

February 7, 2018

Mr. Dustin Czapla  
Environmental Protection Specialist  
Department of Natural Resources  
Division of Reclamation, Mining and Safety  
101 South 3rd, Suite 301  
Grand Junction, Colorado 81501

Subject: Conger Harvesting Area, Permit # M-1998-022  
Response to Complaint Regarding Right-to-Enter

Dear Mr. Czapla:

Tetra Tech, Inc. (Tetra Tech) on behalf of the Gallegos Corporation is submitting this response to the complaint from Mr. Bob Raymond regarding the operator's loss of legal right to enter the affected area to conduct harvesting and reclamation activities. The Permanent Easement, Staging Area and Maintenance Agreement (PESAMA) dated December 30, 2009 granted by Mr. Robert V. Raymond to the Gallegos Masonry, Inc. (GMI) is currently in litigation in District Court Gunnison County, Colorado. While it is difficult to predict the duration of legal proceedings, the trial date is set for mid-May 2018 barring any lengthy appeals based on advice from GMI's attorney.

GMI has retained Mr. William P. Balaz Jr., Tetra Tech, to find an alternate access to the 112 permit area on United States Forest Service (USFS) lands and the staging area on Mr. Raymond's land included in the PESAMA. To date, Tetra Tech has identified two potential access alternatives accessing the USFS lands from Gunnison County Road 3 through private property. GMI is pursuing these access alternatives having previously initiated discussions with one landowner and is in the process of contacting the other property owner. Updates on the litigation and the alternate access discussions will be provided to the Division of Reclamation, Mining and Safety as new information becomes available.

Thank you for meeting with me on February 5, 2018 to discuss the status of Gallegos' legal right to enter the Conger Harvesting Area. Please contact me at 970-986-3569 or [bill.balaz@tetrattech.com](mailto:bill.balaz@tetrattech.com) if you have any questions regarding this letter or need additional information.

Sincerely,  
Tetra Tech Inc.



William P. Balaz Jr., PE  
Senior Civil and Mining Engineer

cc: Gary Woodworth, Gallegos Corporation