



June 14, 2023

Baxter W. Kirkland
Midway Aggregates, RLLP
P.O. Box 580
Rye, CO 81069

**Re: Midway Pit - File No. M-1988-018;
Technical Revision (TR-4) Preliminary Adequacy Review**

Dear Mr. Kirkland:

The Division of Reclamation, Mining and Safety (DRMS) received a request for a Technical Revision (TR-4) addressing the following:

Import Inert Fill / Update Mine Plan.

The submittal was called complete for the purpose of filing on June 5, 2023. The **decision date for TR-4 is July 5, 2023**. Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, **it will be your responsibility to request an extension of the review period**. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division may deny this Technical Revision.

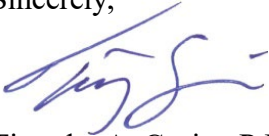
The following comments are based on the DRMS review of the request for TR-4:

- 1) Inert fill volume: The inert fill affidavit (Item 2) provided states there is 1,000 tons of inert fill. The DRMS requires a volume of fill material to estimate the impact on the reclamation cost estimate. Given variable nature of the observed inert fill (guardrail post concrete footings, recycled asphalt, soil, and some slabs of asphalt) it is very difficult to convert the tonnage of this material into a volume. Please provide an estimated volume of inert fill in cubic yards.
- 2) Avoidance of inert fill void space: Due to the long cylindrical shape of the aforementioned guardrail post footings it will be difficult to place these footings without creating significant void space (Item 5 of the inert fill affidavit) that could lead to settling. Please describe the intended placement method of the footings to avoid or significantly reduce void space when using them for backfill.



Please remember that the decision date for this application is July 5, 2023. As previously mentioned if you are unable to provide satisfactory responses to any inadequacies prior to this date, it will be your responsibility to request an extension of time to allow for continued review of this application. If there are still unresolved issues when the decision date arrives and no extension has been requested, the application may be denied. If you have any questions, please contact me at (303) 328-5229. *(Please note I will be out of the office beginning Monday June 19th and will not return until June 29th. If you need assistance during that time, please contact Michael Cunningham at 303-866-3567, ext. 8116).*

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Cazier', with a stylized flourish at the end.

Timothy A. Cazier, P.E.
Environmental Protection Specialist

cc: Michael Cunningham, DRMS
DRMS file
Tim Gerken, Telesto