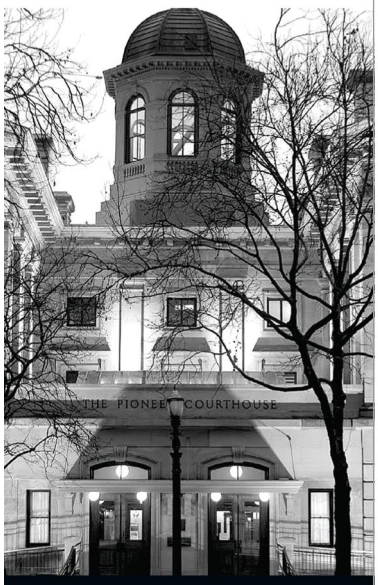

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

and

STATE OF NEW MEXICO ex rel.
STATE ENGINEER,

Plaintiffs,

v.

A & R PRODUCTIONS, et al.,

Defendants.

No. 01cv00072-MV/JHR
ZUNI RIVER BASIN
ADJUDICATION
Subfile No. ZRB-1-0148

REMOTE DEPOSITION BY VIDEOCONFERENCE

WALTER L. MEECH

TAKEN ON
WEDNESDAY, FEBRUARY 3, 2021
1:09 P.M.

201 THIRD STREET NORTHWEST, SUITE 1750
ALBUQUERQUE, NEW MEXICO 87102

Exhibit 2 - Walter Meech Deposition Excerpts

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Q. And where, generally speaking in Section 4, is the third well located?
A. It's close to where the 8B-1-SP34 is, the retention pond.
Q. Okay. And how long has that well been there? When was that well drilled?
A. Twenty-five years ago.
Q. And is that well utilized in mining operations?
A. It was -- it was used mostly to water trees. There was a tree farm down there.
Q. Is that well currently operational?
A. Yes.
Q. Okay. Is the tree farm still there?
A. Yes.
Q. The other two wells, G-336 and G-337, are they utilized in mining operations?
A. Yes.
Q. Okay. Both of them are or just -- or -- or one or the other?
A. Well, both of them were. The -- I believe the G-336 hasn't been running for a while. We've had some issues with it.
Q. Let's talk about 336. If I could direct your attention to what's been marked Exhibit 3 for

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identification.
(WHEREUPON, Exhibit 3 was marked for identification.)
BY MR. GOLLIS:
Q. It is four-page document. And if you wouldn't mind to take the time, take a look at that, familiarize yourself with it and then we'll discuss that a little bit.
A. Okay.
Q. Do you recall when Well G-336 was -- was drilled?
A. October 1988.
Q. Okay. And you were employed by C & E Concrete at that time?
A. Yes.
Q. Okay. And if you look at the last page of Exhibit 3, which contains an "Acknowledgment For Natural Persons," I take it you're the Walter L. Meech who acknowledged this document? Is that correct?
A. Yes.
Q. Okay. And does this -- does this document look to you like the declaration of owner of underground water right that you filed on behalf of C & E Concrete for -- for Well G-336 back in 2003?

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A. You -- you said 2003. This -- this was 1988.
Q. Right. No, the well was drilled in 1988; I understand that. But according to this document, you amended the -- the declaration of -- of right for this well in 2003. Does that sound familiar?
A. Yes, sir.
Q. Okay. And as I understand the document, which does note that water -- that the well was drilled in October of 1988, as you stated, the amendment was filed to -- to note that the well uses 90 percent -- well use is 90 percent rather than 60 percent, which was what had been, as I understand it, previously declared. Does that also sound familiar to you?
And I'm -- for the record, I'm -- I'm -- I'm referring to Paragraph 8 in that form, which is on page 3 of the material.
A. Okay. Yes.
Q. Okay. And the well itself had gone on line back in 1988. Is that correct?
A. Yes.
Q. Okay. Now, you mentioned that that well had some problems. What did you mean by that?
A. We -- just -- we've had some issues with

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the -- with the well being able to pump -- with the water. There was some -- they've done some work on it and -- some of the driller did, there was some problems with it.
Q. Okay. Is it currently being used?
A. It's -- it's not producing water right now. No, sir.
Q. Okay. Are you able to say when it stopped producing water?
A. No.
Q. Okay. Let me, if you wouldn't mind, direct your attention to what's been marked Exhibit 4 for identification.
(WHEREUPON, Exhibit 4 was marked for identification.)
BY MR. GOLLIS:
Q. This is another document from the New Mexico Office of the State Engineer, another Declaration of Owner of Underground Water Right. This one is for Well G-337. Will you go ahead and take a look at that for me if you wouldn't mind, and let me know when you're ready to proceed.
MR. GOLLIS: Tanya, while Mr. Meech is taking a look at that document -- forgive me, did you -- did I see that you did receive the --

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perfect. Exhibit 5.
And Greg, did you receive that as well?
THE REPORTER: I do have it, yes. Thank you.
MR. GOLLIS: Great. Thank you. And Ed? Okay.
MR. BAGLEY: Sorry, I'm juggling here. I -- I think so.
MR. GOLLIS: Okay. Great.
BY MR. GOLLIS:
Q. I'm sorry to interrupt. Mr. Meech, are you ready to proceed?
A. Yes.
Q. Great. And do you recall -- if you look at the last page of that four-page document, you'll see it also contains an "Acknowledgment for Natural Persons." And I take it that you, again, are the Walter L. Meech identified on that page who signed the declaration form. Is that correct?
A. Yes.
Q. And do you recall when Well G-337 was drilled?
A. 1995.
Q. And again if you take a look at Paragraph 8 on that form which is on page 3, this, again, was

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an amendment after -- after the drilling of the well, and it indicates that the amendment was filed because the -- the pumping capacity of the well needed to be clarified as well as the intensity of the use. The pumping capacity it states "60 gallons per minute and the use is closer to 90 percent per year rather than the 60 percent." Does that sound familiar to you?
A. Yes.
Q. Okay. And I understand that Well G-337 is still operational. Is that correct?
A. Yes.
Q. Okay. And so at this point for purposes of operations at the Tinaja Pit Mine, for water supply purposes, you rely on Well -- exclusively on Well G-337.
A. Yes.
Q. Okay. Do you recall, Mr. Meech, what the source of water supply was at the mine prior to the drilling of those two Wells 336 and 337?
A. It had no water except for ponding.
Q. Okay. And I ask this question understanding that 336 currently isn't pumping, but do both wells have meters on them?
A. Yes.

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Q. And can you recall for how long those wells have been -- have been metered?
A. The meters were put on when the wells were put into service.
Q. Okay. And -- and both wells have had meters on them continuously since that time?
A. Yes.
Q. Okay. Does C & E Concrete report those meter reads? Has over time, C & E Concrete reported those meter readings?
A. They have, yes.
Q. Okay. And to whom do you report -- do those meter readings get reported?
A. State Engineer.
Q. That's the New Mexico State Engineer's Office?
A. Yes.
Q. Okay. Let me ask you, if you wouldn't mind, to direct your attention to what's been marked Exhibit 5 for identification, which is a -- a series of four photographs of well meters.
(WHEREUPON, Exhibit 5 was marked for identification.)
BY MR. GOLLIS:
Q. So if you'll take a look at those and have

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them handy for reference, I'd like to chat about those a little bit when you're ready.
And the order of those -- just for the record -- and -- and -- and again these came from your legal counsel, the first one is a -- a large face. It's -- it's a "Model 55 Recordall" was the first page of the exhibit. The second one is also a Recordall. It's a smaller -- it's a smaller face in the photograph. It's a "Model 170 Recordall."
MR. GOLLIS: And also, for the record, I'll just note that the footer at the bottom of each of these photographs identifies them as an "Exhibit O - Photos of Meters on Wells" and that description was provided by counsel of record for C & E Concrete.
BY MR. GOLLIS:
Q. The third one in the series is a -- a meter. The brand appears to be "CARLON" C-a-r-l-o-n. And then lastly, the fourth one is a meter that on the bottom, just above the number "50," identifies, I think, the Brand as "HAYS," H-a-y-s, with an "05" above it."
So when you've had a chance to just take a look at those, let me know and then we can proceed.
A. Okay.

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Q. Okay. And do you recall specific instances of that happening in the past?
A. Yes.
Q. Are you able to recall when approximately that might have happened?
A. No.
Q. Would instances of malfunctions be something that are recorded, that there might be records of such occurrences?
A. No.
Q. You don't recall? Or there wouldn't be records?
A. There wouldn't be a record.
Q. Okay. If I could direct your attention to what's been marked Exhibit 6 for identification.
(WHEREUPON, Exhibit 6 was marked for identification.)
BY MR. GOLLIS:
Q. This is a document that was prepared, I believe by your company, that shows meter readings for Well G-336 by year. And if you go ahead and it's -- it's -- it's fairly lengthy. I think there's 15 or 16 pages. If you'll just take a look at that and familiarize yourself with it, and then we can talk about that a little bit when you're

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ready.
A. Okay.
Q. Okay. You're all set?
A. Yes.
Q. Okay.
So on the first page of this document, it shows meter -- it shows the -- the date of a meter reading and those dates are the -- the first day of each month in the calendar. And in the case of 2016, which is shown on the first page, it says the meter reading for each of those occurrences were "out of service."
To your knowledge what does that mean "out of service" noted there on that document Exhibit 6?
A. There was no water pumped out of that well.
Q. Okay. And so consistent with what you told us previously, Well G-336 at some point in the past stopped pumping and obviously it had stopped pumping by 2016. Is that right?
A. Yes.
Q. Okay. And if you flip those pages and take a look at -- the same is true for 2015, that is to say the meter readings note that it's "out of service"; 2014, the same; and, 2013, similarly

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indicates for the most part that the well was out of service. Does that sound right to you that that well G-336 has probably been unable to pump going back as far as the end of 2012, the beginning of 2013?
A. Yes.
Q. Okay. Are there any plans on your part, on C & E's part to rehabilitate that well?
A. Depending on our water needs, we may have to. So, yes.
Q. And your present -- Well G-337 is sufficient to serve your present water needs?
A. Yes and no. It -- it -- it does depending if -- on the weather conditions. Sometimes we still run short.
Q. In the past, I guess I'd say pre-2013, when Well G-336 was still pumping, did you -- how did you use the two wells? Did you -- let me stop there.
How did you use the two wells? And I can elaborate if you need me to.
A. The 337 was for dust abatement and water control, washing aggregates, adding the -- you know, water to aggregates, all those things. 336 was, you know, we -- we would put it where we needed it,

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whether it was for -- for -- for the -- for the office, for the bathroom or for, you know, if we needed to, we would put it in the tank for -- for dust abatement and water control.
Q. Consistent -- consistent with their pumping capacity as though -- it sounds like 336 was largely kind of supplemental to 337. Is that fair?
A. Yes.
Q. How do you -- if -- if G-337 -- if you go through periods of time where G-337 is insufficient to meet C -- C & E's needs, do you somehow supplement water from another source?
A. We do. We bring it up from Milan our -- our concrete plant and haul it up to the plant.
Q. Okay. And is that something currently that -- that occurs?
A. It has.
Q. Okay. And how far back into the past has that been something that you've done?
A. I -- I don't know.
Q. If I could direct your attention, Mr. Meech -- and I apologize that the pages of this exhibit aren't numbered, but if you turn to the very last page which shows the meter readings for 2001 and 2002, and you flip forward the next page is

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and then it flipped over and started over again.
Q. Okay.
A. Not re-set, but it actually, I guess it maxed out on its meter and it started over again.
Q. Okay. And would it have been C & E policy at that time to note that in the -- in the meter reading logs that there was a turnover?
A. I'm not sure.
Q. Okay. And if I could direct your attention actually to -- it's the very first page of the exhibit. It's the meter readings for calendar year 2016.
Are you ready?
A. Yes.
Q. Okay. If you'll look at the -- the meter reading for the month of April, "April 1, 2016," the reading is in the tens of thousands, it's "60700." The subsequent month, the month of May, "May 1, 2016," the reading is only in the hundreds, it's "740."
Are you able -- and we discussed this previously in the case of Well G-336. Are you able to say why there would have been a change in the order of magnitude of the reading there, the numbers?

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A. Probably a change of meters.
Q. Okay. And again, in the case of this particular one, if there, in fact, was a change in meters, there wouldn't be other records of the change. We would know that only from this meter reading data. Is that correct?
A. I -- I -- yeah, I think so.
Q. Okay. And again, at this point in calendar year 2016, Ed Moreland would have been the -- the individual at C & E who would have been responsible for reading the meters?
A. Yes.
Q. These records for calendar year 2016, for the meter readings for Well G-337 were the last records submitted by C & E to the New Mexico Office of State Engineer. Are you able to say why that is?
A. Well, we've actually updated it and we have -- we are current with the State right now.
Q. The State has records through the end of 2020? Is that right?
A. That is correct.
Q. Okay. And the reporting requirements currently in place are for C & E to submit the meter readings, again, on a monthly basis?
A. Yes.

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Q. In the case of Well G-336, which is not currently pumping, do you know -- do you submit meter readings nonetheless to the State or -- or not?
A. I'm not clear on that. No.
Q. You're not clear on my question? Or you're not clear whether those records are being submitted?
A. I am not -- I'm not clear on whether we submit the records on G-336.
Q. Okay. I ask because it's more likely that my question wasn't clear, but thank you for that.
A. No problem.
Q. You may have mentioned early on that there has been some repairs done to one or both of the wells over the years. Is that right?
A. That is correct. Yes.
Q. Okay. Let me direct your attention to the last exhibit that's marked Exhibit 8 for identification, which is a series of invoices that C & E received for, I think, what can fairly be described as repairs to the wells that we received from your attorney.
(WHEREUPON, Exhibit 8 was marked for identification.)

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BY MR. GOLLIS:
Q. And if you take a look at those for a moment and let me know when you're ready, I'd like to ask you a few questions about well repairs.
A. Okay. Go ahead.
Q. All right. This one is easy. We'll start right at the beginning.
If you take a look at that first invoice that's dated "August 6th, 2014," and it describes repairs, labor, service, equipment that was -- was used, are you able to say, Mr. Meech, which well that work relates to?
A. G-337.
Q. Okay. And do you recall what the purpose of that work was?
A. Reading from this invoice, they replaced the pump.
Q. Okay.
A. It looks like the pump and motor.
Q. Okay. If you flip to the -- the next page, the second page, the invoice there is an invoice from Coyote Drilling, Inc., to you and C & E, that's dated April 19th, 2016.
If you take a look at the description of the work there and I'll ask you if you recall which

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of the wells this work related to?
A. G-337.
Q. Okay. G-337 also. And do you recall -- this would have been about a year and a half later after the first repair -- what the -- what the purpose or the reason for this repair was?
A. Looks like they pulled the pump and motor and replaced it.
Q. Okay. So that would have been a second motor replacement just a year and a half after the previous one.
A. Yeah. Mining's tough on motors out there.
Q. I'll bet it -- I'll bet it is.
If you turn to the third page now, which is another invoice from Coyote Drilling, this one is dated September 7, 2016. So almost a half a year later, and it refers only to a pump test that was done on one of the wells. Do you recall which well that would have been?
A. It would have been G-337.
Q. Okay. And do you recall, by any chance, what the -- what the need for the pump test was at that point in time back in September 2016?
A. I think our -- our volume of water was getting -- it was dropping, and so they were -- you

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know, I'm assuming we were trying to test to see if it was related to the pump and motor.
Q. Okay. Back in 2003, when you submitted the Amended Declaration of Water Right to the New Mexico Office of State Engineer, you had -- you indicated on that declaration -- and I'm referring to Exhibit 4 -- that the pumping capacity of that well was "60 gallons per minute." And I'll give you a chance to turn to that Declaration Form for Well G-337.
A. Yes, sir.
Q. And it does say -- if you'll look at the second page, which is page 1 of the form you filled out, it does say that the -- under "3. Description of Well" that the original capacity was 60 gallons per minute, and the present capacity in 2003 was also 60 gallons per minute. Do you see that?
A. Yes.
Q. Do you have any idea at present what the pumping capacity of that Well G-337 is?
A. We're closer to probably 65.
Q. Okay.
A. We -- we have it chocked down to about 48, but we're -- it's probably closer to about 65 gallons a minute.

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Q. Okay. And is it also fair to say that -- that that well operates still at -- at about 90 percent of the time as you had indicated in that Amended Well Declaration back in '03?
A. Yes. Well, you know, if we can get 100 percent, we'd go for 100 percent; but, you know --
Q. Whatever you can get out of it in other words.
A. Yeah, whatever we can get out of the well.
Q. Okay. Are you able to estimate at present how much water you all were importing from your Milan facility to make up for the inability of 337 to keep up with the needs at the mining facility?
A. The water that we were hauling from -- from town was not enough to keep up. We were just trying to maintain, but we were still below standards as far as what we needed to be able to -- to -- to be able to fully operate. We were running -- we could only run -- we only had one tank and we were running about six to seven loads a day, I think is what it was. And it's a 6,000 gallon tank.
Q. And when you say "six or seven loads a day," are you talking about water truck loads?
A. Yes, sir.
Q. And -- and what's the size of the -- of

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the water trucks you all were using?
A. 6,000 gallons.
Q. And what's the source of the water at your Milan facility?
A. The Village of Milan.
Q. You're part of the public drinking water system down there, whatever the case may be?
A. Yes, sir.
Q. Okay. Back to -- if we can go back to Exhibit 8, Mr. Meech, which is the invoices, the well repair invoices, if I could --
A. Yes.
Q. -- ask you to turn to the -- the fourth page, which is an invoice from L and C Inc., to C & E dated April 10, 2017.
A. Yes, sir.
Q. And that one, as you can see, it looks like there was another pump pulled from the well and they took a video of the well. Do you recall which well that work was completed on?
A. G-337.
Q. Okay. Is it fair to say at this point, in 2016-2017, there was no work ongoing on -- on Well G-336?
A. Correct.

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Q. It was sitting idle at the time. It wasn't pumping; correct?
A. Yes.
Q. Okay. And do you recall in the case of this fourth invoice, what -- what was the need that arose that you needed them to pull that pump again and take a look at that well?
A. We -- we needed to look down. We -- we were having problems with the well, and we needed to look down it and see what the -- what was going on inside of it and see what solutions that the well companies suggested for repairs on it.
Q. And when you say you were having problems with the well, is that the -- the pumping capacity of 60, 65 gallons per minute max, just you weren't hitting anywhere close to that? Is that the -- what was happening?
A. Correct. Yes.
Q. And if you recall, when you had the -- when you had those problems back in 2016-2017, what was the -- the pumping capacity of -- of the well going down to that -- that -- that raised the concerns?
A. I -- I'm not sure.
Q. But it must have been something noticeable

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obviously --
A. Yes, sir.
Q. -- operational.
A. Yes.
Q. The next invoice on the fifth -- the fifth page, which is another invoice from Coyote Drilling to C & E, this is dated a couple of months later, June 7, 2017. This was quite a bit of work. Can you -- I -- I guess, first, can we confirm that this was work again completed on Well G-337?
A. Yes.
Q. Okay. And do you recall what the nature of this work was?
A. It was to go in and clean this out and re-case it. If I remember right, when LC Jones first did the well, he only cased it down so far and we didn't have casing on the lower part of the well. So we had to have them go in and re-drill this and then case that. And there was still enough room to be able to get a big -- the bigger motor in there to do it, but it -- what had happened was is it started to collapse on that lower part.
Johnny Jones or LC Jones, he didn't think that -- he thought because it was in the sandstone and limestone, it didn't need to be cased, but it

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proved to be not a -- a smart thing on our part to let him do that.
Q. And so the purpose of this repair was to -- - was to essentially fix that problem.
A. Yes, sir.
Q. Okay. And were you successful in that?
A. Yes.
Q. Okay. And on the back of that invoice on the next page, there's another invoice from Coyote Drilling dated just a -- a couple of days -- a couple of weeks later, June 20th, 2017. Again, I imagine it's probably fair to say this was work that was completed on -- on Well G-337?
A. Yes.
Q. Okay. And is this showing essentially completion of the work that had begun as shown on the previous invoice?
A. Yes.
Q. Okay. And I do see here that one of the entries dated June 16th, 2017, indicates that a meter was installed on that well?
A. Yes.
Q. Okay. And that would have been at that time, I would imagine a -- a new meter, or would they have replaced a meter that had previously been

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on the well?
A. You know, I would have to say they replaced the one that was on there because there's no -- they don't have the cost of putting the new meter on there.
Q. Okay.
A. So I --
Q. And so I -- I --
A. -- I mean, I'm -- I'm just looking at the invoice. That's all I --
Q. No, no, no, I understand. So -- so you -- you're guessing, and I -- I -- I -- I understand that, but you're guessing that -- that they -- they re-installed the meter that had been on the well before they performed that work.
A. Yes.
Q. Okay. Is that something that Ed Moreland might know? Or who at C & E might know for sure that that, in fact, was the case?
A. The closest person would be Ed.
Q. Okay. Let's take a look if we -- if -- if we would at the -- at the next invoice, which is again another -- another invoice from Coyote. I actually think this is an invoice that -- I think this is just a balance. This is not a new -- this

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isn't new work. This -- this invoice -- well, let me ask you.
Is the invoice from Coyote Drilling dated July 1, 2017, again, work that was performed on Well G-337?
A. It's -- it's the same invoice as the one which was Invoice 5513 -- is the same one that's 7/1/2017.
Q. Got it. Okay. So it's just a different invoice for the -- for the exact same work.
A. Yes.
Q. Okay. And if we can turn to the next one, again, from Coyote Drilling, an invoice to C & E dated January 7, 2019, if you take a look at that, are you able to confirm that this, again, was work performed on Well G-337?
A. Yes.
Q. And are you able to recall what the nature of this work was?
A. After we did the fixing of the well, then we had the -- it changed the integrity of the water a little bit, and we were having an issue with the water actually causing a green moss or buildup. I don't know what they're called. I -- I don't know the -- the name of it, but we had to change the pipe

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out and go to stainless steel.
So on the second item that says "Quantity 8," that "SS" is stainless steel pipe. And so we had to -- we had to put stainless steel in there to stop the buildup of the black whatever was building up on the -- on the cast -- cast iron -- or not cast iron, but the galvanized pipe that was in there before.
Q. Okay. So if I understand this invoice correctly, they actually had to go back in and replace 11 -- 1200 feet of pipe.
A. Yes.
Q. Okay.
A. The -- the -- the pump was okay. The pipe, we had to replace.
Q. And is that the pipe that's currently in that well, the stainless steel pipe?
A. Yes.
Q. Okay. Okay. And then just the last invoice if I can direct your attention to that one, it's from Coyote Drilling dated February 1, 2019. If I'm reading this correctly, this is just the -- the -- just another invoice for that same work that we were just discussing.
A. Yes, sir.

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Q. Okay. And to your knowledge has there been any work subsequently since January of 2019, on Well G-337?
A. The only work that we've had outside of that is just getting the phase converters dialed in for the pump -- is converting single phase to three phase. So that would just be the -- the -- Carl Hoffman, the electrician, doing the work on that side of it.
Q. And that's -- it -- that's just, if I understand you correctly, that's just electrical work, so to speak.
A. Yes.
Q. Okay. Have there been any repairs or any work done to try to reverse the problems with Well G-336 in the last five, six, seven years?
A. No.
Q. Okay. Are there any current plans to have any such work performed?
A. There are plans. As you can see, we kind of put all our money into G-337.
Q. Okay.
We are -- I'm -- I'm just about done. I think I have a few more questions for you.
I want to talk a little bit about kind of

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operations at the Tinaja Pit Mine facility and the use of water in those operations.
So as I understand it, one -- one operational kind of function that uses water is dust control on the roads up there? Is that correct?
A. Yes.
Q. Okay. And would you describe for us how that's -- how that's done?
A. We have water trucks that fill up at a -- at a tower and then they take the water and then they spread it on the roads that we travel for the -- the trucks that bring -- that come to get loaded, and then also they are (audiovisual disruption) stuff in the pit to keep the dust down in the pit for where we have to go pick up the rock to take it to the universal impact crusher, the primary crusher.
Q. And -- and how many water trucks do -- do -- do you all have operating out at C & E?
A. I -- I -- could you make that a little clearer in reference to the question?
Q. Sure. So you -- you use water trucks to apply -- you use trucks to apply water for dust control purposes to the roads within the mine facility.

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Q. So -- so with that clarification in mind, is it fair to say that the -- the single pond that has two labels SP-69A, which is the portion of that pond in Section 33, and SP-69B, which is that portion of the same pond in Section 4, that that pond in total is utilized in the sand plant process?
A. Yes.
Q. And in addition, the pond just to the north of it, 8B-1-SP68, is also utilized in the process.
A. Yes.
Q. And those are the two ponds to which you initially referred.
A. Yes.
Q. Okay. Let's start with -- and I'll just refer to -- to it as "SP-69." We can lose the "A" and the "B" because it -- we -- we now know it's the same pond.
What's the source of the water in that pond?
A. G-337.
Q. Okay. And what is the source of the water in Pond SP68?
A. G-337.
Q. Okay. How -- how does C & E fill those

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ponds? Is it -- well, let me -- let me stop there and let you answer that first.
A. We -- we have two -- I don't know, it's like 36,000 gallon tanks at the bottom down there were the G-337 is, and we pump water into it, and then we pump it up the hill to -- there's five or six tanks up the hill that we store it in there, and then it -- and then we run it off into those ponds.
Q. And when you say "up the hill" from the location of G-337, do you mean -- do you mean in kind of a northerly -- a northeasterly direction towards the ponds? Or where are the -- where is that series of tanks located?
A. I -- I would say northeasterly direction that we have piping that runs from the -- where that well is and those storage tanks all the way up to where the storage tanks are up there where the wash plant is.
Q. Okay.
A. And -- and it's going uphill.
Q. That's -- that's uphill all the way.
A. Yes.
Q. Okay. And from that series of tanks, you fill the two ponds.
A. Yes.

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Q. Is that -- would you say -- do you fill those ponds -- is it a continuous flow of water? occasional flow? How would you describe that?
A. It's pretty continuous. So you have to keep water going in there all the time because of evaporation and -- and -- and the absorption of the -- of the rock absorbing the water into -- into its -- into the aggregate.
Q. That's all limestone underlying those ponds?
A. No. Sandstone.
Q. Sandstone. But it's pretty porous in -- in -- in any regard?
A. Yes.
Q. Okay. Is there a particular kind of schedule or is it, as you said, just typically more often than not it's a continuous fill going on then?
A. More often than not continuous.
Q. Okay. Is -- and -- and -- and could you describe for me -- so what's the interplay operationally in the -- using those ponds for the production of sand?
A. I guess I'm not clear on what you mean by "interplay."
Q. I guess I'm -- I'm trying to picture in my

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mind how you're producing the final product using those ponds.
A. The --
Q. What --
A. Okay. All right. Let me --
Q. Does that make sense? Or --
A. I -- I think -- we -- the ponds are an upper and lower pond, and they have what we call "weirs" on them.
Q. Right.
A. An as we wash the material, as the material goes in -- let me explain the process. The material is dumped into the bin. It goes across a set of screens and there are spray bars that are spraying the -- the material to wash it. And then it goes to the sand screw that carries it up and the -- and the finer, the lighter material goes off across the weir and then it's picked up in a pump and it's pumped to the upper pond. And that's where all the solids are dumped.
They have a polymer that goes in with this material and it drops the solids out and then the clean water comes across, it comes over the weir. And then as it starts to fill up, they put another board in there to raise the weir so that the solids