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**DIVISION OF RECLAMATION
MINING AND SAFETY**

Mike Cunningham,

This is a letter objecting to the amendment No. 1 (revision AM-1) of permit No. M-1994-117 for the following reasons:

As we understand the amendment, the Colorado Mining Company LLC is adding three items to the current permit: The pump station of .256 acres; the pipeline easement of .539 acres and the Times Mine adit portal of .002 acres. The fact that these properties have been utilized by the mining company for many years, yet were not included in the boundary of the permitted area, demonstrates that the mining company chose to build and attempted to operate the pipeline outside of its legal boundaries. This, and the example that the mining company tried to bring in ore from off-site tailings, shows a lack of understanding of where their legal limits stand.

The old white pipe has remained for 20 years, broken and littering BLM and open space land. Now they are being told to remove it. Why did the current owners not take the initiative to clean up the old pipe? If this new pipe project does not work, again, will the new pipe be left for another 20+ years littering public lands? We feel that the fact that the old pipe has remained on public land without cleaning it up demonstrates a lack of concern for public lands.

The manager of the mine in the 80s and early 90s made many statements during his time at the mine indicating that the plan to pump water up from Lefthand was a "pipe dream". According to him, witnessed by us, the engineers realized that pumping water up the thousands of feet from Lefthand creek "would take a pump the size of the Blue Bird Lodge to push the water". Our understanding from the manager was that water was never pumped through the original pipe; it did not work.

According to this permit, water was pumped up to the mine using a "three stage portable Bean pump". The lack of actual proof concerning whether the pipe ever worked in the past, and if there is any feasible way of getting it to work in the future is a major concern. It is unclear in the permit if the plan is to use this same pump in the future. What are the specifications on this pump? Is it powerful enough to push the water the over 4000 feet, even with the proposed smaller diameter pipe and "check valves"? We feel this question needs to be answered before this project moves forward in any way.

We are also concerned with regulating the water used from Lefthand Creek. Who will regulate the water usage? It states in the permit that he has a 10.4 acre feet in dry year to a 22.53 acre feet share of the water. How is this monitored? Will there be a gauge to track water usage? How will this impact the fish population that is still recovering from the flood? Has the Left Hand Water District been notified? The Gold Hill Fire Protection District and Lefthand Fire District have water wells for hydrants in Lefthand creek for fire protection. Could the proposed water usage from the Colorado Mining Company LLC impact the water supply enough to hinder the fire department's ability to fight fire?

We object to the current request based on the past track record of Colorado Mining Company LLC in breaking the rules of their permit and by not demonstrating respect for public lands.

Chris and Leslie Finn