

JULY 29, 2017
VIA US MAIL (USPS)

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RECEIVED

AUG 04 2017

**DIVISION OF RECLAMATION
MINING AND SAFETY**

Dustin:

Please refer to my previous emails dated July 17, and July 25, in which I contacted both your office, and Pete Siegmund, representative for United/Oldcastle.

I wish to draw your attention to the rising groundwater level at the reclamation site in the Colona pit (M94-005). Since these levels are still rising, and are at their highest during this time of year, I am requesting a review of the current situation so that you can take the necessary steps to view, review, record or document the problem to your satisfaction, prior to the levels subsiding, as we would expect them to in the near future.

I have taken the following actions since my email dated July 25.

1. I have followed up with your office twice
2. I have followed up with Mr. Siegmund's office once
3. I have contacted Wright Water Engineers four times*.
4. I have taken new measurements on July 28
5. I am still seeking the professional assistance of an engineer/hydrologist
6. I am planning to install additional test holes as soon as I can get a recommendation from an engineer.

Please review the following 'report' from my site visit on July 28:

I met Dan Quigley with DOWL on site at 1:30 pm on Friday July 28. We viewed the pit from the berm at the South end, about 30 feet above the pit floor. Evidence of groundwater viewable from that location was as follows:

1. A pool of water surrounding the standpipe located about 175 feet north of the South end of the pit. (photographs and videos on file)
2. Measured water level in the standpipe (see 1. above) approx 21.5 inches above pit floor level (level prior to new fill dirt) (photographs and videos on file)

3. Various pools of water at the SouthWest end of the pit. (approx fill dirt level in that location is 12 inches) (photographs and videos on file)
4. A drainage ditch cut along the toe of the berm slope, from the center of the South end towards the West, and then being led all the way to the North, and then draining onto the neighboring parcel. (photographs and videos on file) Various identifiable, upwelling 'spring like' ground water expressions into the ditch (see 4. above) (photographs and videos on file)
5. Measured maximum flow of water in the ditch (see 4. above) at approximately 1:50pm, July 28, 2017 was 0.2 cfs (location: SW corner of pit)
6. (No recorded rainfall in the previous 48 hours)

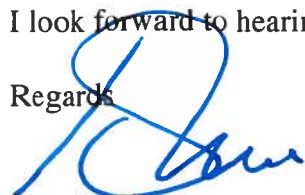
We walked along the berm at the South end of the pit, and were able to identify multiple expressions of ground water in the slope, at between 12 and 34 inches above the pit floor. These are best described as seeps, wet soil, and fresh vegetation benefitting from the moisture. These expressions are most prevalent at the South end, but also occur in several locations on both the East and West sides. (Viewed from the North, there is a very obvious "green belt" along the lower edge of the berm, at the South end).

Since I have not heard back from you, or United, I will continue to monitor the situation to the best of my ability.

In summary, it appears that the plan for a 24 inch lift above the 2016 pit floor level may not be sufficient, and that additional fill will be required. My concern is that we only have a limited amount of time to gather reliable data, and I have still not received any response from your office, or United/Oldcastle.

I look forward to hearing from you soon.

Regards



John Kuijvenhoven
Uncompahgre Holdings, LLC

encl: Czapla letter dated June 28
Kuijvenhoven letter dated July 11
Kuijvenhoven letter dated July 17
Kuijvenhoven request dated July 25

* Wright Water Engineers also works for Oldcastle, and they need permission to accept work from me.

As of this writing, Pete Foster from Wright is still trying to make contact with Pete Sigmund.