



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 7, 2017

### Notice to Parties and Interested Persons to the Fairplay Au Pit Permit Application

**RE: Notice of Formal Board Hearing, Pre-hearing Conference,  
and Recommendation Date for a Hard Rock 112 Application, High Speed Mining  
LLC, Fairplay Au Pit, DRMS File No. M-1991-037**

Dear Party and/or Interested Person:

The Division of Reclamation, Mining and Safety (Division) appreciates you taking time to participate in the review process of the above referenced permit application. The application for the Fairplay Au Pit was filed with the Division on March 28, 2017. The public comment period closed on May 18, 2017. The review period for the application will close on June 26, 2017.

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 Mined Land Reclamation Act, 34-32-101 et seq., C.R.S.(Act) and the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations (Rules), which can be accessed through the Division's website, [www.mining.state.co.us](http://www.mining.state.co.us).

The Division has received written objections to the application. Therefore, pursuant to Rule 1.4.9(2)(a) and 1.7.4(2), the Division has scheduled the application for a Formal Board Hearing for consideration. The hearing has been scheduled for the July 26-27, 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 objections and may decide to approve, approve with conditions, or deny the application for the Fairplay Au Pit.

Pursuant to Rule 2.7.1, the Division has scheduled a Pre-hearing Conference for July 11, 2017, in the Park County Board of County Commissioners Conference Room at 501 Main Street, Fairplay, Colorado, beginning at 1:00 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.



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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. The Board has appointed Jim Stark to preside as the Pre-hearing Conference Officer.

Pursuant to Rule 1.4.9, on or before June 26, 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 (303)866-3567 x 8116.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M.A. Cunningham'.

Michael A. Cunningham  
Environmental Protection Specialist

Attachment: Certificate of Service

Enclosure: Guide to Citizen Participation

CC: Wally Erickson, DRMS Senior Environmental Protection Specialist  
Ben Langenfeld, Greg Lewicki and Associates

June 7, 2017

**Certificate of Service**

I, Michael A. Cunningham, hereby certify that on this 7<sup>th</sup> day of June, 2017, I deposited a true copy of the foregoing Notice to Parties and Interested Persons to the Fairplay Au Pit Permit Application, dated June 7, 2017, RE: Notice of Formal Board Hearing, Pre-hearing Conference, and Recommendation Date for a Hard Rock 112 Application, High Speed Mining, LLC, Fairplay Au Pit, DRMS File No. M-1991-037, in the US Mail, postage paid, addressed to the following:

Robin Rindsig  
2698 NW 73<sup>rd</sup> Ave.  
Ankeny, IA 50023

Robert and Jill White  
P.O. Box 1429  
Fairplay, CO 80440

Ann Lukacs  
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Lance Baller  
High Speed Mining, LLC  
8480 East Orchard Rd, Suite 3600  
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Colorado Division of Water Resources  
Sarah Brucker  
1313 Sherman Street, Room 821  
Denver, CO 80203

Park County Planning Department  
John Deagan  
Park County Planner  
P.O. Box 1598  
Fairplay, CO 80440

  
Signature and Date 6/7/17