



## Response to Construction Materials Reclamation Permit Application

---

Date: March 4, 2025

To: Nikie Gagnon, Division of Reclamation, Mining & Safety (DRMS), [gagnon@state.co.us](mailto:gagnon@state.co.us)

Cc: Alec Hernandez, Lead District 2 Water Commissioner, [alec.hernandez@state.co.us](mailto:alec.hernandez@state.co.us)

From: Ioana Comaniciu, P.E., State Engineer's Office (SEO), [ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us)

**RE: Ragsdale Reservoirs, File No. M-2020-007, Amendment No. 1**

Applicant: L.G. Everist, Inc. c/o Robert E. Everist, 350 S. Main Ave., Ste. 400, Sioux Falls, SD 57104 or (605) 334-5000

Permit Contact: Environment, Inc. c/o Steve O'Brian, 7985 Vance Dr., #205A, Arvada, CO 80003 or (303) 423-7297

Location: Parts of Sec. 7, 8, 17, 18, and 19 Twp. 2 North, Rng. 66 West

---

### Conditions for Approval

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

- ☒ An approved substitute water supply plan (SWSP) or decreed plan for augmentation is required prior to obtaining a gravel pit well permit.
- ☒ The Applicant must obtain a new gravel pit well permit if uses or water consumption will exceed current permitted uses and amounts, which requires the Applicant to



conduct a field inspection of the site and document the locations of all wells within 600 feet of the permit area prior to obtaining a well permit. 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

#### Mining Plan

This amendment seeks to increase the mine area by 26.62 acres to include an area in Section 18, Twp. 2 North, Rng. 66 West, 6<sup>th</sup> P.M. and to add a conveyor crossing over US Hwy 85 to connect the mine area east of US Hwy 85 to the mine area and plant site on the west side of US Hwy 85. Also, this amendment is proposing to add an under-drain between Phases 1 and 2 to regulate groundwater elevation to historic levels. The mining and reclamation methods will not change. The materials to be mined are sand and gravel, which will be dry mined by installing slurry walls prior to mining.

The current water consumption at the site is estimated at 110.22 acre-feet/year from water lost in mined product, dust control, and evaporation. The Applicant proposes to replace depletions under a substitute water supply plan (SWSP) approved by the Division of Water Resources (DWR) during mining. This mine is currently covered by SWSP Plan ID 6225 through December 31, 2025. A new or amended SWSP is required if uses or depletions will exceed the uses or amounts approved during the current SWSP period. In addition to maintaining an approved SWSP, the Applicant must also obtain a new gravel pit well permit if water uses or depletions exceed what is currently allowed by permit no. 85586-F, subject to 600-foot spacing required by section 37-90-137(2)(b), Colorado Revised Statutes (C.R.S.). Any stormwater 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.

In certain areas of the South Platte River Basin, DWR staff have observed groundwater problems that appear to be related to the lining of gravel pits located near streams, and in particular, these problems occur when multiple liners are located adjacent to each other. DRMS should consider the siting and design of lined gravel pits to ensure that they will not individually or cumulatively result in impacts to the timing and quantity of groundwater flow from upgradient locations back to the stream system. In addition to impacts to property, such as flooding upgradient and reduced water levels downgradient of the liner, there are decrees of the court that specify the timing, quantity, and amount of water depleted from the streams by wells and accreted to the stream through recharge operations. The installation of a gravel pit liner should not result in changes to the timing, location, and amount of such groundwater flow.

The site must continue to be operated under a SWSP until such time as the proposed reservoirs are lined (lining approved by this office) or backfilling is completed, and replacement of lagged depletions shall continue until there is no longer an effect on stream.

Please contact Ioana Comaniciu in Denver at [ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us) or (303) 866-3581 x8246 or the Lead Water Commissioner, Alec Hernandez, at [Alec.Hernandez@state.co.us](mailto:Alec.Hernandez@state.co.us) or at (970) 381-0828 with questions.