

STATE OF COLORADO

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)
Permit Revision Application No. 4 (PR-4)
Expand Permit boundary about one mile to the east.**

To Whom It May Concern:

Please publish the attached legal notice in the *The Chronicle - News* **once per week for two consecutive weeks** beginning 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-PR-14

NOTICE OF PROPOSED DECISION

The Colorado Division of Reclamation, Mining and Safety proposes to Withdraw Permit Revision Application No. 4, submitted by New Elk Coal Company, LLC for a coal mining permit at the New Elk Mine (Permit No. C-1981-012). The permit revision proposes to expand Permit boundary about one mile to the east., expand development and mining of the Blue seam to the south and east. The permit revision proposes changes to the Allen seam and Apache seam development and workings.

T33S, R68W, Portions of Sections 13, 14, 21, 22, 23,24, 25, 26, 27, 28, 34, 35, and 36. All sections are partially or fully projected by New Elk Coal Company due to the unsurveyed nature of the Maxwell Land Grant. The above-mentioned tracts of land are shown on the USGS 7.5 minute Quadrangle maps of Vigil, Tercio, and Stonewall.

The proposed expansion area lies within sections 19, 30, and 31, T33S, R67W, and Section 6, T34S, R67W.

The New Elk Mine is a/an Underground operation located in Las Animas County/Counties, approximately 25 miles West of Trinidad, Colorado. Coal interest is State and private, and the surface to be 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 any 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 and at the Las Animas County Clerk and Recorder, 200 East First Street, Room 104, Trinidad, CO 81082. 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 thirty (30) 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.