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15 April 2025

Mr. Todd Jesse, Environmental Protection Specialist
Minerals Program, Grand Junction Field O□ice
Colorado Division of Reclamation Mining and Safety
Room 215, 1011 E 62nd Avenue
Denver, CO 80216 VIA E-MAIL (hard copy to follow)

SUBJECT: LINE CAMP PIT M-2001-001 AM-02 Response to Adequacy Review 2

Dear Mr. Jesse:

This letter responds to the Adequacy Review 2 letter of 07 April 2025, and the further correspondence by email since then. Thank you for your explanations.

Exhibit D:

1. We commit to submitting a technical revision (TR) further addressing the Floodplain Protection Standards, which were addressed in the Addenum to Exhibit D item 25.b. (page 27-1) in our previous response. Due to time constraints and factors explained below (item 4), we request that the due date for the submittal of the TR be made Monday, 11 August 2025 rather than 07 July 2025.

Exhibit F:

2. We will separately submit Pages 36 (revised), 36-1 and 36-2 with Maps F-3, F-3A and F-3B, with elevations and topography, including slope and flow direction. The complexity of the basins and berms (as required by Montezuma County) and ensuring good, controlled water flow through the site require that these be at a larger scale.

Exhibit G:

3. The 42 inches/year shown in the NOAA Environmental Atlas is a total evaporation rate, not a net evaporation rate. The average annual precipitation is 22 inches/year (USDA-NRCS National Water and Climate Center, map "Average Annual Precipitation – Colorado), Jenny Weisburg, 12/8/97 (1961-1990 annual average, as may be verified by the CDWR Decisions Support Systems map viewer online). Therefore, the *net* evaporation is only 20 inches per year. So the 11CW32/11CW33 allowed evaporative loss of 60.2 acre-feet. equal to 36.12 acres of open (exposed ground) water, not 17.2 acres. Therefore, the proposed area of 27.4 acres in basins (not year-round water surface (as noted in the addendum to Exhibit E, page 32-1)) is significantly lower than the Water Court decrees allow, and 3.6 times the area of the average expected open water surface.
   Please note that the annual evaporation rate at the site is significantly less than that at the nearest weather station (Dolores) while the annual precipitation rate at the site is higher than Dolores (which was used as the nearest station of record in the permit applications).

This is due to both higher elevation at the site, the terrain, and prevailing winds. Therefore, while we respectfully decline to commit to exposing no more than 17.2 acres of groundwater and to obtain additional water rights, we do commit to providing more information on anticipated water levels in the TR to be submitted by 11 August 2025, and not to expose ground water in the expansion area until that TR is approved by the Division.

4. This item appears to duplicate item 1 above. We continue to propose the choice of option #3 (detailed analysis regarding river capture or significant damage to the riverbanks) and a method using a detailed soil study but appreciate the willingness of the Division to allow the options and methods proposed open for now, as you discussed in email. To that end, and for the record, we wish to clarify why the other options were not chosen by us:
   a. I do not use the HEC-RAS or similar models frequently (like, every 2-3 years if that) and so I went out to ask other engineers who use it more frequently. Several told me that it was not suitable for this due to the changes during the life of the pit and the lack of information available, even with the relatively recent FEMA analysis of the floodplain in the area. One firm was willing to try it, but their estimate was 4-6 months and a minimum of $25,000 in cost, which is beyond the ability of Smith's Materials. In addition, the method apparently used by either FEMA, USACE, or one of their contractors to delineate the present floodplain extents and elevations in the present FIRM (2023) do not appear to be based on data sufficiently verified to meet requirements for input into models. They appear to be based on interpretation of satellite photography or orthophotography and do not accurately reflect either pre-mining or current terrain.
   b. The construction of structures to allow floodwaters to traverse the riverbank and enter/exit the pits would (a) require greatly expanding the permit and affected area, including expanding those boundaries to include National Forest System lands and triggering multiple federal regulations, and (b) would (in my professional opinion and experience with flow on the Dolores River) greatly *increase* the potential for significant damage to the riverbanks.
   c. During more than 20 years of mining the Line Camp Pit, with multiple high-water events (some of which were evaluated at being 100-year-plus events), there has been no pit capture or significant possibility of that. The design of the original pit and the expansion of the pit to the south a decade later had, as one of the design considerations, the prevention of such capture or damage. The mining of the pit actually has expanded the capacity of the 100-year floodplain (but outside the floodway). We appreciate the Division's continued willingness to discuss all these options, and thus both continue to protect the environment and land owned by the operator and provide for the economic feasibility of producing materials needed in the region now and in the future.

Thank you for your recent inspection of the facility. If there are any points of concern about that inspection, please let us know so we can also provide additional responses as appropriate.

Respectfully submitted,

Nathan A. Barton, CE, PE, DEE
Environmental and Permitting Compliance Engineer
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