

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



John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

August 30, 2013

Dan Prenzlów
SE Regional Wildlife Manager
Colorado Division of Wildlife
SE Regional Service Center
4255 Sinton Rd.
Colorado Springs, CO 80907-4233

**Re: New Elk Mine (Permit No. C-1981-012)
Permit Renewal Application No. 6 (RN-6)**

Dear Mr. Prenzlów:

The Division of Reclamation, Mining and Safety hereby issues notice, in accordance with Title 34, Article 33, Section 118, Paragraph 3, of the Colorado Revised Statutes, that on August 30, 2013, an application to renew an existing permit to conduct coal mining operations at the New Elk Mine was considered complete for the purposes of filing. All review and comment periods as provided in the Colorado Surface Mining Reclamation Act and the Rules initiate from this date of filing.

New Elk Coal Company, LLC proposes to continue Underground coal mining and/or reclamation operations on land located approximately 25 miles West of Trinidad, Colorado. The permit area is further described as follows:

T33S, R68W, Portions of Sections 24, 25 and 26 All sections are partially or fully projected by New Elk Coal Company due to the unsurveyed nature of the Maxwell Land Grant. The above-mentioned tracts of land are shown on the USGS 7.5 minute Quadrangle maps of Vigil, Tercio, and Stonewall.

The above-mentioned tracts of land are shown on the following USGS 7.5 minute Quadrangle map(s): Vigil.

This renewal application does not propose revisions to the approved mining and reclamation plan, nor is there any proposed surface disturbance outside of the currently approved disturbance area.

A copy of the renewal application is available for public inspection at the Las Animas County Courthouse, 200 East First Street, Room 104, Trinidad, CO 81082, and at the Division office, Room 215, 1313 Sherman Street, Denver, Colorado 80203, (303) 866-3567.

In order for us to comply with regulatory time frames, we request that comments be submitted to the Division of Reclamation, Mining and Safety at the above address by October 29, 2013. If no comments are received by this date, we will proceed on the assumption that your agency has no concerns with or objections to the applicant's proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Simmons", written over a faint circular stamp.

Leigh D. Simmons
Environmental Protection Specialist
Leigh.Simmons@state.co.us