



DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WATER RESOURCES

August 7, 2012

La Plata County Planning Department  
1060 East Second Avenue  
Durango, CO 81301

John W. Hickenlooper  
Governor  
Mike King  
Executive Director  
Dick Wolfe, P.E.  
Director/State Engineer

RE: GCC Energy King Coal II Mine Class II  
Water Division 7, Water District 33

To Whom It May Concern,

This referral does not appear to qualify as a "subdivision" as defined in Section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer's March 4, 2005 memorandum to county planning directors, this office will only perform a cursory review of the referral information and provide comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, **the comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.**

The applicant is applying for a Class II land use permit for the King II Mine, and underground coal mine located in La Plata County. According to the June 28, 2012 *GCC ENERGY MINE WATER SUPPLY & DEMAND REPORT*, included with the submittal, the annual demand for the mine is estimated to be approximately 13 acre-feet for industrial use within the mine and domestic water supply for the workers at the mine. It appears that so long as the applicant follows the conditions set forth in Division 7 Water Court Case No. 07CW100, the proposed water supply can be provided without injury to decreed water rights.

Should you or the applicants have questions regarding any of the above, please feel free to contact myself or Caleb Foy of this office.

Sincerely,

Heidi Frey, P.E.  
Water Resource Engineer

cc: Rege Leach, Division 7 Engineer (via email)  
Matthew Schmitt, District 33 Water Commissioner (via email)  
Brian Boughton, Division 7 (via email)  
Doug Pickering, Division 7 (via email)  
Brian Leavesley, Division 7 (via email)

HCF:crf

Office of the State Engineer

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