



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

October 23, 2019

Kent Pflager
Morgan County Quality Water District
P.O. Box 1218
Fort Morgan, CO 80701

**Re: Recommendation to Approve Black Mountain Sand Weld LLC 112c Application
Amendment (AM-01) with Objections, Lost Creek Mine, File No. M-2018-051**

Dear Party and/or Interested Person:

The Division of Reclamation, Mining and Safety (Division/Office/DRMS) hereby issues its recommendation to approve Black Mountain Sand Weld LLC (Black Mountain) 112c application amendment (AM-01) for the Lost Creek Mine, File No. M-2018-051.

The Division's recommendation to approve is based upon the application amendment meeting the requirements of Section 34-32.5-115(4) of the Colorado Land Reclamation Act for the Extraction of Construction Materials (C.R.S. § 34-32.5-101, *et seq.*). A copy of the Division's rationale for its recommendation to approve the application amendment is also enclosed for your review.

The Division's recommendation to approve Black Mountain's application amendment with objections will be considered by the Colorado Mined Land Reclamation Board (Board) during a formal hearing, scheduled to occur November 13-14, 2019, at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. or as soon thereafter as the matter can be considered. Pursuant to Rule 2.8.1(1) of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules), any party who does not attend the Board hearing forfeits its party status and all associated rights and privileges.

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October 23, 2019

The Pre-hearing Conference is scheduled for October 31, 2019, at 10:00 a.m. and will end no later than 12:00 p.m. at 1313 Sherman Street, Room 318, Denver, Colorado, 80203.

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

Enclosure: Rational for Recommendation

Ec: Jim Stark; Division of Reclamation, Mining and Safety
Russ Means; Division of Reclamation, Mining and Safety
Jared Ebert; Division of Reclamation, Mining and Safety
Jason Musick; Division of Reclamation, Mining and Safety
Jeff Fugate; Esq., AGO for Division of Reclamation, Mining and Safety
Charles Kooyman; Esq., AGO for the MLRB



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Matthew Machado, Esq.
Lyons Gaddis, PC
363 Centennial Pkwy, Suite 110
Louisville, CO 80027

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Thomas W. Korver
Petros & White, LLC for Equus Farms, Inc.
1999 Broadway, Suite 3200
Denver, CO 80202

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Denice Wagner
Bijou Irrigation District and Bijou Irrigation Company
15551 Highway 34
P. O. Box 972
Fort Morgan, CO 80701-0972

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Stuart B. Corbridge
Vranesh and Raisch, LLP
5303 Spine Road, Suite 202
Boulder, CO 80301

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Kira Coff
Millcreek Engineering
1011 E, Murry Holladay Road, Suite 100
Salt Lake City, UT 84117

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Rhett Bennett
Black Mountain Sand Weld LLC
500 Main Street, Ste. 1200
Fort Worth, TX 76102

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