



## Response to Reclamation Permit Amendment Application Consideration

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DATE: February 6, 2023

TO: Eric C. Scott, Division of Reclamation, Mining & Safety (DRMS), [eric.scott@state.co.us](mailto: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](mailto:wenli.dickinson@state.co.us)

**RE: Chavers Mining Resource, M-2015-030 (AM-2)**

Operator: Asphalt Specialties Co., Inc.

Contact: Greg Geras, 10100 Dallas St, Henderson, CO 80640 or (303) 289-8555

Location: Section 18, Township 1 North, Range 66 West, 6<sup>th</sup> P.M., Weld County

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**COMMENTS:** The subject application is for an amendment to permit no. M-2015-030 for a surface mining operation on approximately 95 acres located at 12367 CR 8, Fort Lupton, generally located in Section 18, Township 1 North, Range 66 West, 6<sup>th</sup> P.M., Weld County. The primary materials to be mined at the site are aggregate road base, asphalt, and concrete. The proposed amendment is 1) to expand the affected area from 75 to 87 acres within the permit boundary for surface use disturbances and 2) revise the reclamation plan from the currently approved sealed water storage reservoir to use as rangeland after backfill.

Mining will occur in 6 cells, one of which has been mined and backfilled. Groundwater will be consumed by evaporation, dust control, dewatering, water removed in the mined product, washing, and concrete production. Mining will be accomplished by dry-mining method.

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. Currently, depletions to the South Platte River at the site are covered by the Chavers Mining Resource SWSP (WDID 0202654, Plan ID 5057) through July 31, 2023. The alluvial well on the site used for concrete production has permit number 80120-F. If the proposed water uses or depletions will exceed beyond those allowed by the current SWSP approval and/or well permit no. 80120-F, the applicant must file an application for an amended SWSP and/or new well permit as applicable. 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. However, from the amendment application, the proposed water uses and depletions appear to be consistent with the current SWSP approval through July 31, 2023 and permit no. 80120-F. The site must continue to be operated under a SWSP until such time as the site is reclaimed. Replacement of lagged depletions shall continue until there is no longer an effect on stream.

Any storm water 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.

