



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 3, 2017

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

**RE: Notice of Rescheduled 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. On June 23, 2017 the Applicant requested an extension of the decision date to July 31, 2017 pursuant to Rule 1.4.1(9). The new dates for the Recommendation, Pre-hearing Conference, and Formal Board Hearing are specified below.

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), was previously provided to you in the 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.

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 **rescheduled** the application for a Formal Board Hearing for consideration. The hearing has been scheduled for the August 23-24, 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 **rescheduled** the Pre-hearing Conference for August 9, 2017, in the Fairplay Community Center – Main Room at 880 Bouge Street, Fairplay, Colorado, beginning at 10:00 a.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



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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.

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 was provided with the 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 July 31, 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

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

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Certificate of Service

I, Michael A. Cunningham, hereby certify that on this 3rd day of July, 2017, I deposited a true copy of the foregoing Notice to Parties and Interested Persons to the Fairplay Au Pit Permit Application, dated July 3, 2017, RE: Notice of Rescheduled 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 73rd Ave.
Ankeny, IA 50023

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

Ann Lukacs
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Ben Langenfeld
Greg Lewicki and Associates
3375 W. Powers Circle
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Lance Baller
High Speed Mining, LLC
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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

 7/3/17
Signature and Date