



10/14/2022

Brock Bowles
Environmental protection Specialist
Colorado Division of Reclamation Mining & Safety (DRMS)
1313 Sherman St., Room 215
Denver, Colorado 80202

Re: Response to July 12, 2022 Adequacy Review #1, Technical Revision, Goose Haven
Reservoir M-2010-071

Mr. Bowles,

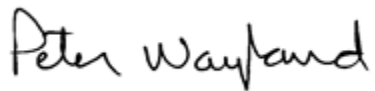
I have copied your comments below and provided responses in bold italic.

1. What is the timeline for moving the topsoil from the File Pit to the Goose Haven Pit?
There needs to be a defined timeline to ensure all needed topsoil is onsite at the Goose Haven Pit within a reasonable time period.
The timeline for hauling topsoil onsite from the File Pit 112 will be Spring 2023 or more specifically before May 2023. The imported topsoil will be stockpiled adjacent to the onsite topsoil and will be seeded to allow sufficient growth to establish during the 2023 growing season.
2. It is being proposed to import all the topsoil needed to reclaim Cell 2A. While this is ideal, it is the Division's opinion this is not totally necessary. The existing topsoil at the Goose Haven Pit can be inoculated, or mixed with the new, File Pit topsoil. Please clarify if all the topsoil will be imported or if the topsoils will be mixed and at what ratio.
The operator appreciates the Divisions recommendation here and therefore would like to revise the minimum amount topsoil to be imported to 20% of the required volume for Cell 2A, which is 3621.2 yd³. This volume will allow for a blending of 5:1 (Existing:Imported). Blending will occur at the time of placement and will be achieved by loading the scraper with 1 loader bucket of imported topsoil to 5 buckets of onsite topsoil.

3. An affidavit signed and notarized by the operators of both operations stating that some topsoil at the File Pit will be reserved for the Goose Haven Pit, and that the File Pit will still be able to complete its reclamation obligations.

An affidavit including the above language has been signed and notarized by the operator of the File Pit 112. This operator is also the prime contractor for design build of the Goose Haven Reservoir Complex Expansion project which includes contractual obligations to comply with all permitting. We request that you reconsider the need for the City of Lafayette's signature on this document.

Sincerely

A handwritten signature in black ink that reads "Peter Wayland". The signature is written in a cursive, slightly slanted style. It is contained within a thin black rectangular border.

Peter Wayland
President

Encl. Affidavit

AFFIDAVIT

Whereas; Rock Products of Colorado LLC of which Jon File is the managing partner, has been contracted by the City of Lafayette for the design build of the Goose Haven Reservoir Complex Expansion Project #2, #4. Now therefore; the operator of the File Pit 112 (M-2004-047), Farfrumwurkin LLLP, by Jon File, as managing partner, does hereby certify that a minimum of 3,610 yd³ of clean non-contaminated (with hazardous materials or petroleum products) topsoil at the File Pit 112 (M-2004-047) will be reserved for Goose Haven Reservoirs Complex Expansion #2, #4 (M-2010-071) and that the File Pit 112 (M-2004-047) will still be able to complete its reclamation obligations.

NOTARY FOR OPERATOR OF FILE PIT 112 (M-2004-047)

ACKNOWLEDGED BY:

Operator of File Pit 112 (M-2004-047) Farfrumwurkin LLLP Representative Name Jon File

Date 10/13/22 Title General Partner

STATE OF Colorado)
) ss.
COUNTY OF Weld)

The foregoing was acknowledged before me this 13 day of October, 2022, by

Jon File as General Partner of Farfrumwurkin LLLP.

Patrick Dugdale
Notary Public

My Commission Expires: 08-24-2023

PATRICK DUGDALE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20114053038
MY COMMISSION EXPIRES AUGUST 24, 2023