

# 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



October 1, 2013

David G. Anderson, P.L.S.  
Western Fuels Association, Inc.  
12050 N. Pecos St., Suite 100  
Westminster, CO 80234

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Pineda  
Director

**Re: New Horizon North Mine (Permit No. C-2010-089)  
Proposed Decision - Technical Revision No. 4 (TR-4)  
As-Built Information for NHN-001 Collection Ditches**

Dear Mr. Anderson:

Enclosed you will find the Division of Reclamation, Mining and Safety's Proposed Decision for Technical Revision No. 4 at the New Horizon North Mine. Notice of the proposed decision will be published in the *San Miguel Basin Forum* as soon as possible. The first publication will initiate the ten (10) day public comment period for the Division's decision.

Please refer to the Performance Bond heading on the enclosed proposed decision form. If the amount of Bond Held equals or exceeds the Revised Liability, you need not submit additional bond. However, if the Revised Liability exceeds the Bond Held, please submit additional bond or rider to your existing bond that equals or exceeds the Revised Liability. This Technical Revision must not be implemented until this proposed decision becomes final and until any required increase in bond is submitted to and approved by the Division.

If there are stipulations attached, please sign and return the proposed decision form to the Division.

If you have any questions, please contact me.

Sincerely,

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

Enclosure

cc: Greg Lewicki, Greg Lewicki and Associates, PLLC

C-TR-08



**COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY**  
1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567

**COAL MINING PERMIT - TECHNICAL REVISION DECISION**

New Horizon North Mine, Western Fuels-Colorado, LLC  
Permit No. C-2010-089

The Division of Reclamation, Mining and Safety has proposed the decision stated below. Provided there are no objections, the decision will become effective upon the termination of the ten (10) day public comment period, in accordance with Rule 2.08.4(6)(b)(iii).

Technical Revision No. 4

Decision: Approve

Submittal Date: May 21, 2013

Decision Date: October 1, 2013

Description of Revision: As-Built Information for NHN-001 Collection Ditches

DIVISION OF RECLAMATION, MINING AND SAFETY PERMITTEE

*Andrea Z. Brown*

Authorized Representative - Division

Authorized Representative - Permittee (if applicable)

Date: October 1, 2013

Date:

| CHANGE IN ACREAGE | REVISED TOTAL ACREAGE | PERFORMANCE BOND                  |
|-------------------|-----------------------|-----------------------------------|
| Disturbed: 0.00   | Disturbed: 288.70     | Prior Liability: \$4,952,979.88   |
| Affected: 0.00    | Affected: 288.70      | Change in Liability: \$0.00       |
| Permit: 0.00      | Permit: 328.70        | Revised Liability: \$4,952,979.88 |
| State: 0.00       | State: 0.00           | Bond Held: \$5,044,743.00         |
| Federal: 0.00     | Federal: 0.00         |                                   |
| Private: 0.00     | Private: 328.70       |                                   |

REVISED APPLICATION PAGES

Section 2.05.3(4) Cover, TOC (Revised)  
Appendix 2.05.3(4)-7 (New)

DELETED APPLICATION PAGES

None

REVISED MAPS

Map 2.05.3(4)-7 (New)  
Map 2.05.3(4)-8 (New)

DELETED MAPS

None