

September 9, 2019



1313 Sherman Street, Room 215  
Denver, CO 80203

***RE: Birdseye Pit, File # M-2019-034, Notice of Pre-hearing Conference and Board Hearing  
Regarding 112c Reclamation Permit Application submitted by Schofield Excavation, Inc.***

Dear Applicant, Party and/or Interested Person:

The Division of Reclamation, Mining and Safety (Division) has received a formal objection to the above referenced application. Therefore, the permit application has been scheduled for a hearing before the Mined Land Reclamation Board (Board). The Board hearing is scheduled to be held during the October 23-24, 2019 Board Meeting. The hearing will be held at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. on October 23, 2019 or as soon thereafter as the matter can be considered.

Pursuant to Rule 2.7.1(5), a Pre-hearing Conference shall be held at least ten (10) calendar days prior to the Board hearing. Therefore, a Pre-hearing Conference has been scheduled accordingly.

The Pre-hearing Conference has been scheduled to occur on Wednesday, October 9, 2019 at 9:00 am. The location for the Pre-hearing Conference will be the Division's Minerals Conference Room located at 1313 Sherman Street, Room 215, Denver, Colorado, 80203. Jeff Graves will preside as Pre-hearing Conference Officer. 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 those parties who have demonstrated standing at the Board hearing. 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.

Pursuant to Rule 2.6 (2) and (3), at the Pre-hearing Conference parties must provide 15 copies, one of which is unbound, of a written list of the witnesses and exhibits to be used. For any materials not already in the Office public files, each party shall provide all other parties with copies of any materials to be used as exhibits at the Board hearing.

If you require additional information, or have questions or concerns, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dustin Czapla'.

***Dustin Czapla***  
Environmental Protection Specialist  
Division of Reclamation, Mining and Safety  
Phone: (303) 866-3567, ext. 8188



# CERTIFICATE OF SERVICE

I, Dustin Czapla, hereby certify that on Monday, September 09, 2019 I deposited a true copy of the foregoing *Notice of Board Hearing and Pre-hearing Conference* in the United States Mail, postage paid, addressed to the following:

Richard McClain  
5340 Hwy 91  
Leadville, CO 80461

Ben Langenfeld  
Greg Lewicki and Associates  
3375 W Powers Circle  
Littleton, CO 80123

Levi Schofield  
Schofield Excavation, Inc.  
P.O. Box 612  
Gypsum, CO 81637



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***Dustin Czapla***  
*Division of Reclamation, Mining and Safety*  
*Environmental Protection Specialist*