



Response to Consideration of 112d(3) Hard Rock/Metal Mining Reclamation Permit Amendment Application

DATE: May 9, 2023

TO: Peter S. Hays, Environmental Protection Specialist

FROM: Javier Vargas-Johnson, Water Resources Engineer

RE: Henderson Mine File No. M-1977-342 - AM08
Applicant/Operator: Climax Molybdenum Company, Inc., (720) 942-3255
Sections 23, 24, 25, and 26, Twp 3 South, Rng 76 West, 6th P.M., and Sections 19 and 30,
Twp 3 South, Rng 75 West, 6th P.M., Clear Creek County
Water Division 1, Water District 7

CONDITIONS FOR APPROVAL

- ☒ A Notice of Intent to Construct Monitoring Holes (online e-Form available) should be submitted to this office at least three days (72 hours) prior to installation of any monitoring holes, or a Monitoring/Observation Well Permit should be obtained prior to construction of any monitoring wells.

COMMENTS: The subject application is for an expansion of the affected land in an existing underground mining operation on 11,877.5 permitted acres located approximately 9 miles west of Empire, Colorado. The primary commodity mined at the site is molybdenum ore. The application seeks to add 224 acres to the acreage of the land within the property boundary designated as "Affected Land", however the mining area is not being expanded. The application does not make any changes to the mining or reclamation plans.

The proposed activities in this Amendment consist of the construction of roads to install and access additional water quality monitoring wells. The exact number and location of wells and access roads will be determined based on geophysical studies and as each new well is installed and more information becomes available. A Notice of Intent to Construct Monitoring Holes should be submitted to this office prior to the construction of any monitoring holes or a Monitoring/Observation Well Permit obtained prior to constructing any monitoring wells. A monitoring hole constructed under a Notice to Intent may be converted to a monitoring well using the Monitoring/Observation Well Permit Application. Both forms are available on the eForms section of the Division of Water Resources' website at <https://dwr.state.co.us/eforms?department=6&search=WP>. Monitoring holes are required to be plugged and sealed within eighteen (18) months after construction unless a well permit is obtained. The Notice of Intent must be submitted three days (72) hours prior to installation of any monitoring holes.

The site water resources are operated under the plan detailed in Technical Revision 16: Henderson Operations Groundwater Management Plan. The site operates under the augmentation plan decreed in Division 1 Water Court Case No. 98CW398. The proposed amendment will not affect any additional water resources beyond those already covered in the augmentation plan.



This office has no concerns regarding the requested amendment so long as the existing plan for augmentation is operated in accordance with its decreed terms and conditions and permits are obtained for each new monitoring well. The Division of Reclamation, Mining and Safety and/or the Applicant may contact the State Engineer's Office with any questions.