

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



September 3, 2013

San Miguel Basin Forum

P.O. Box 9

Nucla, CO 81424

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

**Re: New Horizon North Mine (Permit No. C-2010-089)
Technical Revision Application No. 3 (TR-3)**

To Whom It May Concern:

Please publish the attached legal notice, one time, as soon as possible. For reimbursement, please send the invoice and proof of publication to Ms. Mary Rodriguez of our office at the above address. For questions regarding the publication, please contact me.

Thank you for your cooperation.

*Marcia L. Talvitie, P.E.
Environmental Protection Specialist
Marcia.talvitie@state.co.us*

Enclosure

C-TR-11

NOTICE OF PROPOSED DECISION

The Colorado Division of Reclamation, Mining and Safety proposes to Approve Technical Revision Application No. 3 (TR-3) for the New Horizon North Mine (Permit No. C-2010-089), submitted by Western Fuels-Colorado, LLC. This revision incorporates two small areas, totalling 4.73 acres, into the permit for the purpose of installing a pond outlet ditch and providing access for placement and maintenance of a pump. The surface owner of the affected areas, which have been previously disturbed by historic mining activities, is Western Fuels-Colorado, LLC.

The New Horizon North Mine is a/an Surface coal mine located in Montrose County/Counties, approximately 2.5 miles NW of Nucla. Coal interest is Private, and the surface affected is Private land. The permit area encompasses approximately 328.70 acres.

This proposed decision is based on a finding that the proposed operation will comply with all requirements of the Colorado Surface Coal Mining Reclamation Act, Section 34-33-101, *et seq.*, C.R.S., and the regulations promulgated thereunder.

Copies of the proposed decision, including stipulations, are on file for public inspection at the Colorado Division of Reclamation, Mining and Safety, Room 215, Centennial Building, 1313 Sherman Street, Denver, Colorado 80203. Persons with an interest that may be adversely affected by the proposed decision may request a formal hearing before the Mined Land Reclamation Board on the proposed decision. Such request must be made within ten (10) days of the initial publication of this notice, must be in writing, and must state with reasonable specificity the reasons for the request and the objections to the proposed decision.