

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



August 22, 2013

Notice to Applicant, Parties and Interested Persons

RE: C-LP-21 Mine, File No. M-1977-305, Notice of Pre-hearing Conference Regarding Designated Mining Regular 112d-1 Operation Reclamation Permit Amendment Application (AM-1) Submitted by Cotter Corporation

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

Dear Applicant, Party and/or Interested Person:

On August 9, 2013 the Division of Reclamation, Mining and Safety (Division) determined that the 112d-1 Amendment Application (AM-1) submitted by Cotter Corporation for the C-LP-21 Mine, Permit No. M-1977-305, minimally meets the requirements of the *Colorado Mined Land Reclamation Act, C.R.S. 34-32-101 et seq.* (the Act) and the *Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal and Designated Mining Operations* (Rules or Rule). Therefore, it is the recommendation of the Division that the Board approve AM-1. The Division has received a formal objection to the above referenced application. Pursuant to Rule 2.7.1(5), a Pre-hearing Conference shall be held at least ten (10) calendar days prior to the Formal Board Hearing. The Formal Board Hearing is scheduled to be held during the October 16-17, 2013 Board Meeting. Therefore, a Pre-hearing Conference has been scheduled accordingly. Pursuant to Rule 1.4.9(2)(c), the Division's rationale for approval will be sent under separate cover to the Applicant and all objectors of record at least 3 working days prior to the Pre-hearing Conference.

The Pre-hearing Conference has been scheduled to occur on Tuesday, September 24, 2013 at 2:30 p.m. The location for the Pre-hearing Conference will be the Colorado Bureau of Investigations office at 2797 Justice Drive, Grand Junction, CO 81506. Steve Renner will preside as Pre-hearing Conference Officer. The purpose of the Pre-hearing Conference is to explain the rights and responsibilities of parties, to discuss and resolve issues to the extent possible, to describe the Board Hearing processes, to determine the list of issues that are within the Board's jurisdiction, to simplify the list and to identify those parties who have demonstrated standing at the Formal Board Hearing.

Pursuant to Rule 2.6 (2) and (3), at the Pre-hearing Conference parties must provide 15 copies, one of which is unbound, of a written list of the witnesses and exhibits to be used. For any materials not already in the Office public files, each party shall provide all other parties with copies of any materials to be used as exhibits at the Formal Board Hearing.

If you require additional information, or have questions or concerns, please contact me at the Division's Grand Junction Field Office.

Sincerely,

A blue ink signature of Dustin Czapl, written over the word "Dustin Czapl" which is printed in bold.

Dustin Czapl

Environmental Protection Specialist
Department of Natural Resources
Division of Reclamation, Mining and Safety
101 South 3rd, Suite 301
Grand Junction, CO 81501
Phone: (970) 243-6299

CERTIFICATE OF SERVICE

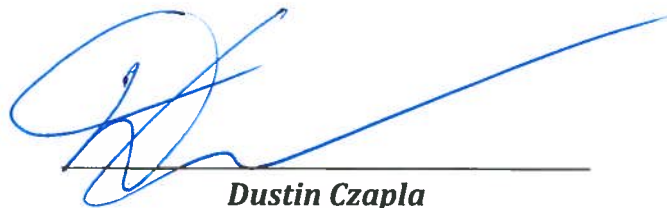
I, Dustin Czapla, hereby certify that on Thursday, August 22, 2013 I deposited a true copy of the foregoing *Notice of Pre-hearing Conference* in the United States Mail, postage paid, addressed to the following:

Glen Williams
Cotter Corp.
P.O. Box 700
Nucla, CO
81424

Jennifer Thurston
INFORM
P.O. Box 746
Telluride, CO
81435-0746

Montrose Board of County Commissioners
161 South Townsend Ave.
Montrose, CO
81401

Shavano Conservation District
102 Par Place
Montrose, CO
81401



Dustin Czapla
Division of Reclamation, Mining and Safety
Environmental Protection Specialist