



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
COLORADO WEST REGULATORY BRANCH
400 ROOD AVENUE, ROOM 142
GRAND JUNCTION, COLORADO 81501-2563

REPLY TO
ATTENTION OF

September 15, 2008

Regulatory Division (SPK-2008-1010)

Mr. Frank Filas
Energy Fuels Resource Corporation
44 Union Blvd., Suite 600
Lakewood, Colorado 80228

Dear Mr. Filas:

We are responding to a request, submitted on your behalf by Kleinfelder, for a jurisdictional determination of Waters of the United States for the proposed Pinon Ridge Uranium Mill site. The approximately 880-acre site is located at 16910 Highway 90, Bedrock, Montrose County, Colorado.

The above-referenced site is comprised entirely of uplands. Accordingly, the proposed work will not require Department of the Army authorization.

This verification is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

We appreciate your feedback. At your earliest convenience, please complete our customer survey at http://www.spk.usace.army.mil/customer_survey.html. Your passcode is "conigliaro".

Please refer to identification number SPK-2008-1010 in any correspondence concerning this project. If you have any questions, please contact Steve Moore at the above letterhead address, email at stephen.a.moore@usace.army.mil, or telephone at (970) 243-1199 extension 13. You may also use our website: www.spk.usace.army.mil/regulatory.html.

Sincerely,



Ken Jacobson
Chief, Colorado West
Regulatory Branch

Copy furnished:

Mr. Jeffrey Meyer, Kleinfelder West Inc. 611 Corporate Circle, Suite C, Golden, Colorado
80401