



COLORADO
Division of Water Resources
Department of Natural Resources

December 8, 2020

Nina Ruiz
El Paso County, Planning and Community Development
DSDcomments@elpasoco.com

Re: Ellicott Sand and Gravel LLC Special Use Review Permit
Schubert Ranch Sand Resources
Case no. EA1881
Sec. 20, 29, and 32, Twp. 14S, Rng. 62W, 6th P.M., El Paso County
Upper Black Squirrel Creek Ground Water Management District
Water Division 2, Water District 10

Dear Ms. Ruiz:

We have received your November 5, 2020 submittal concerning the above-referenced proposal for a site specific development plan and use by special review permit for open mining and processing of minerals (topsoil, overburden, sand, gravel and stone), on approximately 733.7 permitted acres located in portions of Sections 20, 29, and 32, all in Township 14 South, Range 62 West of the 6th P.M. in El Paso County.

This office previously commented on this special review application by our letter dated July 1, 2020. The comments from our previous letter dated July 1, 2020 (copy enclosed) regarding the this special review application still apply except as requested in our previous letter the applicant has indicated plans to use water for plant processing and dust control purposes at the permit site in the amount of 12 acre-feet/year. The water needs for these uses will be purchased from Schubert Ranch, which according to the applicant has water permitted for industrial use or purchased from a public water provider and hauled to the site as needed. The application material identified three wells operating under permit nos. 9642-FP, 20528-FP and 27528-FP, as potentially available to be used for plant processing and dust control purposes.

Our records show that well permit nos. 20528-FP and 27582-FP were both registered for irrigation on April 26, 1960 and permit no. 9642-FP was issued for a supplemental well to final permit nos. 20528-FP and 27582-FP. On March 18, 1986 the Groundwater Commission approved a change of use of the three wells from irrigation to municipal use within the Upper Black Squirrel Creek Designated Ground Water Basin. The combined maximum annual appropriation from well nos. 9642-FP, 20528-FP, and 27582-FP is limited to withdrawals of 135 may acre-feet/year.

Although the gravel pit is located within the allowed place of use of the wells, as permitted, well nos. 9642-FP, 20528-FP, and 27582-FP cannot be used for industrial use at the private gravel pit site since the use of the wells is limited to supplying municipalities. Therefore prior to using well permit nos. 9642-FP, 20528-FP, and 27582-FP at the gravel mining operation, the well owner(s) must obtained new permits from the Groundwater



Commission that allow for such industrial use. In addition the applicant should be required to provide evidence of a contract with Schubert Ranch along with specific amounts that will be used from these wells for plant processing and dust control purposes at the site.

Further if water is purchased from a public water provided the applicant should be required to demonstrate that the water was purchased from a legal source that is permitted/decreed for industrial use.

If you or the applicant have any questions, please contact Ioana Comaniciu at 303-866-3581 x8246.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

Ec: Subdivision file 27198
Permit nos. 9642-FP, 20528-FP and 27528-FP