

December 22, 2023

Notice to Parties and Interested Persons

**Re: Revised Notice of Continued Formal Board Hearing,  
Petition for Appeal of an Office Decision to Approve a Notice of Intent,  
Tallahassee Resources Exploration, NOI File No. P-2023-015**

Dear Party and/or Interested Person:

On November 21, 2023, the Division sent a letter to Parties stating the subject Appeal would be heard by the Colorado Mined Land Reclamation Board (Board/MLRB) on December 13, 2023. Subsequent communications between Parties led to a request to continue the hearing until the January 2024 Board Meeting.

Therefore, pursuant to Rule 5.1.3(d)(III), the Division has scheduled the petition for a Formal Board Hearing before the Colorado Mined Land Reclamation Board (Board/MLRB) for consideration. The hearing will be held at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. on January 17, 2024, or as soon thereafter as the matter can be considered.

As discussed and agreed to by the Parties, the following schedule will control the filing of briefs, motions, exhibits and witness lists:

- **December 29<sup>th</sup>, 2023:**
  - Deadline for Tallahassee to file Statement in Opposition to Appeal.
  - Deadline for all Parties to exchange witness lists and copies of exhibits.
  - All parties reserve the right to designate additional **rebuttal** witnesses or exhibits.
- **January 8<sup>th</sup>, 2024:**
  - Deadline to file any written motions.
  - Deadline to designate rebuttal witnesses or exhibits.
- **January 11<sup>th</sup>, 2024:**
  - Deadline to file written responses to motions.

Materials are to be served on the Board via email to the MLRB Administrator, Camille M. Mojar at: [dnr\\_drms\\_mlrb-submittals@state.co.us](mailto:dnr_drms_mlrb-submittals@state.co.us), and provided via email to the Parties no later than 5:00 P.M. on the relevant filing deadline.



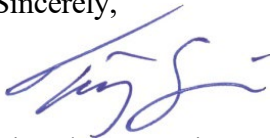
If you have good cause not to appear in person you must submit a request to the Board to appear virtually (via ZOOM). To do so, please submit an email to the Board Administrator, no later than 5:00 PM on January 12, 2024 for Board consideration. If approved you will receive an authorization code to attend the meeting for this matter. **Please note that only Parties and those who will be testifying may participate in the hearing.** All other interested persons may observe the hearing via the Board YouTube Channel:

<https://www.youtube.com/channel/UCDrrAO8bIPFIOWce-yH1fWA>.

The Board's agenda may not be finalized until the week of the Board meeting. Therefore, we recommend you contact the Board's Administrator Camille M. Mojar of the Division at (303) 866-3567 ext. 8136 on the Monday prior to the Board Hearing to confirm exactly which day your item will appear before the Board.

Other details regarding motions and rebuttal witness/exhibits deadlines are currently being negotiated. When these are finalized, you will be notified under separate cover. If you have any questions, please contact me (303-866-3567 ext. 8169).

Sincerely,



Timothy A. Cazier, P.E.  
Environmental Protection Specialist

ec:	Russ Means, DRMS	Angela Bellantoni, EAI
	Michael Cunningham, DRMS	Tim Brown, Tallahassee Resources LLC
	Scott Schultz, AGO	DRMS file
	Jeff Fugate, AGO	Jeff Parsons, Parsons Law Office
	Joe Middleton, Middleton Environmental Law	Skip Blades