



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

April 30, 2014

The Chronicle - News
200 West Church Street
P.O. Box 763
Trinidad, CO 81082
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**Re: New Elk Mine (Permit No. C-1981-012)
Technical Revision Application No. 69 (TR-69)**

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 or correspondence 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
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Enclosure

C-TR-11



NOTICE OF PROPOSED DECISION

The Colorado Division of Reclamation, Mining and Safety proposes to approve Technical Revision Application No. 69 (TR-69) for the New Elk Mine (Permit No. C-1981-012), submitted by New Elk Coal Company, LLC. New Elk Coal Company is proposing to change the configuration of Ditch D-55, the clean water diversion ditch for the refuse disposal area, from the approved trapezoidal configuration to a triangular shaped channel.

The New Elk Mine is a/an underground coal mine located in Las Animas County, 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.