



Response to Reclamation Permit Application Consideration

DATE: May 20, 2024

TO: Amy C. Yeldell, P.E., Division of Reclamation, Mining & Safety (DRMS), Amy.Yeldell@state.co.us

CC: Division 6 Office, District 43 Water Commissioner

FROM: Ailis Thyne, P.E., State Engineer's Office (SEO), ailis.thyne@state.co.us

RE: **Wagner Gravel Pit, M-2023-038**

Applicant: Twin Buttes Land Co LLC, PO Box 190 Rangely, CO 81648
(970) 261-2106

Location: Part of the NW ¼ of Section 19, Twp. 3 South, Rng. 101 West, 6th P.M., Rio Blanco County

CONDITIONS FOR APPROVAL

The proposed operation does not anticipate exposing groundwater. Therefore, exposure of groundwater must not occur during or after the mining operations. There is no proposed water demand for the gravel pit operation.

According to our records, there does not appear to be a production well permitted at the location of this site. A valid well permit must be obtained for any exposure of groundwater occurring during or after the mining operations and for any groundwater uses.

The proposed gravel pit is located in an area where groundwater is still available for appropriation and a well permit may be issued on the basis that water is available for appropriation; however, the well may be subject to administration in the water rights priority system in the future.

If stormwater is not diverted or captured in priority, Colorado Water Law requires it to be released, or replacement for evaporation will be required of the impounder/operator/owner of the gravel pit. The State Engineer's current policy requires that all impounded water be released to the stream system within a maximum of 72 hours after impoundment. Unless captured in priority, impounded water may not be used for any purpose except as approved under a water supply plan or decreed plan for augmentation.



COMMENTS:

This office has no objections to the Consideration of the Reclamation Permit Application so long as the site operates under a valid well permit for any groundwater exposure or use.

The Applicant may contact the SEO at (303) 866-3581 with any questions.