

January 26, 2024

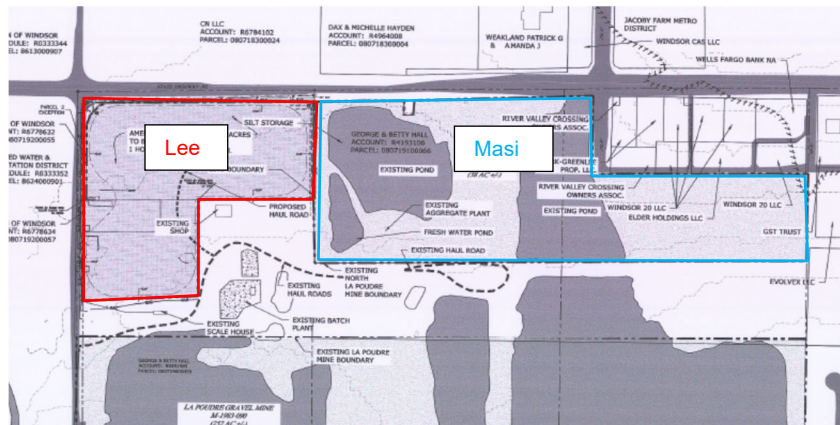
Eric Scott  
Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Dear Mr. Scott:

**Subject: Action Plan Regarding North La Poudre (M2000144) and La Poudre Gravel Pit (M1983090)**

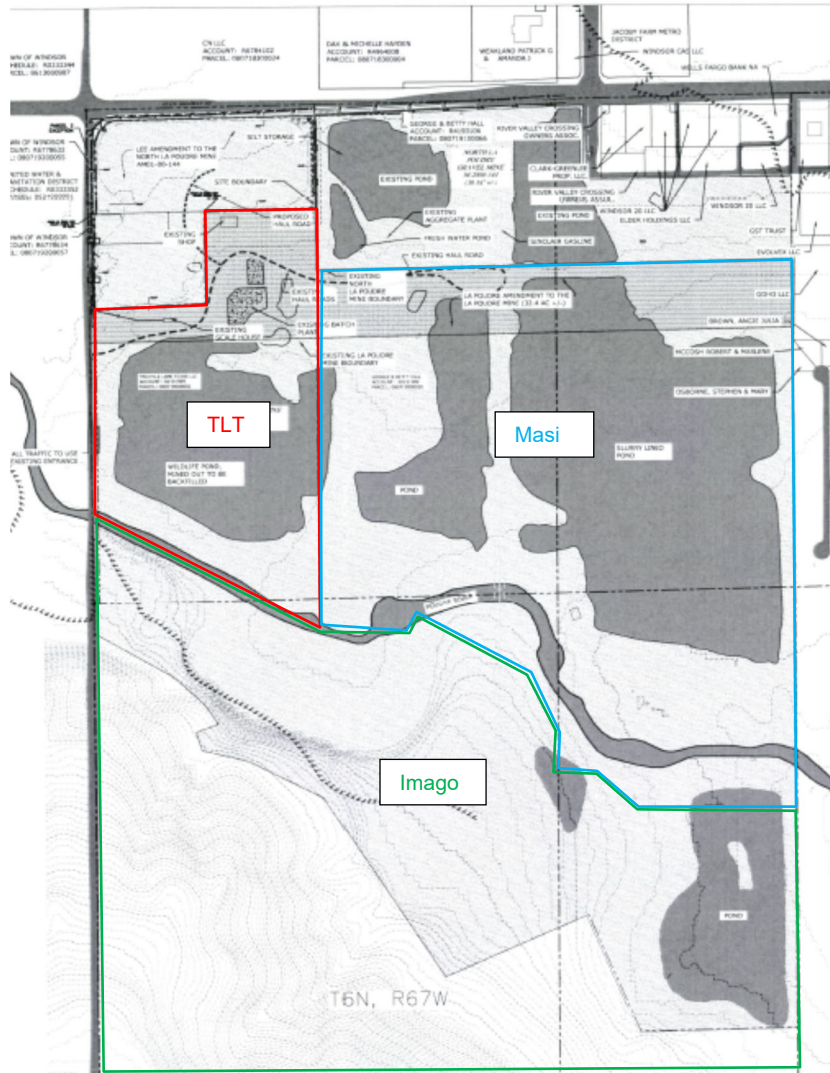
On November 15, 2023 a site inspection was completed at the North La Poudre (M2000144) and La Poudre Gravel Pit (M1983090). This site inspection identified a number of matters requiring corrective action. BURNCO Colorado LLC (BURNCO) is writing to provide you the following action plan. Please note that BURNCO is committed to ensuring the proper reclamation and closure of these sites. At the same time, the La Poudre Gravel Pit in particular has some challenges (as detailed below) which will require some time to work through. BURNCO thanks you in advance for your patience and assistance as we do so.

North LaPoudre Pit (DRMS Permit # M2000144)

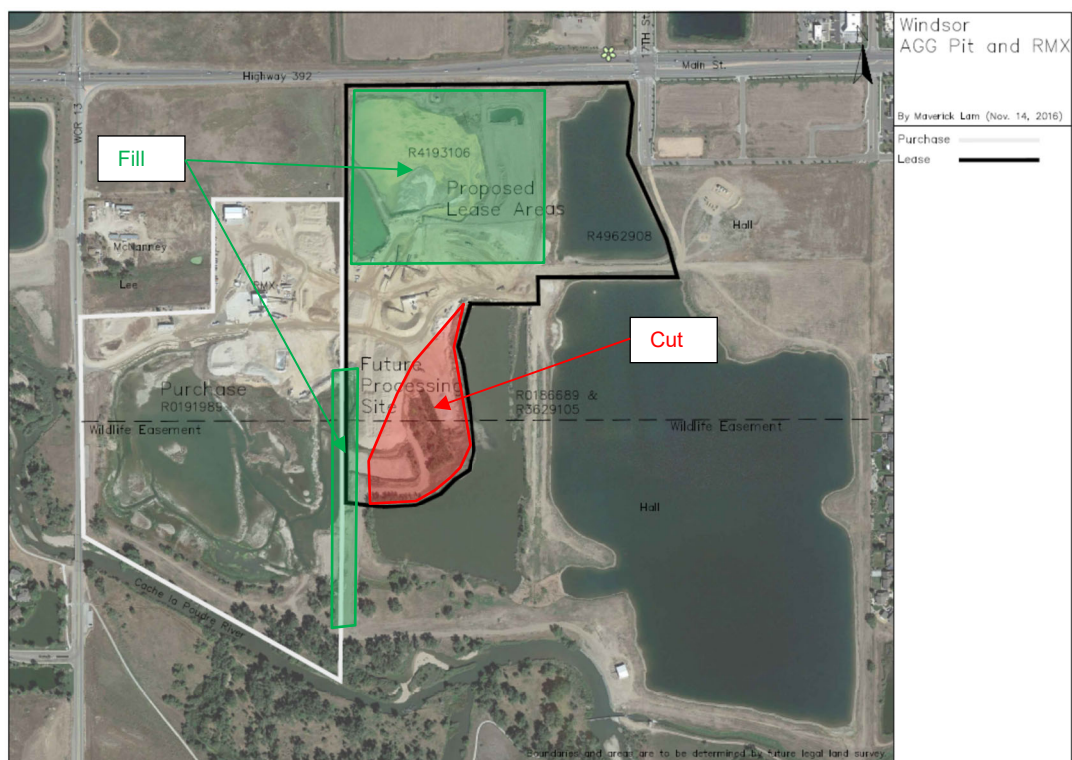


- 1) Complete a Succession of Operator application with DRMS to assign permit # M2000144 from Bestway Concrete to BURNCO. This will require right of entry forms completed by the property owners (Lee and Masi). BURNCO has current leases with both these landowners and does not anticipate issue with this.
- 2) Amend DRMS permit # M2000144 to remove the two westerly water bodies as had been planned in the 2017 permit amendment. These water bodies have been partially backfilled. The reclamation plan will be amended to show this area leveled and seeded to grass.
- 3) Amend the DRMS permit # M2000144 to reflect a compacted clay liner or slurry wall to be installed around the perimeter of the larger east pond. The intention that this pond be used for water storage and will eliminate the ongoing requirement for a SWSP. It is anticipated that this approach would create approximately 85 acre-feet of water storage.
- 4) Once the above amendments have been accepted, BURNCO would propose to complete the work and then seek closure on DRMS permit # M2000144.

## La Poudre Sand & Gravel (DRMS Permit # M1983090)



- 1) Complete a Succession of Operator application with DRMS to assign permit # M1983090 from Bestway Concrete to BURNCO. This will require right of entry forms completed by the property owners (TLR, Masi and Imago). BURNCO does not have a current lease with the Imago landowner, and it is anticipated that this will take some time to secure.
- 2) Secure permission from Colorado Department of Parks and Wildlife for installation of a compacted clay liner or slurry walls to be installed around the perimeter of the pond on TLT lands and the ponds on the Imago lands. At present there is a conservation easement in place on the lands and such permission will be needed to allow for such an approach. It is anticipated that this permission will take some time to secure.
- 3) Amend DRMS permit # M1983090 to reflect a compacted clay liner or slurry walls to be installed around the perimeter of the pond on TLT lands and the ponds on the Imago lands. The intention that these ponds will be used for water storage and will eliminate the ongoing requirement for a SWSP.
- 4) Additionally, and per the below draft mapping, BURNCO will amend DRMS permit # M1983090 to reflect grading changes. Those changes to include an increase in the area of the Masi water storage pond, and the backfilling the property boundary between TLT as well as some final infilling on the North La Poudre site.



We look forward to any questions or comments that you might have. As stated above, BURNCO is committed to ensuring the proper reclamation and closure of these sites and we appreciate your patience and assistance as we execute the above action plan to do so.

Sincerely,

**BURNCO Colorado LLC**

*Devon Glosser*

**Devon Glosser**  
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