



February 8, 2023

To: Colorado Division of Reclamation, Mining, and Safety

There is currently an application by the Colorado Milling Company to convert their existing 110 (2) permit to a 110 (d) Designated Mining Operation for the Gold Hill Mill Site permit # M-1994-117. Since their application has been deemed complete we again wish to go on record with our concerns.

This mill and the mines associated with it are in the upper reaches of the Four Mile Creek Water shed. This is important as the Pine Brook Water District diverts water from Four Mile Creek under its senior water rights to the Pine Brook Reservoir to be treated for use as potable water use for a population of about 1,200 people.

The water from Four Mile Creek is typically its main source of water, so impacts to its flows and/or water quality is taken very seriously by the District. Obviously if the flows of Four Mile Creek are adversely impacted it will also have an impact on the water quality as there is less natural dilution. Impacts to this drainage, impacts to the flows of Four Mile Creek, and/or impacts to the raw water quality of Four Mile Creek can have negative consequences not only to the District but to all the residents who live along this drainage.

Reductions or impacts to the flows of Four Mile Creek obviously can have significant impacts on water right holders as Four Mile Creek is tributary to Boulder Creek and is part of the total South Platte Drainage.

Flows of Four Mile Creek since the Four Mile Canyon Fire of 2010 and especially since the floods of 2013, have been higher than normal, prior to these events Four Mile Creek was known to all but dry up almost every year in late August or early September for about a week to two weeks. In the last couple of years as the area has recovered from these two disasters the flows are starting to reflect the historical flows seen previously. In 2002 it was essentially dry (less than 25 gpm flows) for 63 days straight! Any impact to the flows of Four Mile Creek



could have a significant impact on the ability of the District to obtain their water rights.

Four Mile Creek is the main source of water for the District, so impacts to its flows and/or water quality are taken very seriously by the District. While amounts of water to be taken may seem trivial to others it can be significant to the District. This drainage not only serves as the main source of water to be used for potable water for the District but also for many homes located along Four Mile Creek (estimated to be in excess of 200 homes) most of whom have shallow wells along the creek.

While the District has a fully licensed treatment facility to treat its raw water, we would also note that said design and treatment regime is based on what we consider "normal" raw water quality conditions. Spills from mines, milling operations, or other mine/mill wastes that might contaminate Four Mile Creek would be creating abnormal conditions for the District and add to its costs to treat the water. For the homes located along Four Mile Creek it could be especially disastrous since most of them do not have a treatment system.

The District is not interested in shutting down these operations but is interested in requesting that they be monitored fully to insure that they are operated in a manner that prevents contamination of Four Mile Creek. An engineering study/report commissioned by the District in 2017 noted that as long as these mine and milling operations are properly permitted and operated within the limits of those permits, and in a safe manner, the mine and milling operations would be of low risk to Four Mile Creek water quality.

The report also notes, and the District would request, that some of the waivers of testing that these operations received in the past be re-visited and reviewed for appropriateness. Most of these are in relationship to water testing of water from monitoring wells in the area and/or in the mine. We would again stress that since so many people, in excess of 1,500, depend on the water in Four Mile Creek for their health, safety, and welfare, that it is important to protect the quality of the water.



The District would also request that any prior notices of violation be checked to ensure that they have been corrected. The biggest threat to the District's raw water quality in this water shed is from mines and their operations.

The District has no interest in stopping these operations but has a very strong interest in ensuring that they are operated in an appropriate manner, in a safe manner, and that they are permitted as required by law.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Robert de Haas, Manager

A handwritten signature in black ink, consisting of a stylized 'A' followed by a series of loops.

Andrew Churnside, Asst. Manager