



COLORADO

Division of Water Resources

Department of Natural Resources

Water Division 3 - Main Office

July 28, 2025

SOUTHWEST READY-MIX INC
117 WHITE PINE DR
ALAMOSA CO 81101

Subject: STANDING ORDER TO CEASE AND DESIST GROUNDWATER USE AND COMPLY WITH RULES GOVERNING THE WITHDRAWAL OF GROUNDWATER IN WATER DIVISION NO. 3 (THE RIO GRANDE BASIN) AS PROMULGATED IN CASE NO. 2015CW3024

SOUTHWEST READY-MIX, INC, all agents, employees, lessees, assigns or successors of same:

My office is in receipt of a gravel pit, well permit application submitted on behalf of Southwest Ready-Mix, Inc dated December 4, 2024, that is pending under receipt no. 10039684. The application states that groundwater has been exposed by a gravel pit, known as Alamosa Pit No. 2 (M-1983-175), since October 23, 1997, and that the source of augmentation is case no. 84CW16. The decree in that case is part of the San Luis Valley Water Conservancy District's augmentation plan; however, the District has no record of having issued an augmentation certificate to this site (the N ½ of the SE ¼ of Section 36, Township 38N, Range 10E, NMPM). Since this gravel pit was constructed after December 31, 1980, all out-of-priority depletions to groundwater created by the gravel pit must be replaced and the depletions to groundwater are subject to the Rules Governing the Withdrawal of Groundwater in Water Division No. 3 (The Rio Grande Basin) as promulgated in case no. 2015CW3024.

I am aware that this pit is in the process of being closed within the next few years and that it will be reclaimed so that water will no longer be exposed. However, the July 2025 Amendment to a Construction Material, Regular 112 Operation Reclamation Permit document that I am in receipt of, raises some concerns. This document states that a Substitute Water Supply Plan is not required because water has been present onsite since 1966, and that water from the ponds on site will be used for dust suppression. A well permit has not been issued that authorizes water to be used for dust suppression or any other purpose at this site. My review of aerial photographs from the mid 1980's confirmed the existence of a small depression on the property, that is likely what is referenced in the 1996 permit application. However, that depression is no longer in existence and has no bearing on the exposed water from the gravel pit. Therefore, you must obtain an augmentation supply that replaces all evaporative losses from the gravel pit and any additional uses such as dust suppression. You must also obtain the gravel pit, well permit that is pending under receipt no. 10039684 to be able to use water in this manner.

Pursuant to the authority vested in this office under Sections 37-92-501 and 502, C.R.S., you are ordered to obtain an augmentation supply that replaces all evaporative losses from the gravel pit known as Alamosa Pit No. 2(M-1983-175) and for all dust suppression requirements needed during the reclamation project within 60 days of receipt of this letter. This augmentation supply must be in place until all groundwater is no longer exposed.



If you fail to comply with the order to cease and desist as outlined above, regarding the Subject Pit, the Office of the Attorney General may bring a lawsuit against you under Section 37-92-503, C.R.S. to enforce these orders. This may include penalties of up to \$500 per day of violation in addition to reasonable attorney's fees.

Please, immediately contact Kevin Boyle at 719-589-6683, ext. 3119, at my office if you have questions or concerns regarding this letter, or if you have questions about how to come into compliance. Thank you for your prompt attention to this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Craig W. Cotten". The signature is fluid and cursive, with the first name "Craig" and last name "Cotten" being clearly legible, and "W." in the middle.

Craig W. Cotten, P.E.
Division Engineer, Division III