

Thanks, Ron. DRMS accepts the new decision date.

---

Rob

**Rob Zuber, P.E.**  
**Environmental Protection Specialist II**  
Division of Reclamation, Mining and Safety - Coal Regulatory Program

P [303.866.3567](tel:303.866.3567), extension 8113 | F [303.832.8106](tel:303.832.8106)  
1313 Sherman Street, Room 215, Denver, CO 80203  
[rob.zuber@state.co.us](mailto:rob.zuber@state.co.us) | <http://mining.state.co.us>

On Wed, May 10, 2017 at 3:38 PM, Ron Thompson <[ronthompson@newelkcoal.com](mailto:ronthompson@newelkcoal.com)> wrote:  
Rob,

I have asked New Elk to sample the water in ponds 7 & 8 for the same chemical parameters required by our NPDES permit for mine water discharge. This should give us a good indication if pumping pond water in to the abandoned Allen mine might have an adverse effect on ground water quality. Lab analysis typically takes about 2 weeks. We already have substantial information on mine GW quality. During this time we will review the permit and any other changes that may be needed to clarify and respond to adequacy questions. We should have a complete response to you by early June.

For water rights issues, we'll submit as a new exhibit, our recent water court decree and water lease from the Hill Ranch to demonstrate adequate water to prevent harm to the River. The lease is confidential and will be appropriately redacted.

Based on the above, New Elk requests an extension of review time for TR=71 to June 30, 2017 to provide adequate time to submit and then for review of our response.

Thanks,  
Ron