

THM

Ephemeral Resources, LLC.

PO Box 1769

Grand Junction, Co 81502

December 10, 2013

Division of Reclamation, Mining and Safety
1313 Sherman St. Room 215
Denver, Co 80203

Regarding: Inert Fill Notice Rule 3.1.5(9)

Permittee: Ephemeral Resources, LLC
Permit #: M-2002-046
Operation Name: D Road Gravel Pit

From time to time over the life of the mine we may import inert materials as defined in Rule 1.1(20), into this mining operation. It will be recycled and sold or used to partially fill and construct the slopes that will be left when mining ends. If courser fill is used it will then be covered with finer material and revegetated where required by the permit. If the material is good dirt we will use it to supplement the topsoil needs for the mined area. Sloping will not be delayed if imported material is not available since this material will only supplement material on the site at this time.

The exact amount of material to be imported is unknown. We will record the volume imported each year and report the total on our annual report so the Division will know how much and how it is disposed of.

We will continue to import inert fill until reclamation is complete or we no longer have a source.

No specific compaction rates are proposed for the fill. The material is pieces of concrete which will be mixed with dirt as it is placed, or dirt from jobs in the valley. While we take no action to reach a specific compaction rate, the way the material is placed tends to compact it. We run heavy equipment over the filled area during the filling process and the material is compacted as a result.

By 
Mark Gardner, Manager

DEC 16 2013

Division of Reclamation,
Mining & Safety

STATE OF COLORADO

)

) ss.

AFFIDAVIT

COUNTY OF MESA

)

Mark A. GARDNER, being first duly sworn upon oath, deposes and says:

1. He is the Manager of Ephemeral Resources LLC, a Colorado Limited Liability Corporation, and is empowered to act for and on behalf of said corporation in all respects in connection with any applications, petitions, contracts, correspondence, bonds or activities with or before the Colorado Division of Reclamation Mining and Safety.

2. Material to be imported into the mining operation known as the D Road Gravel Pit will be inert material as defined in Mined Land Reclamation Board rule 1.1(20) listed below. At no time will material that does not meet this definition be imported to this site.

M.L.R.B. Rule 1.1(20)

"Inert Material" means non-watersoluble and non-putrescible solids together with such minor amounts and types of materials, unless such materials are acid or toxic producing, as will not significantly affect the inert nature of such solids. Terms included, but not limited to, earth, sand, gravel, rock, concrete which has been in a hardened state for at least sixty days, masonry, asphalt paving fragments and other inert solids.


Mark A. Gardner, MGR

SUBSCRIBED and sworn to before me this 10th, day of Dec., by Mark A. Gardner as Manager for Ephemeral Resources LLC.



(My Commission Expires
notarial seal)

Notary Public


My commission expires: 1/24/2015