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**DIVISION OF RECLAMATION  
MINING AND SAFETY**

Mr. Michael Cunningham,  
Division of Reclamation, Mining and Safety,  
State of Colorado  
Re: Notice of Deficiency P16-020 Modification Request

November 20, 2017

We have received your Notice of Deficiency and submit the following pursuant thereto. MineWater Finance LLC proposes, to ensure that no intermixing of aquifers occurs between the Belden Shale and the Leadville Limestone aquifer, that our contractor will drill out the previously drilled holes to remove the collapsed materials, and in the southernmost-hole MW16-001, and in the angled hole MW16-003, we will plug each of those holes pursuant to the original NOI with neat cement grout to surface.

For MW16-002, which is a vertically drilled hole immediately adjacent to the newly drilled mine dewatering well approved by the Division and by DWR under Well Permit 81321-F, we propose that we will fill that hole with pea gravel or sand up to the lower contact between the Leadville Limestone formation and the Belden Shale, and then fill the hole with neat cement grout to surface. This will fully achieve the objective of preventing mixing of aquifers and we believe this work can still be completed this year 2017.

The reason for this deviation from the original method as planned is that we have identified several large fracture systems that are critical to the success of dewatering the Mine area to prevent non-point source seepage into the mine causing additional degradation of the quality of the water arising within the Mine workings. These fractures may plug with the injection of cement grout into the adjacent hole and could decrease the effectiveness of the 24" dewatering borehole just completed 30 feet away.

Upon completion of this proposed work we will submit the required abandonment report and complete all other items in the original NOI as previously approved.

Thank you for your consideration and your support.

Sincerely,

MineWater Finance LLC

A handwritten signature in blue ink, appearing to read 'Joseph G. Harrington'.

Joseph G. Harrington, President