



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

NOTICE OF INTENT TO EXPLORE INVOLVING REMOVAL OF
250 TONS OR LESS OF COAL

PART I

Notice of Intent No. (Assigned by Division): X2013-228-01

Applicant: Ark Land LLC & Mountain Coal Company, LLC

Project Name: Sunset Trail Area Exploration Plan

Date: 11/08/17 Commodity Mined or Explored: Coal

Mineral Ownership: Federal ☒ State ☐ Private ☐

Surface Ownership: Federal ☒ State ☐ Private ☐

Permittee

Individual's Name: Casey Smith & Michael Peacock

Company Name: Ark Land LLC & Mountain Coal Company, LLC

Address: 5174 Highway 133, Somerset, CO 81434

Telephone: (970) 929-2246 & 929-2301

Permitting Contact (if different from above)

Individual's Name: Kathleen Welt

Company Name: Mountain Coal Company, LLC

Address: 5174 Highway 133, Somerset, CO 81434

Telephone: (970) 929-2238

Inspection Contact (if different from above)

Individual's Name: (Same)

Company Name: _____

Address: _____

Telephone: ()

NOTE: Exploration must be conducted in compliance with the Rules and Regulations of the Colorado Mined Land Reclamation Board for Coal Mining, adopted in accordance with the Colorado Surface Coal Mining Reclamation Act, C.R.S. 34-33-101 et seq. This form must be filled out entirely before it can be considered complete. **Two (2)** copies of this Notice, including maps and additional attachments, should be submitted to the Division of Reclamation, Mining and Safety. Please refer to Rules 2.02, 3.05, 4.07, 4.21 and 5.01 for specific regulatory requirements.

PART II

1. Location of Exploration Area, Rule 2.02.2(2)(c):

a. County(s): Gunnison County

b.

Township	Range	Section(s)
T14S	R90W	10, 11, 14, & 15

c. A map at a scale of 1" = 1,000' has been provided which shows the exploration activities involved, including all roads to be used or built and the location of drill sites, if applicable.

d. Supply longitude and latitude if the area has not been surveyed.

2. Period of Intended Exploration:

Exploration site #'s SST-2, 4, & 7 from (mo/yr) Estim. 12/17 to 6/18

Exploration site #'s SST-3 & 8 from (mo/yr) Estim. 6/18 to 10/20

Exploration site #'s SST-1, 5, 6, 9 & 10 from (mo/yr) Estim. 8/18 to 10/20

All exploration activities will be completed by (mo/yr) Estim. 10/20

All reclamation activities will be completed by (mo/yr) Estim. 8/21

3. If the surface is owned by a person other than the person who intends to explore, give a description of the basis upon which the person who will explore claims the right to enter such area for the purpose of conducting exploration and reclamation (attach supporting documents, if applicable):

4. Attach a description of the land to be affected. For example: The condition of the topsoil, the general hydrology, type of vegetation and topography, Rule 2.02.2(2)(c).

5. Describe Exploration Activities; Rule 2.02.2(2)(g):

a. Attach a narrative description of methods and equipment to be used to conduct coal exploration activities. Include drilling operations, surface blasting, road or access route construction, excavated earth and debris disposal activities. Also describe measures to be taken to protect the environment: topsoil salvage, diversion of overland flow, settling ponds, etc.

b. Specifically address:

- 1) Location and acreage of areas where topsoil will be salvaged and stored;
- 2) How much earth moving will be needed for new roads or drill sites, if any;
- 3) What seed mix (type and amount) will be used for revegetation;
- 4) Depth of drill holes;
- 5) Whether aquifers will be encountered (include supporting references);
- 6) Precise description of how drill holes will be sealed and plugged in accordance with Rule 4.07; and
- 7) Whether holes will be developed as water wells and, if so, the well permit issued by the Colorado Division of Water Resources.

6. Attach a statement with appropriate references from the relevant State or Federal agencies or published sources, which determines that the exploration and reclamation described will not jeopardize the continued existence of an endangered or threatened species listed pursuant to Section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) or the Nongame, Endangered or Threatened Species Conservation Act (Section 33-8-101 et seq. C.R.S. 1973) or result in the destruction or adverse modification of critical habitat of those species. (Rule 2.02.2(2)(h))

7. Does the applicant wish any parts of this Notice to be considered CONFIDENTIAL?

No If yes, the material should be attached as a separate document and clearly marked "Confidential." Justification for requesting the confidentiality must be included with the request. Note: Rule 2.02.8(2)(a) only allows confidential material that concerns trade secrets or is privileged commercial or financial information which relates to the competitive rights of the person intending to conduct coal exploration.

8. Has this complete Notice been put on file at the county courthouse in the vicinity of the exploration area, as required by Rule 2.02.8(1)? No

9. Have reclamation costs been included with this Notice to assist in determining the amount of Performance Bond required, if any? No

10. How will the reclaimed drill hole locations be marked? appropriately labeled monument marker

PART III

The applicant is aware of the following conditions to this Notice:

1. No person shall conduct coal exploration activities under Rule 2.02.2 until they have received notification of the Division's determination on substantial disturbance and qualifications as coal exploration.
2. A determination by the Division that substantial exploration disturbance of the natural land surface by exploration with removal of 250 tons or less will require that the person who proposes to conduct the coal exploration post a Performance Bond prior to initiation of exploration according to the requirements set forth in Rule 3.05.
3. Any person conducting coal exploration activities which the Division has determined will cause substantial disturbance of the natural land surface or which will involve the removal of more than 250 tons of coal shall submit, in accordance with Rules 2.02.6(3) and 4.07.3(3):
 - a. A report for each successive 180-day period during coal exploration activities, no later than 10 days after the end of that period. A report will not be required for 180-day periods of inactivity. (Rule 2.02.6(3)(a))
 - b. A final written report, no later than 30 days after the end of that period for which Notice of Intent was filed or written approval was granted. (Rule 2.02.6(3)(b))
 - c. A Drill Hole Abandonment Report, within 60 days of abandoning a drill hole. (Rule 4.07.3(3))

(THESE THREE REPORT FORMS ARE AVAILABLE FROM THE DIVISION.)

4. The Division may conduct periodic inspections of all coal exploration activities and issue Notices of Violation to any person who is in violation of the Act, or any conditions of exploration approvals. (Rules 5.01.3 and 5.02.2)

To the best of my knowledge and belief, all the information presented in this application is true and correct.

Kathleen G. Welt, Environmental Engineer III

Print Name and Title of Representative

Date: 11/08/17


Signature of Authorized Representative