

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
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August 5, 2013

Linda Saunders
34315 Forest Park
Elizabeth, CO 80107

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

RE: Division response to questions received from Ms. Saunders on August 2, 2013

Dear Ms. Saunders:

The Division received two e-mails from you on August 2, 2013. The first e-mail received at 7:52 am was directed to CDRMS. The second e-mail was received at 9:53 am, is directed to Janet Garoutte of Colorado Division of Water Resources (CDWR), copied to CDRMS. Since the second e-mail is directed to CDWR, the Division of Reclamation, Mining and Safety (DRMS) will not address those questions, but will allow CDWR to respond to your questions. DRMS will attempt to answer the question from the first e-mail. Your questions have been included in the body of this letter in italics:

1. *When did the DMRS inform EFI that they had to have permits from the Colorado Division of Water Resources for MWNW, 16 and 23 and have they gotten them permitted to date?*

DRMS answer: The Division notified Energy Fuels during Midterm Review No. 6, dated February 20, 2013. As you are aware, based on your e-mail to CDWR, dated August 2, 2013, Energy Fuels has not yet permitted the water monitoring wells at the Southfield Mine with CDWR.

2. *How do I get this on the agenda for the Board hearing if they have not permitted them as requested by the DMRS?*

DRMS answer: The Division believes it would be premature to request a board hearing on this matter. The Division is working with Energy Fuels to resolve hydrologic concerns identified during Midterm No. 6. Energy Fuels submitted additional material for Technical Revision No. 40 on July 26, 2013. Technical Revision was deemed complete for purposes of filing on August 2, 2013. The Division will review this additional information for adequacy, and request additional information as necessary.

3. *And what regulation is not being met regarding this?*

DRMS answer: Rule 2.03.10.

Sincerely,

A handwritten signature in blue ink, appearing to read "George", written over a horizontal line.

Environmental Protection Specialist III
cc: George Patterson, EFCI