

STATE OF
COLORADO

Girardi - DNR, Chris <chris.girardi@state.co.us>

Notice of Application Consideration for Permit: M2024057

Wenli Dickinson <wenli.dickinson@state.co.us>

Thu, Jan 9, 2025 at 7:27 AM

Reply-To: wenli.dickinson@state.co.us

To: Chris Girardi - DNR <chris.girardi@state.co.us>

Cc: Ioana Comaniciu - DNR <ioana.comaniciu@state.co.us>, Alec Hernandez - DNR <alec.hernandez@state.co.us>

Hi Chris,

Attached are DWR's comments on Farmers Sand, File No. M-2024-057. Please let me know if you have any questions.

Regards,

Wenli Dickinson, P.E.

Water Resource Engineer

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

(303) 866-3581 x8206

1313 Sherman St, Suite 821, Denver, CO 80203

wenli.dickinson@state.co.us | dwr.colorado.gov

----- Forwarded message -----

From: **Division of Reclamation, Mining and Safety** <dnr_drms_permitadmin@state.co.us>

Date: Mon, Dec 16, 2024 at 3:25 PM

Subject: Notice of Application Consideration for Permit: M2024057

To: <ioana.comaniciu@state.co.us>Cc: <chris.girardi@state.co.us>

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**M-2024-057 Farmers Sand (Weld) - DWR Comments.pdf**

121K



Response to Construction Materials Reclamation Permit Application

Date: January 9, 2024

To: Chris M. Girardi, Division of Reclamation, Mining & Safety (DRMS),
chris.girardi@state.co.us

Cc: Alec Hernandez, Lead District 2 Water Commissioner, alec.hernandez@state.co.us

From: Wenli Dickinson, P.E., State Engineer's Office (SEO), wenli.dickinson@state.co.us

RE: Farmers Sand, File No. M-2024-057

Applicant/Operator: Farmers Reservoir and Irrigation Company (FRICO) c/o Scott Edgar, 80 South 27th Avenue, Brighton, CO 80601 or (303) 659-7373

Permitting Contact: Ecological Resource Consultants c/o Lisa Shea, 12345 West Alameda Parkway #206, Lakewood, CO 80228 or (303) 679-4820 x110

Location: Parts of Sections 3, 4, 9, 10, 11, 14, 15, 22, and 23, Township 3 North, Range 65 West, 6th P.M., Water Division 1, District 2

Conditions for Approval

The proposed operation will consume groundwater by: ☐ evaporation, ☒ dust control, ☐ dewatering, ☐ water removed in the mined product, ☒ operational depletions, ☐ washing, ☐ concrete production and ☒ reclamation.

☒ An approved substitute water supply plan (SWSP) or decreed plan for augmentation is required.



- ☒ If groundwater will be used or exposed, the Applicant will need to obtain either a gravel pit or other type of 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 the State Engineer must provide written notice to all well owners within 600 feet of the permit area, which may request a hearing before the State Engineer.

Comments

This application proposes to mine approximately 1.6 million tons per year of sand and fines and install a sand plant on approximately 3,208 acres within Sections 3, 4, 9, 10, 11, 14, 15, 22, and 23, Township 3 North, Range 65 West, 6th P.M. Materials will be extracted to an anticipated depth of 20 feet from FRICO's Milton Reservoir (WDID 0203876), which is an on-channel reservoir on Beebe Draw. Depth to groundwater according to the application is approximately 31 feet. The purpose of the operation is to restore and increase the water storage capacity in the reservoir and sell mined materials for construction or hydraulic fracking purposes. Sediment removal began in 2021 and mining operations are anticipated to last 20 years. Settling Ponds 2, 3A, 3B, and 4 have been constructed. Ponds 5, 6, 7, and 8 have not yet been constructed. During reclamation, the settling ponds will be backfilled and the site will be revegetated using irrigation water from the reservoir.

Proposed water uses from the reservoir that require replacement under an SWSP or court-approved augmentation plan are dust control, operational use within the sand plant, and evaporation from exposed groundwater if applicable. The site must continue to be operated under a SWSP until such time as the settling ponds are backfilled and all depletions are replaced. A well permit is also required if groundwater will be used or exposed, which is subject to 600-foot spacing required by section 37-90-137(2)(b), Colorado Revised Statutes (C.R.S.).

Water extracted during mining will be returned directly to the reservoir or after being routed through settling ponds. According to the application, surface runoff will be directed to the reservoir. **Water stored, or diverted from the reservoir for irrigation during reclamation, must be diverted in-priority.**

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.

Please contact Wenli Dickinson in Denver at Wenli.Dickinson@state.co.us or (303) 866-3581 x8206 or the Lead Water Commissioner, Alec Hernandez, at Alec.Hernandez@state.co.us or at (970) 381-0828 with any questions.