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January 20, 2023

Mr. Leigh Simmons
Environmental Protection Specialist
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Oxbow Mining, LLC. Terror Creek Loadout, Permit C-1980-059
2022 Annual Hydrologic Report

Dear Mr. Simmons,

Please accept this letter as the 2022 Annual Hydrologic Report for the Oxbow Mining, LLC., Terror Creek Loadout. As the Division is aware the facility has been dismantled and equipment removed from the site. During 2022, no significant changes were made to the property. The drainage ditches and pods remain in place for sediment control.

The sediment pond and dugout pond are both inspected at least quarterly. No water discharges occurred during 2022. No water monitoring was performed or was required at this site. Water is no longer used at the property for dust suppression or office use.

During 2020, coal fines were removed and buried, and concrete structures were demolished and buried to prepare the area for construction of the presently approved Post Mining Land use as an RV/Boat – Equipment Storage Site. Oxbow continues to explore alternate uses for the property and may choose to revise the Post Mine Land use at a later date. The shower facility was removed from service, demolished and removed during 2019.

The site has two sources of water, neither of which were used in 2022. There is a domestic well which can supply water for the old office building and water is available from the Deer Trail Ditch. There is no record of consumptive use during the year.

Please call me at 970-929-6034 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads 'Doug A. Smith'. The signature is fluid and cursive.

Doug A. Smith
Chief Engineer

Xc: Mike Ludlow (OMLLC)
files