

October 14, 2019

Colorado Division of Reclamation Mining and Safety

1313 Sherman Street, Suite 215

Denver, CO 80203

RE: Loloff Construction, Inc., Loloff Mine, File No. M-1985-112

Dear Sirs:

The Koehler Family has owned the property at 1001 East C Street (WCR 62) since 1949. The property includes farmland and irrigation wells across the road from the property involved in the above permit. Location: The East Half (E 1/2) of the Southeast Quarter (SE 1/4) of Section 33, Township 6 North, Range 65 West of the 6th P. M., Weld County, Colorado.

My name is Mel Bickling a long time friend and neighbor of the Jim Koehler Family. Jim, age 89, asked if I could help his family with information on the mining operation. I have read through most of the DRMS documents for the Loloff Mine and have several questions. **Started this list in a letter format but used the Complaint form instead.**

Loloff Mine

- (1) What are the dates when the dewatering started and stopped at the Loloff Mine? There was a pumping log that was to be provided by the operator. Cannot locate the pumping log in the file.
- (2) There is a Dewatering Well Permit No. 77467. This well is not to exceed 127.69 Acrefeet. NPDES permit COG-500375 discharge is 3 million gallons per day? Is this correct?
- (3) A summary of all existing data from the current monitoring well locations is required as part of the DRMS permit. The applicant claims to have recorded ground water levels at the existing permit area on a monthly basis. Cannot file the monthly report on the water levels.
- (4) There were signed agreements with Parker, Taylor, Francis, Monroe, Tyrell and Harrell indicating that the operator was going to measure the ground water levels on a monthly basis starting in 2013. Was not able to find the monthly reports in the file? The Owners were not contacted with the water level reports.
- (5) There was a violation dated 3-17-15 TR-01 Operator has not monitored the wells as agreed. What was the outcome of the violation?
- (6) Could not find the final resolution for the Monroe Well? Permit number 44981. Last report indicated that the operator was filling the pond with the water from the Loloff dewatering?

(7) Could not find the final resolution for the Tyrrell Well. Permit number 134824-A. Last report the owner was looking into the City of Greeley water to be installed on his property.

(8) Could not find the final resolution for the Hernandez/Palma well. Permit number 297435. The last report indicated that North Weld County Water District will install a new water tap?

(9) J&T Consulting provided a ground water model from McGrane Water Engineering, LLC to predict the ground water levels before and after the slurry wall installation. The report was dated July 13, 2015 and was included in the report dated "2015-09-30 Permit File" starting with page 49. The summary indicates that there will be an increase of .5 to 2 feet on the up gradient wells and a decline in water levels of approximately 1 foot on the down gradient side of the slurry wall. **This report was to be used to make sure that the homeowners were not harmed by the dewatering and the installation of the slurry wall. J&T Consulting and the Operator did not complete the measurements as suggested.**

Loloff AM-01 Second Adequacy Letter
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August 4, 2015

6.4.7 Exhibit G - Water Information

12. The Division engineering staff has reviewed and accepts the MODFLOW model and report dated July 13, 2015 by McGrane Water Engineering, LLC.

13. Please provide mitigation measures for the groundwater mounding and shadowing effects due to the proposed slurry wall to be implemented and trigger points which would put mitigation measures into effect. The mitigation measures must include a scenario for the installation of a French drain to direct groundwater around the slurry wall and restore groundwater levels to the historic elevation in area of groundwater mounding.

On page 3 of the report McGrane Water Engineering, LLC recommended (1) Canvassing the area within the area of influence to confirm well locations and determine whether any basements or structures could potentially be impacted. (2) Evaluating whether the existing monitoring well network is adequate to monitor recovery after the slurry wall is installed and installing additional wells if necessary. (3) If actual recovery appears to be excessive, utilize the model to evaluate drain locations and designs (depths and size) to mitigate the situation. Intercepted groundwater could be piped down gradient and recharged to prevent impacts to senior water rights.

J &T Consulting and the Operator **did not** do anything with this modeling report. They **did not** measure a baseline ground water level on the listed wells before the installation of the slurry wall. The slurry wall was installed 2 years after the date of this modeling report in 2017. They **did not** measure the post slurry wall ground water levels even two years after the slurry wall was installed.

This is the list of the 2019 results from the McGrane report. (Previous owner)

(1) Terry Stout (Trujillo) 170 1st Ave Well dry for two years.

Owner drilled new well cost \$15098.96 in 2019. Will be filing a claim for reimbursement

Permit number 23312-A Static water level report **5 feet** 2019 Static water level **15 feet**

(2) Orona old address Route 1 Box 58 well location unknown

Permit number 28174 Static water level report **8 feet**

(3) Palma/Hernandez 160 1st Ave. Well went dry. NWCWD water tap \$45,000 paid by Loloff

Permit number 297435 Static water level unknown. Cannot re-drill well too close to septic

(4) Harrell Eldon 288 1st Ave

Permit number 226878 - A Well static water level reported **16 feet**

(5) Jay Goza Trust (Rothe) 274 1st Ave Well was out of water 50% of the time for two years.

Permit number 259513 Static water level reported **2 feet** 2019 Static water level down

(6) Truyello well address unknown 1st Ave

Permit number 2947-F Static Water level report **6 feet**

(7) Harrell Brian 288 1st Ave Well not used, abandoned

(8) Dilka well address unknown 1st ave

Permit number 44539 Static water level **3 feet**

(9) Vanbeber well address is unknown

Permit number 25941 Static water level reported **2 feet**

(10) Wadsworth 260 1st Ave. Well abandoned

Permit number 19472-F Static water level reported

(11) Vanbeber well address unknown

Permit number 16038 Static water level reported **4 feet**

Conclusion for the up gradient : The ground water level decreased between 10 and 15 feet during the dewatering process. Do not know if the slurry wall increased the ground water levels along 1st Ave. The Operator and J&T Consulting did not measure the baseline water levels starting 2 years before the slurry wall was installed, as suggested in the McGrane Report dated July 13, 2015.

It appears that the ground water levels along 1st Ave. have permanently been lowered by at least 10 feet since the dewatering and slurry wall installation. There has not been any ground water recovery since the slurry wall has been installed.

DOWN GRADIENT

(1) Varra This well is a dewatering well located in a gravel pit SE of the Loloff pit.

Permit number 75865-F

(2) Davis Farms This well is actually owned by the Global assets the owner of the Loloff & Derr Pits.

Permit number 14960-R Static water level report **31 feet** This well has been **dry** several years

(3) Baab This well had been abandoned since the early 2000s

Permit number 620-W Static water level report **9 feet**

(4) Taylor This well has been dry since 2012

Permit number 223885 Static water level report **11 feet**

Conclusion on the down gradient wells: All of the wells had been abandoned or were dry, years before the report by McGrane July 13, 2015. McGrane suggested that the wells be located and water levels monitored before, during and after the slurry wall installation.

This report was presented to the Board Of County Commissioners in September and J&T Consulting and the Operator did not have an answer to "Why they did not follow up as suggested by McGrane". They asked for a continuance. There will be a Weld County Commissioner's meeting on November 20th covering the USR for the Derr Mining M-2008-017. There might be valuable information for the DRMS in this meeting.

If you have any questions, please contact Mel Bickling 970-227-8420 or mbick7077@outlook.com