North, Rng. 66 West, 6th P.M., Weld County

CONDITIONS FOR APPROVAL

- ☒ The proposed operation does not anticipate exposing groundwater. Therefore, exposure of ground water must not occur during or after mining operations.
 - ☒ The applicant has indicated plans to use water for mining purposes at the permit site. The source of water for this use will be provided by the existing groundwater commercial and industrial wells in accordance with the augmentation plan approved by the Water Court in Case No. 2020CW3132. The total use of water at the site will be 5.66 acre-feet. If wells included in the Well Augmentation Subdistrict of Colorado Water Conservancy District (WAS) plan for augmentation decreed in Division 1 Water Court case no. 20CW3123 will be used for this mining operation, the operation of such wells must be in accordance with the decree.
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COMMENTS: The subject application is for a surface mining operation on an existing irrigation pond located on approximately 27-acres described as part of Section 29, Twp. 4 North, Rng. 66 West, 6th P.M., Weld County. The area to be mined is currently used for storage of irrigation water. Such irrigation water cannot be stored at this site during the mining operation.

The specific materials to be mined at the site were not specified. No material processing will occur during mining operations. The site is at an elevation of 4,773 feet. The plan proposes to mine the topsoil and remain at least 2 feet above the groundwater table which is at an elevation of 4,750



feet by constructing a clay berm 3 feet above the ground surface around the perimeter of the pond. The site will be reclaimed as a lined irrigation pond.

Given the fact that the site is located in close proximity of the Town of Gilcrest, where shallow groundwater is known to be present, we expect that groundwater may be exposed at the site, therefore in the event that groundwater is exposed at the site the Applicant must obtain a well permit and a substitute water supply plan or decreed plan for augmentation prior to exposing any groundwater.

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.