



J&T Consulting, Inc.

September 14, 2020

Mr. Eric Scott
Environmental Protection Specialist
State of Colorado
Division of Reclamation, Mining, & Safety
1313 Sherman Street – Room 215
Denver, CO 80203

RE: Broken Arrow Investments, LLC – Derr Pit – Technical Revision No. 7 Request Adequacy Review Response – File No. M-2008-017

Dear Mr. Scott,

Broken Arrow Investments, LLC received the Technical Revision No. 7 Request Adequacy Review Letter from you on September 1, 2020. In response to your letter J&T Consulting, Inc. is providing the following responses on behalf of Broken Arrow Investments, LLC.

What documentation will be provided to confirm that the attempt to measure the well was made on the agreed upon day/time, and that the owner/tenant either refused access or would not shut down the well to allow for measurement?

After discussions with Broken Arrow Investments, LLC and AgPro the documentation will be an e-mail from AgPro on the day that they measure the on-site and off-site wells for Broken Arrow Investments, LLC. AgPro will provide the response to Mr. Kelly Hodge and he will send that response to DRMS.

How many months (especially consecutive months) will a well location be “skipped” due to lack of access or shut-down before it either invalidates the agreement between the permittee and landowner, or will necessitate that a revision be submitted to remove the well from the monitoring program?

Broken Arrow Investments, LLC has seen 3 months consecutive for a couple of the wells this year but believe it could be up to four months if wells start pumping in May and run continuous until September 1st. Currently there is not a clause that discusses removing a well because it cannot be read in the agreements due to continuous pumping. At this time we would propose to continue monitoring as best we can to keep logging and measuring wells that can be measured and measure the wells that have been running continuously once they shut down. Once the slurry wall is constructed and certified another technical revision can be submitted where some of the off-site well monitoring could be removed as at that point the impact of dewatering has been mitigated.

Broken Arrow Investments, LLC appreciates your consideration of this response and looks forward to your approval of this technical revision.



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Please feel free to contact me with any questions or comments.

Sincerely,



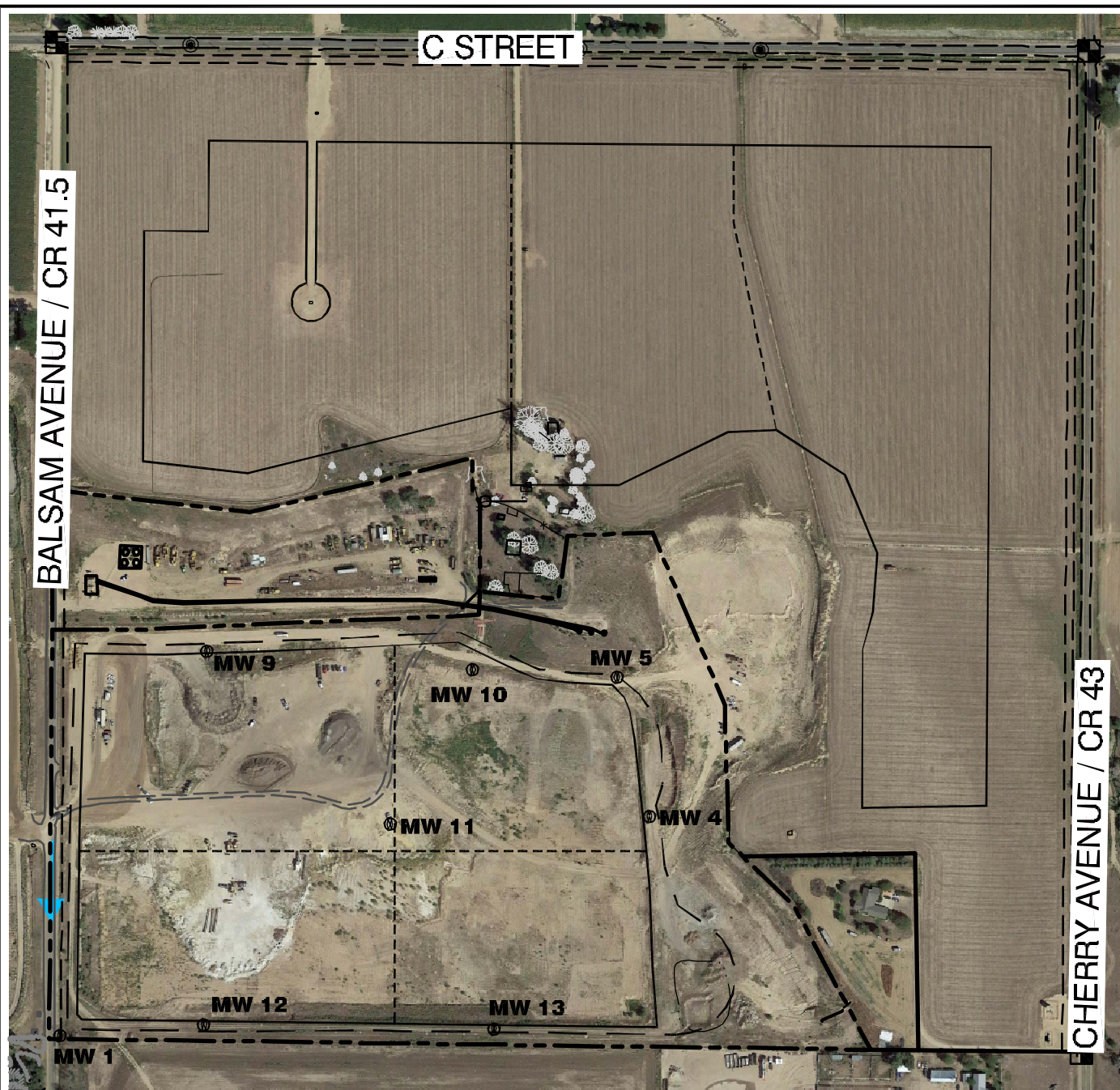
J.C. York, P.E.

J&T Consulting, Inc.

Attachments:

On-Site Monitor Wells to be Removed Map

cc: Broken Arrow Investments, LLC
File



LEGEND:

MW 1 MONITORING WELL NUMBER TO BE REMOVED



SCALE IN FEET



J&T Consulting, Inc.

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BROKEN ARROW INVESTMENTS, LLC
DERR PIT
MONITORING WELL LOCATION MAP

Date:	8.6.19
Job No:	07123
Drawn:	WSS
Scale:	1" = 400'
Sheet: 1	Of: 1