

AFFIDAVIT OF PUBLICATION

FORUM NEWSPAPERS, INC.

STATE OF COLORADO)
)SS.
COUNTY OF MONTROSE)

I, **Mary Culver** do solemnly swear that I am **Secretary of Forum Newspapers, Inc.**; that the same is a weekly newspaper printed in whole or in part, and published in the County of Montrose, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterrupted in said County of Montrose for a period of more than fifty-two weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issues of every number of said weekly newspapers for the period of 4 consecutive insertions; and that the first publication of said notice was in the issue of the newspaper dated August 24 A.D., 20 17, and that the last publication of said notice was in the issue of said newspaper dated September 14 A.D., 20 17

In witness whereof I have hereunto set my hand

this 14th day of September A.D., 20 17

Mary Culver

Subscribed and sworn to before me, a Notary Public
in and for the County of Montrose, State of Colorado

this 14th day of Sept. A.D., 20 17

Roger Culver

(Notary Public)

My Commission Expires

03-04-2021

Public Notice

Elk Ridge Mining and Reclamation, LLC, P.O. Box 628, Nucla, CO 81424 has filed with the Division of Reclamation, Mining and Safety an application for Permit Revision No. 2 (PR-02) to the New Horizon North Mine, Permit No. C-2010-089. PR-02 revises the postmining land use, topsoil handling plan and revegetation plan on the Garvey & Co. LLC property.

The New Horizon North Mine office is located at 27646 West 5th Street, P.O. Box 628, Nucla, Colorado. The permit area contains tracts of land located in Section 25 and Section 36, Township 47 North, Range 16 West of the New Mexico Principal Meridian, Montrose County, Colorado being more particularly described as follows:

The West 1/2 of Section 25, T. 47 N. R. 16 W. of the New Mexico Principal Meridian, containing 317.23 acres more or less. Additionally, within Section 36, T. 47 N. R. 16 W. of the New Mexico Principal Meridian, an equipment corridor of 4.95 acres, a road corridor of 1.08 acres, an area of 3.32 acres encompassing the discharge flume of Pond 001 and a maintenance corridor along AA Road, and an area of 2.30 acres encompassing a portion of the Old New Horizon Mine 1 Pond 001. In total the New Horizon North permit boundary contains 328.88 acres more or less.

The above mentioned tracts of land are shown on USGS 7.5 minute Nucla Quadrangle map.

A copy of the complete permit revision application is available for public inspection at the Montrose County Courthouse Annex, Nucla, Colorado. Written comments or objections to the application may be submitted to the Division of Reclamation, Mining and Safety, Room 215, 1313 Sherman Street, Denver, Colorado 80203, Telephone (303) 866-3567. Written comments and objections must be received by the Division of Reclamation, Mining and Safety within 30 days after the last publication of this notice.

Topsoil stripping and haul road and pond construction activities are proposed to occur within 100' of the outside right-of-way of public roads. However, no overburden removal or coal extraction will occur within 100' of the outside right-of-way of public roads. A public hearing, for the purpose of determining whether the interests of the public and affected landowners will be protected, may be requested by contacting the Division in writing within 30 days of the last day of last publication of the notice. If requested, such hearing would be held in Nucla, the locality of the proposed mining operation.

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