



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

March 13, 2015

Mark Tobias  
Office of Archaeology & Historic Preservation  
History Colorado Center  
1200 Broadway  
Denver, CO 80203

**Re: New Horizon Mine (Permit No. C-1981-008)  
Technical Revision No. 66 (TR-66)  
Dryland Pasture Reference Area**

Dear Mr. Tobias:

The Division of Reclamation, Mining and Safety hereby issues notice, in accordance with Title 34, Article 33, Section 116, Paragraph 4, of the Colorado Revised Statutes, that on March 13, 2015 an application to revise coal mining operations at the New Horizon Mine was considered complete for the purposes of filing. The revision was submitted by Western Fuels-Colorado, LLC. All review and comment periods as provided in the Act and the Regulations initiate from this date of filing.

Western Fuels-Colorado (WFC) is proposing a new dryland pasture reference area for the New Horizon Mine. The currently approved reference area is located at the Nucla Airport and WFC is unable to control the area as required by Rule 4.15.7(3)(b)(ii). The applicant is not proposing additional surface disturbance outside of the area currently approved for disturbance.

The surface coal mining operation is on land located approximately 1.7 miles Northwest of Nucla, Colorado. The permit area is further described as follows:

1.7 miles northwest of the Town of Nucla The applicant is not proposing additional surface disturbance outside of the area currently approved for disturbance.

The above-mentioned tracts of land are shown on the following USGS 7.5 minute Quadrangle map(s): Nucla.



Because the above-referenced technical revision application may incorporate additional lands into the permit area or might otherwise alter previously approved permit conditions or mitigation measures, we are requesting your agency's evaluation of the potential for impacts to cultural and historic resources.

In accordance with the May 1991 Memorandum of Understanding (MOU) between our agencies, we must have your concurrence in order to approve this proposal. We are required to make a finding that "the proposed operations will not adversely affect any publicly owned park or place listed on or those places eligible for listing, as determined by the SHPO, on the National Register of Historic Places, unless approved jointly by the Board and the Federal, State, or local agency with jurisdiction over the park or place." Therefore, we request that you submit comments regarding your concurrence with, concerns with, or objections to this proposal. In order that we may comply with regulatory time frames, we request that comments be submitted within fifteen (15) days of this letter. If no comments are received by then, we will proceed on the assumption that you have no concerns with, or objections to, the applicant's proposal. Please refer to the MOU when undertaking your review.

Pertinent portions of the permit application are available electronically on our web site: <http://mining.state.co.us/Reports/MiningData/Pages/ImagedDocumentData.aspx>. Documents can be sorted by name or by Section/Exhibit number. A user's guide for our imaging system is also available in pdf format at the same web address. Please advise us if you require additional information.

The applicant is required to publish notice in a local newspaper that this application has been deemed complete. At the time of publication of this notice, the applicant is additionally required to place a copy of this application at the Montrose County Courthouse, 300 Main Street, Nucla, CO 81424, and at the Division office. For additional information or to provide written comments, contact the Division of Reclamation, Mining and Safety, Room 215, 1313 Sherman Street, Denver, Colorado 80203, (303) 866-3567.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brock Bowles".

Brock F. Bowles  
Environmental Protection Specialist  
Brock.bowles@state.co.us