

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

FAX: (303) 832-8106



July 11, 2013

Rodger & Gail Noble

General Delivery

Ridgway, CO 81432

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

**RE: Formal Board Hearing, Pre-hearing Conference, and Office Recommendation
for an Amended 112c Application, Rocky Mountain Aggregate and Construction, LLC,
Uncompahgre Pit, File No. M-2013-007**

Dear Mr. and Mrs. Noble:

Previous mailings to the address you provided have been returned by the US Postal Service.
The address you provided and thereby utilized by the Division is:

Rodger and Gail Noble
67409 T Road
Montrose, CO 81401

If you desire to receive notices from the Division regarding the permit review process for the Uncompahgre Pit, M-2013-007, please provide a mailing address recognized by the US Postal Service, phone number, and if possible an email address as well.

The Division of Reclamation, Mining and Safety (Division) appreciates you taking time to participate in the review process of the above referenced permit application. The application for the Uncompahgre Pit was filed with the Division on February 26, 2013, by Rocky Mountain Aggregate and Construction, LLC (Applicant). On April 22, 2013, the Applicant filed an amendment to the application addressing the relocation of an access road. The public comment period for the amended application closed on or about June 26, 2013. The review period for the amended application will close on July 19, 2013.

Herein, references to the Act and Rules refer to the Colorado Land Reclamation Act for the Extraction of Construction Materials, 34-32.5-101 et seq. C.R.S. (the Construction Materials Act), and the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (the Construction Materials Rules). The Construction Materials Act and Rules may be accessed through the Division's web site at <http://mining.state.co.us>.

An explanation of the Division's review process, your rights as either a party or a non-party, and the jurisdiction of the Colorado Mined Land Reclamation Board (Board), is provided in the

enclosed 12-page memorandum, Guide to Citizen Participation, dated October 2, 2001, revised January 12, 2006. As noted in the citizen's guide memo, in these proceedings the Division's authority is limited to enforcement of the Construction Materials Act and Rules.

The Division has received written objections to the application. Therefore, pursuant to Rule 1.4.9(2)(a) and 1.7.4(2), the Division has scheduled the application for a Formal Board Hearing for consideration. The hearing has been scheduled for the August 14-15, 2013, Board meeting, which will occur at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. or as soon thereafter as the matter can be considered. During the hearing the Board will consider the application with objections and may decide to approve, approve with conditions, or deny the application for the Uncompahgre Pit.

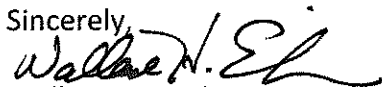
Pursuant to Rule 2.7.1, the Division has scheduled a Pre-hearing Conference to occur on July 25, 2013, in the Centennial Room at 433 South First Street, Montrose, Colorado, beginning at 1:00 p.m. and terminating at or before 3:00 p.m. The Pre-hearing Conference will be held to describe the Division's 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.

Pursuant to Rule 2.7.3(4), 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. An official proxy authorization form is provided with the enclosed citizen's guide memo. Additional copies of the official proxy authorization form may be procured through the Division's web site. The Board has appointed Steven G. Renner to preside as the Pre-hearing Conference Officer.

Pursuant to Rule 1.4.9, on or before July 19, 2013, the Office of the Division shall issue its recommendation to the Board for approval, approval with conditions, or denial of the application. Copy of the Office's recommendation will be forwarded to all parties and interested persons.

Please contact me at the Division's office in Durango at 691 County Road 233, Suite A-2, Durango, Colorado 81301, phone (970) 247-5469, or email at wally.erickson@state.co.us if you have any questions.

Sincerely,



Wallace H. Erickson

Environmental Protection Specialist

Enclosure: Previous notice dated June 21, 2013, with the Guide to Citizen Participation, returned by the US Postal Service

STATE OF COLORADO
Division of Reclamation, Mining & Safety
Rango Field Office
1 County Road 233, Suite A-2
Rango, CO 81301

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**NO MAIL
RECEIPTABLE**

*Rodger & Gail Noble
67409 T Road
Montrose, CO 81401*

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**RETURN TO SENDER
NO MAIL RECEIPTABLE
UNABLE TO FORWARD
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