



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

May 15, 2023

Barbara Brunk  
Resource Conservation Partners, LLC  
P.O. Box 1522  
Longmont, CO 80502

**RE: Adequacy Review No. 4; Technical Revision (TR-1) – Revise Mining and Reclamation Plans and Maps to Account for Acreage Release Areas in AR-1; Irwin/Thomas Mine, Permit No. M-2016-054**

Dear Ms. Brunk,

On May 10, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS) received your responses to the Division's preliminary adequacy review dated April 13, 2023. After review of your responses the Division has the following comments.

1. The Reclamation Cost Estimate provide by the Operator/Permittee of \$8,176,204.00 has been accepted by the Division. This represents an increase in the required Financial Warranty of \$5,428,293.00 from the currently held amount of \$2,747,911.00. While the Division will approve TR-1 the revision will not become final until the outstanding financial warranty amount has been accepted by the Division. Please acknowledge the increase in the required financial warranty for the site.
2. The table below is an accounting of the permit acres through TR-1:

Mining Area	Original Permit Acres	Acres Released through AR1	Agreed Upon Acreage for TR-1	Acres to be Released through AR2	Final Acreage Accounting for Permit after AR2
MA1	211.3	62.96	148.34	23.54	124.8
MA2	37.7	0	37.7	0	37.7
MA3	28.4	0	28.4	0	28.4
MA4	18.4	0	18.4	0	18.4
<b>Total</b>	<b>295.8</b>	<b>62.96</b>	<b>232.84</b>	<b>23.54</b>	<b>209.3</b>

During the TR-1 process it became apparent that AR-1 did not release the full number of acres as was originally intended, 62.96 acres versus 86.5 acres. Another Acreage Release Request will be submitted, AR-2, that will request release of remaining acres or 23.54 acres. Please acknowledge that



the approval of TR-1 does approve release of any acres and the permitted acreage remains 232.84 acres.

3. Please acknowledge the following. The Operator/Permittee has committed to submitting and gaining approval of a Technical Revision to update the reclamation cost estimate for the site prior to mining Cells 4 and 5. The revision is needed to account for the deficit in the revised bonding amount to account for the importation of material needed to backfill Cells 4 and 5.
4. Through the review process the Operator/Permittee acknowledged that an increase in the maximum number of disturbed acres be increased to match the number of acres that are in MA-1 after approval of AR-2 or 124.8 acres. The Division will approve the increase from 51.95 acres to 124.8 acres. Please note with the approval of TR-1 the permit acres remain 232.84, the affected land acres remain to be equal to the permit acres of 232.84, and the maximum number of disturbed acres at any one time is 124.8 acres, please acknowledge.

This concludes the Division's Adequacy Review No. 4 of TR-1. The Division reserves the right to further supplement this document with additional items and/or details as necessary.

The decision date for this revision is currently set for **May 18, 2023**. If additional time is needed to address any adequacy items, an extension request must be received by our Office prior to the decision date.

If you need additional information or have any questions, please contact me by telephone at **303-866-3567 x8114**, or by email at [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us).

Sincerely,



Patrick Lennberg  
Environmental Protection Specialist

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