



November 30, 2022

Division of Reclamation, Mining and Safety  
1001 East 62<sup>nd</sup> Avenue  
Rm 215, Attn: Mr. Brock Bowles  
Denver, Colorado 80216

**RE: Response to Technical Revision 7 Adequacy Review Comments  
Timnath Connell Pit, Permit No. M-1999-050**

Dear Mr. Bowles:

The following discussion is submitted on behalf of our client, Connell Resources, Inc., in response to the Division of Reclamation, Mining and Safety adequacy review comments dated November 17, 2022, for the Timnath Connell Pit Technical Revision 7.

1. Relocated Box Elder Ditch structure agreement information

Although the Box Elder Ditch relocation agreement and plans contain a 20-foot ditch easement, do structure agreement has been finalized for mining within 200 feet of the relocated ditch. However, the ditch has been relocated in the previously mined and partially backfilled Phase 2 mining area of the Timnath Connell Pit. Although backfilling around the ditch is not yet complete (approximately 2 vertical feet of backfill is still proposed), Phase 2 mining is complete and further mining will not take place within 200 feet of the relocated ditch.

2. Relocated Box Elder Ditch floodplain information

As stated above, the Box Elder Ditch has been relocated in a previously mined and partially backfilled area of the Timnath Connell Pit. Additional backfilling (approximately 2 vertical feet) is proposed for the relocated ditch area to return the land surface to the pre-mining elevation. It is because the land around the relocated ditch is not completely backfilled that the constructed ditch is above the current ground level. Since the top of the constructed ditch is at the pre-mining ground elevation, the ditch will not have an impact on the Cache la Poudre floodplain or floodway. Since no impact is anticipated, the Larimer County Floodplain Administrator has not been notified specifically regarding the ditch relocation.

If you have any questions regarding this technical revision and adequacy comment responses, please call me directly at (970) 227-2803.

Sincerely,

**Blue Earth Solutions, LLC**

A handwritten signature in black ink, appearing to read "Will Schenderlein", written over a horizontal line.

William Schenderlein, P.E.  
Project Manager

Cc: Kevin Anderson, Connell Resources, Inc.