

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
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John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

October 31, 2012

Notice to Parties and Interested Persons for MD-02

**Re: Notice of Formal Board Hearing and Pre-hearing Conference,
for an Application to Modify (MD-02) a Notice of Intent (NOI) Operation,
Black Range Minerals, Hansen Uranium Project, NOI No. P-2009-025.**

Dear Party and/or Interested Person:

The Division of Reclamation, Mining and Safety (Division) appreciates all parties taking time to participate in the review process of the above referenced application. The submittal of Modification 2 (MD-02) was approved by the Division on October 2, 2012.

In proceedings related to the appeal process, 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 on the Division's website, www.mining.state.co.us.

The Division received timely letters of appeal (within five working days of the decision). Copies of these letters were forwarded to the operator. **Pursuant to Rule 2.7.1, the Division has scheduled a Pre-hearing Conference to occur on November 5, 2012,** at the Division of Reclamation, Mining and Safety Denver Office, 1313 Sherman Street, Room 215, Denver, Colorado, beginning at 2:00 p.m. and concluding at or before 4:00 p.m. Ms. Sandra Brown will preside as the Pre-hearing Conference Officer.

The appeal to the Division's decision on the modification application will be considered by the Board during a Formal Public Hearing scheduled for November 14-15, 2012. The Board meeting will be held at the Centennial Building, 1313 Sherman Street, Room 318, Denver, Colorado, 80203, commencing at 9:00 a.m. on November 14, 2012 or as soon thereafter as the matter can be considered.

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 that list, and to identify parties. **All parties must supply fifteen (15) copies of exhibits, or lists of any exhibits and witnesses the parties intend to present at the Formal Board Hearing. List and exhibits must be exchanged between the parties at the Pre-hearing Conference in accordance with the requirements of Rule 2.6(2). Failure to participate in the Pre-hearing Conference will result in the loss of your party status.**

After the conference the Pre-hearing Officer shall prepare a proposed Pre-hearing Order. The proposed Pre-hearing Order will be made available to all parties prior to the Formal Board Hearing. The proposed Pre-hearing Order will contain a list of the parties, provide a recommended list of issues to be considered by the Board, and outline a schedule for the hearing with time allotments set for presentations by each party and the Office. The conditions of the Pre-hearing Order are not final until adopted or approved by the Board at the

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Formal Board Hearing. Any party has the right to file a motion to the Board to review any decision of the Pre-hearing Officer according to the provisions of Rule 2.6(1).

If you need additional information please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, Colorado 80203, by telephone at (303) 866-3567, ext 8169, or by e-mail at tim.cazier@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Cazier', with a stylized flourish at the end.

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

cc: Sandra Brown, Pre-hearing Officer
John Roberts, Esq., AGO for the MLRB
Jeff Fugate, Esq., AGO for DRMS