



September 16, 2025

Ed Seymour
Caerus Cross Timbers LLC
143 Diamond Ave
Parachute, CO 81635

**RE: Colony Shale Oil Project, Permit No. M-1980-047 , Technical Revision (TR-18),
Adequacy Review 4**

Dear Mr. Seymour:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced Technical Revision in order to ensure that it adequately satisfies the requirements of the Colorado Mined Land Reclamation Act (Act) and the associated Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations (Rules). During review of the material submitted, the Division determined that the following issue(s) of concern need to be adequately addressed before the Technical Revision can be considered for approval. Items that have been completely addressed have been removed. **New or amended items are listed in red.** Please provide the following:

Continuity between Exhibits

1. The Reclamation Plan and Cost estimate no longer propose revegetation within Area 5, However the supplemental vegetation information states that 0.46 acres requires revegetation. Please clarify if revegetation is required, if so clarify the acreage and treatments.
2. On the Vegetation survey map C1 table Colony Mine Reclamation Plan Outline the grading volumes and push distances don't correspond to information presented in previous exhibits.
 - a. Volumes withing page C1 are inconsistently presented specifically for Area 18G
 - b. 0.23 acres associated with area 6 on the mine bench is not included in the report.
 - c. Or 0.64 acres for Area 7.
 - d. 0.10 ac for area 10A.
 - e. 0.7 ac for area 15 A/B.
3. Vegetation section, map C! Reclamation Plan Outline table. For Areas 16A , 16B, 18F, 18G, ESR, Misc Area acreages does not match other exhibits.
4. Volumes for areas 18G(2) and 18G(3) are not consistently presented through Exhibits D, E and L.



Reclamation Plan

5. Will any spot seeding be required in areas where recontouring will not be completed for the purpose of increasing vegetation density? If so, please specify which area(s), how many acres and anticipated methods used.

Has vegetation been surveyed in all areas where contouring will not take place to ensure that additional spot seeding is not required? The Division cannot assume areas have completely self-reclaimed. Provide additional documentation spot-seeding is not required or update the plan accordingly.

For all areas, please clarify what vegetation the threshold is to be considered successfully reclaimed (cover density). Clearly identify the adjacent undisturbed area(s) the reclaimed area(s) will be compared to (source of the cover density threshold).

Quantitative information should be provided expressly stating what the total acreage is associated with area that is considered adequately reclaimed. Additionally, provide a quantitative evaluation of the vegetation demonstrating that it is comparable to the surrounding areas.

Alternatively provide the Division with the total affected land for each area, including those areas that QB believed have self-reclaimed. For the time being the Division will bond for a portion of that are to be "touch-up" seeded until such time as it can be inspected and release.

Area 6

6. The Reclamation Plan states that the water discharging from the portal has been sampled and tested. Please provide sampling results to demonstrate water quality. Rule 3.1.6
 - a. Clarify what water quality standard the sample results were compared to.

Water sampling and analysis were provided by Entrada. It was noted in the report that the samples were compared to Regulation 41 (groundwater standards). The discharging water from the portal is considered surface water and subject to Regulation 31. Please revise Table 1 of the report to summarize sampled constituents against the standards of Reg 31. If you are applying in stream standards, also please specify which segment is applicable.

Area 7

7. Does the 0.46 ac of reveg in Area 7 include reclaiming that areas disturb to install the new drain structure? If that is the area for weed treatment what is the approximate area to be disturbed and thus requires revegetation after installing the new pipe?

Area 18C

8. What is the anticipated depth of surface roughening with the excavator?

Reclamation Plan Maps

9. Per Rule 6.2.1(2)(b) all maps must be prepared and signed.

10. 12 wells are slated to remain. Please label all wells (with the referenced number on the well list) to remain on the applicable map(s).
11. On all maps, indicate where revegetation measures (seeding) will be conducted vs areas that are undisturbed or successfully volunteer reclaimed. Use multiple maps if necessary to clearly delineate areas which require additional reclamation measures.
12. All maps include contour lines, however several of the maps do not include a single elevational callout to add meaning to the contour lines.

Exhibit L

13. Incorporation of fertilizers or soil amendments are proposed, are the unit costs provided materials only or does that include the hydraulic application?
 - a. Please specify the per unit cost for materials only of soil conditions
 14. Please include costs for all remaining reclamation activities to be completed in Area 16. According to the Reclamation Plan, plug waterline, remove 2 foundations, and 49 jersey barriers still remain in are 16.
 15. Please provide anticipated job hours for each task specified in Exhibit L (Takeoff Estimate)
 16. Within the volume table provided on both the maps and reclamation plan the average push grade % is provided. All % provided are positive, is that to mean they are all uphill pushes? If not, please revise the table to include – (negative) where the push % is downhill.
- Note: No indirect costs were accounted for in Exhibit L (Takeoff Estimate), the Divisions estimates will include an additional approximately 21%.

Area 5

17. The vegetation survey indicates that hand pulling of weeds around ponds 3, 4 and 5 shall be completed for 2 years in addition to spraying. Please indicate the number of acres associated with each pond.

Area 6

18. Area 6 & 6A lines C3 and C12. Both are decompacting 2.9 ac with a ripper and dozer but they have significantly different costs, please explain. Also, if 2.9 on the main bench is to be ripped shouldn't it also be revegetated? Double-check the acreages provided.
19. Please provide a unit cost for removing and reapplying 257 CY of gravel to adjacent roadways as referenced in the reclamation Plan.

Area 8

20. For task E4 (Grading the berm of Area 8B), why is the grading \$90 CY? This is significantly more than any other comparable grading tasks which range from \$5-\$2 CY?

Area 10 A

21. Please provide the anticipated cost and total job hours to removal all delineator posts by hand from Area 10A.

Area 15A/B

22. Why is weed treatment (task J1) considerably more expensive compared to other areas. The vegetation survey did not indicate an extensive problem.

Area 16A

23. Please provide a cost for removal of the 49 Jersey barriers.

Area 16B

24. Please account for plugging the other side of the water line in area 16B.

Area 17

25. Similarly to the question for Area 5, for task L1 removing the 50 CY of stockpiled gravel in Area 17. It is \$175CY to remove the gravel. Does this price include road maintenance to apply it nearby or what is driving this cost?

Area 18

26. How many linear feet of electrical cable needs to be removed from the poles located within area 18A. It should also be stated on maps and rec plans.
27. Include I line item for removal of the monitoring pins located within Area 18.
28. Include cost for grading and revegetation of area 18G-3.

ESR

29. A cost was included for the visitor's shack, however according to the narrative it has already been removed.

Please submit your response(s) to the above listed issue(s) as soon as possible in order to allow the Division sufficient time for review and adjust the estimate. If you cannot address the above issues by September 26, 2025 please request an extension to the decision due date to ensure adequate time for the Division to review materials. A decision due date of **October 10, 2025** has been set. If any adequacy issues remain by the decision due date the Division may deny your request.

The Division will continue to review your Technical Revision and will contact you if additional information is needed. If you require additional information, or have questions or concerns, please feel free to contact me.

September 16, 2025

Sincerely,

A handwritten signature in blue ink that reads "Amy Yeldell". The signature is written in a cursive, flowing style.

Amy Yeldell

Environmental Protection Specialist III

Ec: Travis Marshall, Senior EPS, DRMS