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NOTICE OF PROPOSED DECISION

The Colorado Division of Reclamation, Mining and Safety proposes to approve Technical Revision Application No. 99 (TR-99) for the New Horizon Mine (Permit No. C-1981-008), submitted by Elk Ridge Mining and Reclamation, LLC. TR-99 proposes a limestone liner on the pond and surface water baffles to ensure water utilizes the entire flow path within the pond. The New Horizon Mine is a/an surface coal mine located in Montrose County, approximately 1.7 miles NW of Nucila, Colorado. Coal interest is private, and the surface affected is private land. The permit area encompasses approximately 402.45 acres.

This proposed decision is based on a finding that the proposed operation will comply with all requirements of the Colorado Surface Coal Mining Reclamation Act, Section 3433101, et seq., C.R.S., and the regulations promulgated thereunder.

Copies of the proposed decision, including stipulations, are on file for public inspection at the Colorado Division of Reclamation, Mining and Safety, Room 215, Centennial Building, 1313 Sherman Street, Denver, Colorado 80203. Persons with an interest that may be adversely affected by the proposed decision may request a formal hearing before the Mined Land Reclamation Board on the proposed decision. Such request must be made within ten (10) days of the initial publication of this notice, and must state with reasonable specificity the reasons for the request and the objections to the proposed decision.

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