



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

December 5, 2016

Notice to Party to the Brannan Sand and Gravel Company, L.L.C. Valley's Edge Resource
Construction Materials 112 Application

**Re: Notice of Rescheduled Formal Board Hearing, Pre-hearing Conference and
Recommendation Date for a Construction Materials 112 Application; Brannan Sand
and Gravel Company, L.L.C.; Valley's Edge Resource; DRMS File No. M-2016-030**

Dear Party:

The Division of Reclamation, Mining and Safety (Division/DRMS) appreciates you taking time to participate in the review process of the above referenced permit application. The application for the Valley's Edge Resource was filed with the Division on August 26, 2016. The public comment period closed on October 18, 2016.

An explanation of the Division's review process, your rights as either a party or a non-party, and the jurisdiction of the Mined Land Reclamation Board (Board), is provided in the enclosed 12-page memorandum, Guide to Citizen Participation, dated October 21, 2001, revised January 12, 2006. As noted in the citizen's guide memo, in these proceedings the Division's authority is limited to enforcement of the Colorado Land Reclamation Act for the Extraction of Construction Materials, 34-32.5-101 et seq., C.R.S.(Act) and the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules), which can be accessed through the Division's website, www.mining.state.co.us.

The Division received a written objection to the application. Therefore, pursuant to Rule 1.4.9(2)(a) and 1.7.4(2), the Division scheduled the application for a Formal Board Hearing for consideration. The hearing is scheduled for the January 25-26, 2017 Board meeting, which will occur at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. or as soon thereafter as the matter can be considered. During the hearing the Board will consider the application with an objection and may decide to approve, approve with conditions, or deny the application for the Valley's Edge Resource.

Pursuant to Rule 2.7.1, the Division has **rescheduled** the Pre-hearing Conference for January 11, 2017, in the Division's office at 1313 Sherman Street, Room 215, Denver, Colorado, beginning at **2:00 p.m.** The Pre-hearing Conference will be held to describe the Division's review process, to



explain the rights and responsibilities of parties, to discuss and resolve issues to the extent possible, to describe the Board Hearing processes, to propose a list of issues under the Board's jurisdiction, to simplify the list, and to identify parties. The Board has appointed Mrs. Erica Crosby to preside as the Pre-hearing Conference Officer.

Pursuant to Rule 2.7.3(4), any party who does not attend the Pre-hearing Conference forfeits its party status and all associated rights and privileges, unless such party provides a fully executed proxy authorization form to the Pre-hearing Conference Officer and the party's authorized representative is present. An official proxy authorization form is provided with the enclosed citizen's guide memo. Additional copies of the official proxy authorization form may be procured through the Division's website.

Pursuant to Rule 1.4.9, on or before January 5, 2017 the Office of the Division shall issue its recommendation to the Board for approval, approval with conditions, or denial of the application. Copy of the Office's recommendation will be forwarded to all parties and interested persons.

If you have any questions, please contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays
Environmental Protection Specialist

Attachment: Certificate of Service

Ec: Wally Erickson; Division of Reclamation, Mining and Safety
Tony Waldron; Division of Reclamation, Mining and Safety
Erica Crosby; Division of Reclamation, Mining and Safety
John Roberts; Esq., AGO for the MLRB
Scott Schultz; Esq., AGO for Division of Reclamation, Mining and Safety
Jeff Fugate; Esq., AGO for Division of Reclamation, Mining and Safety

Certificate of Service

I, Peter S. Hays, hereby certify that on this 5th day of December, 2016, I deposited a true copy of the foregoing Notice to Party to the Brannan Sand and Gravel Company, L.L.C. Valley's Edge Resource Construction Materials 112 Application, dated December 5, 2016, Re: Notice of Rescheduled Formal Board Hearing, Pre-Hearing Conference and Recommendation Date for a Construction Materials 112 Application; Brannan Sand and Gravel, L.L.C.; Valley's Edge Resource; DRMS File No. M-2016-030, in the US Mail, postage paid, addressed to the following:

Mr. Alex Schatz
Brannan Sand and Gravel Company, L.L.C.
2500 E. Brannon Way
Denver, CO 80229

Ms. Katherine Rushing
Anadarko Petroleum Corporation
1099 18th Street, Suite 1800
Denver, CO 80202



December 5, 2016

Signature and Date