



Mr. Lucas West
Environmental Protection Specialist
Mineral Program
Colorado Division of Reclamation
And Mine Safety
lucas.west@state.co.us

April 4, 2024

Dear Mr. West:

Pursuant to the Stipulated Settlement Agreement Between the Division of Reclamation, Mining, and Safety and Butala Construction Company ("Butala"), submitted July 15, 2023 ("Agreement"), and the Cease and Desist Order issued with the MLRB Board Order of August 21, 2023, we hereby request approval to begin construction and excavation activities related to realignment of the drainage ditches on the Mine property.

Butala is currently working under a compliance plan with the Water Quality Control Division regarding its two permitted discharge points, Outfall 001A and Outfall 002A. The main contemplated action of the compliance plan is realignment of two drainage ditches in the Mine area to limit contact between the surface runoff water conveyed by the ditches and historic slag material. The approximate location of the existing ditches and the planned realignment are illustrated in the attached figures.

We look forward to your response.

Charles L. Kellerman

Charles Kellerman
Vice President
Butala Construction Company

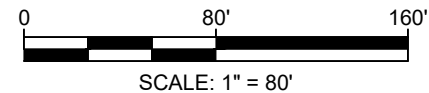
PLOT DATE: 6/23/2023

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LEGEND

- Culvert Location
- Ditch Location



Pinyon Environmental, Inc.	
CONSTRUCTION ITEM #1 - SOUTH PIT FEEDER DITCH <i>Butala Sand & Gravel Discharge Permit Compliance Salida, Colorado</i>	
Drawn By: SJA	Figure: 1
Reviewed By: DW	Date: 6/23/2023

Site Location: Section 25, T 50N, R 8E, New Mexico Meridian

Pinyon Project Number: 1/22-1507-01.001.REG003.1



Coordinate System: NAD83 COLORADO STATE PLANES, SOUTH ZONE, US FOOT - CO83-SF

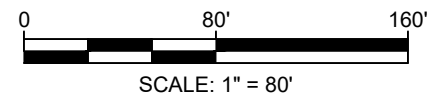
PLOT DATE: 6/23/2023


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LEGEND

-  Cut Location
-  Fill Location



	
CONSTRUCTION ITEM #2 - OUTFALL 001A FEEDER DITCH	
<i>Butala Sand & Gravel Discharge Permit Compliance Salida, Colorado</i>	
Drawn By: SJA	Figure: 2
Reviewed By: DW	Date: 6/23/2023

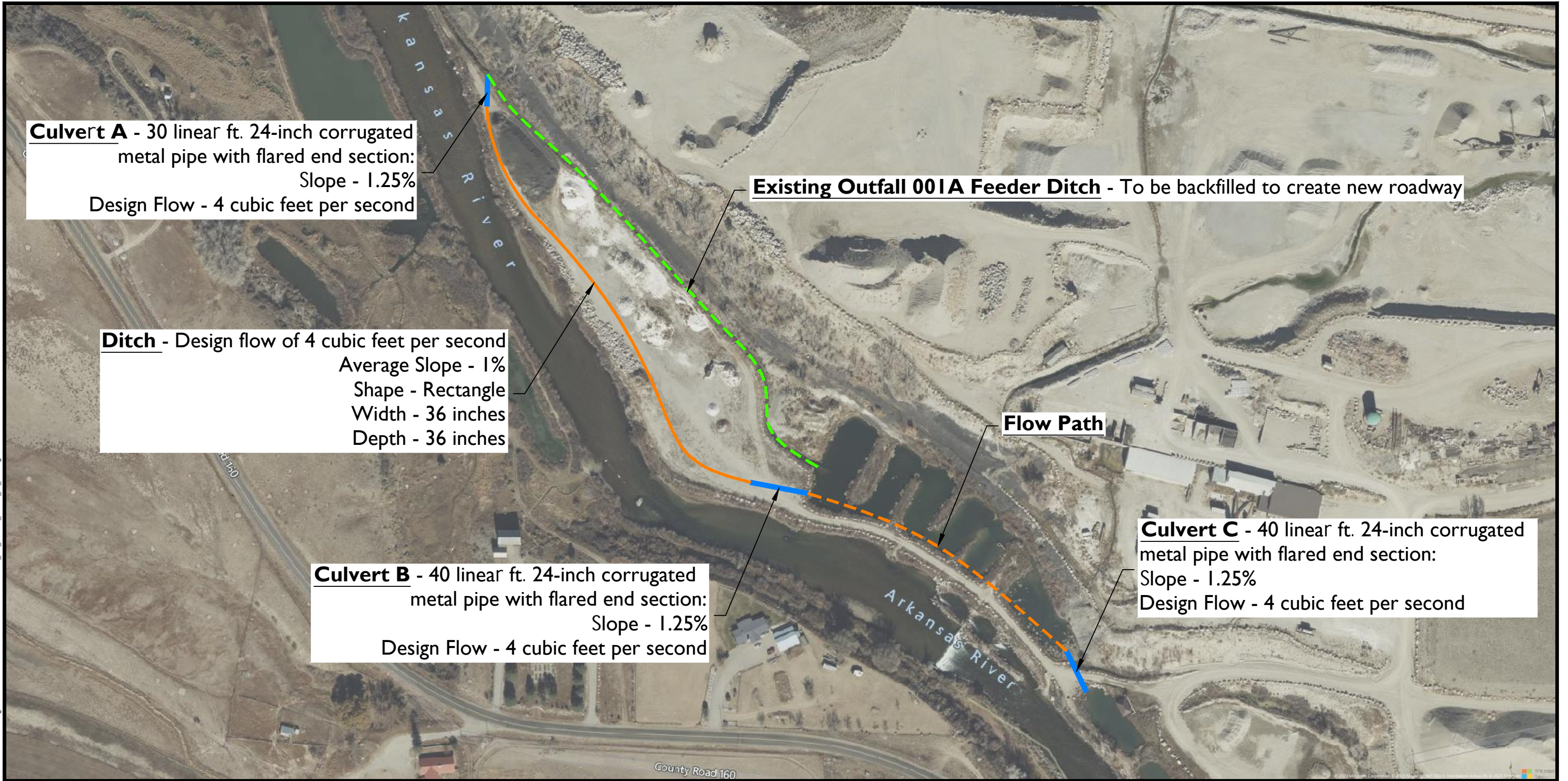
Site Location: Section 25, T 50N, R 8E, New Mexico Meridian

Pinyon Project Number: 1/22-1507-01.001.REG003.1

Coordinate System: NAD83 COLORADO STATE PLANES, SOUTH ZONE, US FOOT - CO83-SF

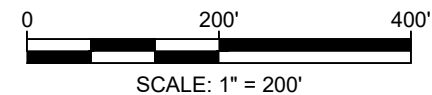
PLOT DATE: 6/23/2023

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LEGEND

- Culvert Location
- Ditch Location
- Existing Outfall 001A Feeder Ditch
- Flow Path



Pinyon
Environmental, Inc.

CONSTRUCTION ITEM #3 - OUTFALL 001A FEEDER DITCH

*Butala Sand & Gravel
Discharge Permit Compliance
Salida, Colorado*

Site Location: Section 25, T 50N, R 8E, New Mexico Meridian

Pinyon Project Number: 1/22-1507-01.001.REG003.1

Drawn By: SJA

Figure: 3

Reviewed By: DW

Date: 6/23/2023

Coordinate System: NAD83 COLORADO STATE PLANES, SOUTH ZONE, US FOOT - CO83-SF

PLOT DATE: 6/23/2023




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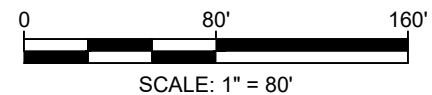


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LEGEND

-  Cut Location
-  Fill Location
-  Truck Access Area



**CONSTRUCTION ITEM #4 -
OUTFALL 001A FEEDER DITCH**

*Butala Sand & Gravel
Discharge Permit Compliance
Salida, Colorado*

Site Location: Section 25, T 50N, R 8E, New Mexico Meridian

Pinyon Project Number: 1/22-1507-01.001.REG003.1

Drawn By: SJA

Figure: 4

Reviewed By: DW

Date: 6/23/2023

DRMS Operation Request (Ditch Realignment)

Final Audit Report

2024-04-05

Created:	2024-04-04
By:	Peter Jaacks (pjaacks@bfwlaw.com)
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Transaction ID:	CBJCHBCAABAAC7KyWPwj7pylqJo4vxejv0odgSa0E9XU

"DRMS Operation Request (Ditch Realignment)" History

-  Document created by Peter Jaacks (pjaacks@bfwlaw.com)
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-  Document emailed to Charles Kellerman (chuck@butala.net) for signature
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-  Email viewed by Charles Kellerman (chuck@butala.net)
2024-04-05 - 2:13:40 PM GMT
-  Document e-signed by Charles Kellerman (chuck@butala.net)
Signature Date: 2024-04-05 - 2:18:46 PM GMT - Time Source: server
-  Agreement completed.
2024-04-05 - 2:18:46 PM GMT