COLORADO
Division of Water Resources
Department of Natural Resources

Response to Reclamation Permit Application Consideration

Date: September 2, 2025

To: Patrick Lennberg, Division of Reclamation, Mining & Safety (DRMS)
Patrick.lennberg@state.co.us

Cc: Division 1 Office, District 2 Water Commissioner, Alec.Hernandez@state.co.us

From: Mike Matz, P.E., State Engineer's Office (SEO), Michael.Matz@state.co.us

Re: P123 Mine, File No. M-2025-039

Applicant: Raptor Materials LLC

Permitting Contact: Ben Langenfeld, Lewicki & Associates, 3375 W. Powers Circle, Littleton, CO 80123, (720) 842-5231

Location: Part of the W ½ of Section 28 and part of the E ½ of the NE ¼ of Section 29, all in Twp. 5N, Rng. 65W, 6th P.M., Weld County

Conditions for Approval

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

☒ Prior to initiation of these uses of groundwater, the Applicant will need to obtain either a gravel pit or other type of well permit, as applicable.

☒ Prior to obtaining a well permit, an approved substitute water supply plan or decreed plan for augmentation is required.

☒ 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: The subject application is for an aggregate mining operation on approximately 238 acres (99.3 acres of which are mineable) located in a portion of the W ½ of Section 28 and a portion of the E ½ of the NE ¼ of Section 29, all in Twp. 5N, Rng. 65W, 6th P.M., Weld County. The property is currently used primarily for agricultural purposes, alongside some oil & gas facilities. The mining plan calls for an average excavation of 500 tons of sand, gravel, and some incidental backfill material per year inside three mined cells for an estimated 16 years. The primary materials to be mined at the site are sand and gravel. The sand and gravel deposit is estimated to be 65 feet in thickness, and will be mined progressively from the north to south inside each cell. Mining will occur in the alluvium of the South Platte River (above the Laramie-Fox Hills bedrock aquifer), inside the river floodplain and floodway. The estimated depth to groundwater is 5 feet below grade. Mining will be accomplished by dry-mining method within a slurry wall to be installed prior to mining. Following the slurry wall installation, the Operator will begin dewatering the cells and discharging it through the approved CDPHE discharge point. French drains will be installed to prevent ground water mounding behind the slurry walls. Groundwater will be consumed by evaporation, dust control, dewatering, water removed in the mined product, washing, asphalt & concrete production, and reclamation. Surface runoff collected in the mined cells will be either discharged to the river, or allowed to evaporate.

Prior to the use or exposure of any groundwater, the Applicant must first obtain a well permit, subject to 600-foot spacing required by section 37-90-137(2)(b), C.R.S., and a substitute water supply plan (SWSP) or decreed plan for augmentation to replace depletions caused by groundwater consumption. The site must continue to be operated under a SWSP until such time as the proposed reservoirs are lined (lining approved by this office, backfilling is completed, and replacement of lagged depletions shall continue until there is no longer an effect on stream). Additionally, our records indicate that there are several wells located on the subject property. These wells must be operated in accordance with their permitted conditions and applicable statutes, and cannot be used for the mining operation unless they are permitted for such use. If any wells are plugged and abandoned at the site, they must be plugged and abandoned in accordance with the Well Construction Rules 2 CCR 402-2 and a Well Abandonment Report must be filed with this office.

The area will be reclaimed as rangeland and 3 *lined storage reservoirs. If the reservoirs do not qualify as a stormwater detention facility as described in DWR's Administrative Statement Regarding the Management of Storm Water Detention Facilities, attached, and such water is not stored under free river conditions,* ***the water collected in the reclaimed reservoirs must be operated under a court-approved augmentation plan.*** The total mining area to be reclaimed is 89.1 acres (27.3 acres as rangeland and 61.8 acres as lined storage reservoirs), with reclamation occurring concurrently with mining. Final reclamation will occur after mining operations have concluded. Some or all of the mined pits may ultimately be backfilled based on market demands for inert fill disposal, rather than converted to lined storage reservoirs.

Additionally, in certain areas of the South Platte River Basin, SEO 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.

Please contact Mike Matz at Michael.Matz@state.co.us in the Denver office with any questions.