

# STATE OF COLORADO

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## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

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November 7, 2013

The Chronicle - News  
200 West Church Street  
P.O. Box 763  
Trinidad, CO 81082

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Pineda  
Director

**Re: New Elk Mine (Permit No. C-1981-012)  
Technical Revision Application No. 64 (TR-64)**

To Whom It May Concern:

Please publish the attached legal notice in the *The Chronicle - News*, **one time**, as soon as possible. For reimbursement, please send the invoice and proof of publication to Ms. Mary Rodriguez of our office at the above address. For questions regarding the publication, please contact me.

Please respond to Leigh.Simmons@state.co.us to verify receipt of this publication request.

Thank you for your cooperation.

*Leigh D. Simmons*  
*Environmental Protection Specialist*  
*Leigh.Simmons@state.co.us*

Enclosure

C-TR-11

## NOTICE OF PROPOSED DECISION

The Colorado Division of Reclamation, Mining and Safety proposes to Withdraw Technical Revision Application No. 64 (TR-64) for the New Elk Mine (Permit No. C-1981-012), submitted by New Elk Coal Company, LLC. A 29 foot diameter shaft will be constructed during 2012. The shaft will be located approximately 1,500 feet east of Pond 7. Excavated material will be temporarily stockpiled. All coal mine waste from the bottom of the shaft construction will be permanently stored underground. Cross cuts in the entries leading to the shaft will be used to store the coal mine waste. The access road that runs to the west of the mine will be changed to a haul road in anticipation of hauling material to the west DWDA.

The New Elk Mine is a/an Underground coal mine located in Las Animas County/Counties, approximately 25 miles W of Trinidad, Colorado. Coal interest is State and private, and the surface affected is State and private land. The permit area encompasses approximately 4,198.90 acres.

This proposed decision is based on a finding that the proposed operation will comply with all requirements of the Colorado Surface Coal Mining Reclamation Act, Section 34-33-101, *et seq.*, C.R.S., and the regulations promulgated thereunder.

Copies of the proposed decision, including stipulations, are on file for public inspection at the Colorado Division of Reclamation, Mining and Safety, Room 215, Centennial Building, 1313 Sherman Street, Denver, Colorado 80203. Persons with an interest that may be adversely affected by the proposed decision may request a formal hearing before the Mined Land Reclamation Board on the proposed decision. Such request must be made within ten (10) days of the initial publication of this notice, must be in writing, and must state with reasonable specificity the reasons for the request and the objections to the proposed decision.