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February 27, 2024

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  
2023 Annual Hydrologic Report

Dear Mr. Simmons,

Please accept this letter as the 2023 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 2023, a temporary storage tent facility was added to the property and concrete structures at the rail level were removed. The existing drainage ditches and ponds 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..

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 – Industrial Equipment/Material 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. There is a domestic well which can supply water for the old office building and water is available from the Deer Trail Ditch. A small amount of Deer Trail Ditch Water was used at the property for dust suppression and construction compaction. 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, with the first name 'Doug' being particularly prominent.

Doug A. Smith  
Chief Engineer

Xc: Mike Ludlow (OMLLC)  
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