



August 25, 2025

Lynn Shults
L.G. Everist, Inc
7321 E. 88th Ave. Suite 200
Henderson, CO 80640

Re: Fort Lupton Sand and Gravel Mine, Permit No. M-1999-120; L.G. Everist, Incorporated,
Amendment 3, 4th Adequacy Review

Dear Ms. Shults:

On August 14, 2025, the Division of Reclamation, Mining and Safety (Division) received the revised Heins Groundwater Model Memo and additional response to the Division's 3rd adequacy letter sent on April 28, 2025.

The Division reviewed the annual groundwater level data submitted to the Division on May 31, 2025 and the revised Heins Groundwater Model memo and determined that groundwater is mounding along the western side of the existing mining area where slurry walls have been installed, particularly in the northwest corner of Swingle North and Swingle South. Well data for MW-6, MW-24, MW-25, and MW-54 show groundwater elevations at or within 3 feet of ground level and/or above the historic background high +5 ft levels. Additionally, On April 30, 2025, the Division of Reclamation, Mining and Safety received evidence of flooding along Little Dry Creek within the proposed Northwest amendment area.

The Division is aware that seasonal irrigation water discharges from the Brantner Ditch into Little Dry Creek, south of the Ft. Lupton mining area, raise the water levels in the ditch. This added irrigation flow, coupled with groundwater mounding against the slurry walls in the existing permit area and released phases, is causing localized flooding. The flooding is evidence that the slurry walls are disrupting the hydrologic balance in the area and inhibiting timely groundwater flow to the South Platte River.

Therefore, based on the annual groundwater data and the recommendations in the revised Heins Groundwater Model Memo, the Division requests responses to the following additional comments before issuing a decision on Amendment 3.

1. Please commit to installing two drains within the permit area.
 - A north-south drain along the western edge of the Heins West slurry wall.
 - An east-west drain along the southern edges of the Southern Complex (Funakoshi, Parker 1-4, and Parker-Adams phases).
2. Please revise and resubmit the mining and reclamation plans and maps in Amendment 3 as necessary to include the installation of the two groundwater drains. This should include a discussion of the timing for the drain installations.



3. Prior to any mining disturbance within the Heins West and Southern Complex (Funakoshi, Parker 1-4, and Parker-Adams) phases, please commit to submitting the engineered designs and configurations for the required drains through a Technical Revision to the Division.
4. Beginning with the 4th quarter 2025, please commit to submitting the monthly water level data for the active monitoring wells in and around the mining operation to the Division quarterly. The Division will review the quarterly data and determine if additional mitigation measures are needed to maintain hydraulic gradients, prevent excessive buildup, and ensure groundwater movement. Consistent with previous reporting, please highlight any values that are outside the historic high/low baseline range and provide a discussion of the observations.

This concludes the Division's fourth adequacy review of this application. Please note that the decision date for this application is **September 19, 2025**. Please allow sufficient time for the Division to perform another review of your responses prior to this date. If you are unable to provide satisfactory responses to any inadequacies, it will be your responsibility to request an extension of time to allow for continued review of this application.

If you have any questions, please contact me by telephone at (720)527-1640 or by email at nikie.gagnon@state.co.us.

Sincerely,



Nikie Gagnon
Environmental Protection Specialist

Ec: Stevan O'Brian, Environment Inc
Jared Ebert, DRMS