

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



November 4, 2013

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

Chris Gilbreath
Tri-State Generation and Transmission Association, Inc
P.O. Box 33695
Denver, CO 80233-0695

**Re: New Horizon Mine (Permit No. C-1981-008)
Bond Release Application No. 13 (SL-13)**

Dear Mr. Gilbreath:

The Division has issued a proposed decision to Approve Bond Release Application No. 13 (SL-13) for the New Horizon Mine. Enclosed is the Division's decision form and written findings. Notice of the proposed decision will be published in the *San Miguel Basin Forum*, as soon as possible. Publication of the notice initiates a thirty-day public comment period. If there are no requests for an adjudicatory hearing within the thirty days, the decision will become final.

As provided by Rule 3.03.2(6), should you object to the Division's proposed decision, you may request an adjudicatory hearing.

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

If you have questions or are in need of additional information, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Marcia L. Talvitie".

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

Enclosures

C-SL-07



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

COAL MINING PERMIT - BOND RELEASE DECISION

New Horizon Mine, Western Fuels-Colorado, LLC
Permit No. C-1981-008

The Division of Reclamation, Mining and Safety has proposed the decision stated below. Provided there are no objections, the decision will become final in accordance with the requirements of Rule 3.03.2(5)(b).

Bond Release No. 13

Decision: Approve

Submittal Date: May 9, 2012

Decision Date: November 4, 2013

Description of Release: Phase I Release of 100.16 Acres and Phase III Release of 7.22 Acres

DIVISION OF RECLAMATION, MINING
AND SAFETY

PERMITTEE

Andrea L. Brown

Authorized Representative
Date: November 4, 2013

Authorized Representative
Date:

CHANGE IN ACREAGE	REVISED TOTAL ACREAGE	PERFORMANCE BOND
Disturbed: 0.00	Disturbed: 866.66	Prior Liability: \$5,702,700.81
Affected: -7.22	Affected: 859.44	Change in Liability: (\$589,160.49)
Permit: 0.00	Permit: 926.06	Revised Liability: \$5,113,540.32
State: 0.00	State: 0.00	Bond Held: \$5,702,700.81
Federal: 0.00	Federal: 0.00	
Private: 0.00	Private: 926.06	

RELEASED ACREAGE REMAINING IN PERMIT BOUNDARY

	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>
Disturbed	100.16	7.22	7.22
Affected	0.00	0.00	7.22
Permitted	0.00	0.00	0.00

REVISED APPLICATION PAGES

None

DELETED APPLICATION PAGES

None

REVISED MAPS

None

DELETED MAPS

None