

Public Notice

Pursuant to the Rules and Regulation of the Colorado Mined Land Reclamation Board published August 1980, and pursuant to the Colorado Surface Coal Mining Reclamation Act 34-33-101, et seq., notice is hereby given of the filing of an application for Phase I, II, and III Bond Release of a portion of the New Horizon Mine site. The application is denoted as SL-22 and pertains to the New Horizon Mine, Permit No. C-1981-008 (approved April 6, 1983) by Elk Ridge Mining and Reclamation, LLC, P.O. Box 628, Niwota, Colorado 81424, filed with the Colorado Division of Reclamation, Mining and Safety (CDRMS), Colorado Department of Natural Resources, 1313 Sherman Street, Room 215, Denver, Colorado 80203. The New Horizon Mine is located approximately 2 miles west of Niwota, Colorado.

The Phase I, II, and III bond release areas applied are dryland and irrigated pasture reclamation areas that were reclaimed from 2004 to 2018. The Phase I areas include 3.0 acres, the Phase II areas include 132.4 acres, and the Phase III areas include 157.0 acres. All areas being applied for bond release are shown in detail on Maps 1 through 4 in the application. The status of the reclaimed areas are consistent with the requirements of the approved reclamation plan which includes backfill and grading to the final post-mine surface, appropriate topsoil replacement, achievement of Phase I and in some cases Phase II bond release, a minimum of 5 years since the last seeding and till and gully repair, and reclamation parcels have met the requirements of the revegetation success criteria for two years. Listed below is a general legal description of the areas being applied for bond release:

Phase I Areas

Township 46 North, Range 15 West of the 6th P.M. Section 6 - SE ¼ NE ¼
Township 47 North, Range 16 West of the 6th P.M. Section 36 - SE ¼ E ¼

Phase II Areas

Township 47 North, Range 16 West of the 6th P.M. Section 36 - SE ¼
Township 46 North, Range 16 West of the 6th P.M. Section 1 - N ¼

Phase III Areas

Township 46 North, Range 15 West of the 6th P.M. Section 6 - NW ¼ NW ¼ E ¼
Township 47 North, Range 15 West of the 6th P.M. Section 31 - SW ¼
Township 47 North, Range 16 West of the 6th P.M. Section 36 - SE ¼

The New Horizon Mine currently holds a self-bond in the amount of \$5,300,000, which includes the above listed areas. With this application, the New Horizon Mine will be requesting relinquishment of 60% of the bond held for the Phase I areas, 25% of the bond held for the Phase II areas and 100% of the remaining bond held for the Phase III areas.

A copy of the bond release application is on file at the Montrose County Courthouse Annex, 300 Main Street, Niwota, Colorado and the Colorado Division of Reclamation Mining and Safety at Department of Natural Resources, 1313 Sherman Street, Room 215, Denver, Colorado 80203.

Written comments, objections, and requests for a public hearing or informal conference concerning this bond release application should be addressed to the Colorado Division of Reclamation Mining and Safety, Department of Natural Resources, 1313 Sherman Street, Room 215, Denver, Colorado 80203.

Comments must be filed within thirty (30) days from the last date of this publication, or within thirty (30) days of the completed inspection by the CDRMS, whichever is later.

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STATE OF COLORADO

COUNTY OF MONTROSE

SS.

I, Mary Culver do solemnly swear that I am Secretary of Forum Newspapers, Inc.; that the same is a weekly newspaper printed in whole 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 for a period of more than fifty-two weeks prior to the first publication of the annexed legal notice 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 a weekly newspaper duly qualified for publishing legal notices and advertisements within the means of the laws of the State of Colorado.

That the annexed legal notice or advertisement published in the regular and entire issues of every 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 June 20 A.D., 2019, and that the last publication of said notice was in the issue of said newspaper dated July 11 A.D., 2019

In witness whereof I have hereunto set my hand

this 11 day of July A.D., 20 19

Mary Culver

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

this 11 day of July A.D., 20 19

(Notary Public)

My Commission Expires 03-04-2021