

STATE OF  
COLORADO

Gagnon - DNR, Nikie &lt;nikie.gagnon@state.co.us&gt;

---

## Nix slurry wall cert

---

**Steve Kelton** <skelton@brannan1.com>

Mon, Nov 25, 2024 at 11:11 AM

To: "Gagnon - DNR, Nikie" &lt;nikie.gagnon@state.co.us&gt;

Hi, Nikie.

Good seeing you the other day out at our Nix quarry. Attached is the Nix slurry wall provisional approval, as requested.

Have a great Thanksgiving!

--Steve

Steve Kelton

Brannan Companies

2500 Brannan Way

Denver, CO 80229

[skelton@brannan1.com](mailto:skelton@brannan1.com)

cell: 720-910-4376



*This communication is intended for the sole use of the person(s) to whom it is addressed and may contain information that is privileged, confidential or subject to copyright. Any unauthorized use, disclosure or copying of this communication or any information contained in this communication is strictly prohibited. If you have received this communication in error, please contact the sender immediately. Any communication received in error should be deleted and all copies destroyed.*

Please consider the environmental impact before printing this e-mail.



**Nix Cell 3 provisional approval.pdf**

261K



**COLORADO**  
Division of Water Resources  
Department of Natural Resources

October 30, 2024

Gary Linden, P.G.

Civil Resources, LLC

323 Fifth Street

P.O. Box 680

Frederick, CO 80530

Transmission via email: [gary@civilresources.com](mailto:gary@civilresources.com)

**RE: SLURRY WALL LINER APPROVAL (PROVISIONAL)**

**NIX RESERVOIR CELL 3 (WDID 0504107)**

**NIX GRAVEL PIT, DRMS M-2001-046 (WDID 0505632)**

**NE1/4 OF SECTION 28, T3N, R67W**

**WATER DIVISION 1, WATER DISTRICTS 2 AND 5, WELD COUNTY**

Dear Mr. Linden:

The purpose of this letter is to provisionally approve the lining of the Nix Reservoir Cell 3 ("Cell 3 Reservoir"). Cell 3 Reservoir is primarily located in the NE1/4 of Section 28, Township 3 North, Range 67 West of the 6<sup>th</sup> P.M., and is part of the Nix Gravel Pit (DRMS M-2001-46). Cell 3 Reservoir was lined with a soil bentonite slurry wall. Mining has not commenced within the liner boundary. The slurry wall liner leak test commenced on June 24, 2024 and concluded on September 23, 2024. A site inspection was performed by our office on April 24, 2024 to review site conditions and discuss the leak test plan.

Your report dated September 30, 2024 provides the liner summary and leak test results. The test data provided indicates that liner meets the design standard referenced in the



August 1999 State Engineer Guidelines for Lining Criteria for Gravel Pits (1999 SEO Guidelines). **Meeting the design standard requires that during reservoir operations all water inflows and outflows for the liner perimeter enclosed area be accounted for on a monthly basis.**

This liner approval is applicable only during mining operations at the site and does not classify the structure as a reservoir capable of water storage. However, for the remainder of mining operations, water within the liner boundary is now classified as trapped native ground water. The trapped native ground water may be removed from within the lined area and returned to the stream system through surface flow or ground water recharge without the need for replacement so long as the operator does not put the water to beneficial use. All native trapped ground water remaining that is put to beneficial use (except for the water removed in product) must be replaced by the operator. All inflow of water into the liner boundary from any source, including precipitation and ground water inflows shall be removed by the pit operator so as not to cause out-of-priority storage. **In order for the liner to be approved for water storage the operator must perform a final leak test once mining is complete, and the site is at final grade.** The final leak test will be allowed to have a modified duration of 45 to 60 days as long as the liner continues to satisfactorily operate during mining operations.

Please contact me at 303-866-3581 x8246 or at [ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us) if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ioana Comaniciu', is written over a horizontal line.

Ioana Comaniciu, P.E.

Water Resource Engineer

Ec: Alec Hernandez, District 2 Water Commissioner ([Alec.Hernandez@state.co.us](mailto:Alec.Hernandez@state.co.us))  
Shera Sumerford, Water Commissioner District 5, [Shera.Sumerford@state.co.us](mailto:Shera.Sumerford@state.co.us)  
Louis Flink, Diversion Records Coordinator ([Louis.Flink@state.co.us](mailto:Louis.Flink@state.co.us))  
WDID File (0504107 & 0505632)