



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

1313 Sherman Street, Room 215
Denver, CO 80203

May 12, 2017

Lance Baller
High Speed Mining, LLC
8480 East Orchard Rd, Suite 3600
Greenwood Village, CO 80111

RE: Katuska Pit; DRMS File No. M-1991-037; Receipt of Appeal to Division's
Decision

Dear Mr. Baller,

On May 8, 2017, the Division received your Administrative Appeal of an Office Decision related to the use of ponds located outside of the currently approved permit boundary. Rule 1.4.11(b) states that the aggrieved party has 30 days to petition an appeal and per Rule 1.4.11(d) such petitions for a hearing shall state how the petitioner is directly or adversely affected or aggrieved by the Office's decision, and how the petitioners interests are entitled to protection under the Act. Your letter appealing the Office's decision satisfies the requirements of Rule 1.4.11.

In your letter, you waive your right to thirty days' notice of a Board Hearing. Therefore, consideration of the appeal has been scheduled for a hearing before the Mined Land Reclamation Board (Board) at the May 24-25, 2017 Board Meeting. The formal public hearing will be held at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. on May 24, 2017 or as soon thereafter as the matter can be considered. At that hearing you will have the opportunity to present your defense.

The Board's agenda may not be finalized until the week of the Board meeting. Therefore, we recommend you contact the Board's Secretary, Camille Mojar by telephone at (303) 866-3567, ext. 8136 or by email at Camille.Mojar@state.co.us on Monday, May 22, 2017, to confirm the specific date for the hearing.

Sincerely,

Michael A. Cunningham
Environmental Protection Specialist

CC: Wally Erickson, DRMS
Ben Langenfeld, Greg Lewicki and Associates

