

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 1 consecutive insertions; and that the first publication of said notice was in the issue of the newspaper dated March 26 A.D., 2020, and that the last publication of said notice was in the issue of said newspaper dated March 26 A.D., 2020

In witness whereof I have hereunto set my hand

this 26 day of March A.D., 2020

Mary Culver

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

this 26 day of March A.D., 2020

Roger Cuba

(Notary Public)

My Commission Expires 03.04.2021

Legal Publication

NOTICE OF PROPOSED DECISION

The Colorado Division of Reclamation, Mining and Safety proposes to approve Technical Revision Application No. 23 (TR-23) for the New Horizon North Mine (Permit No. C-2010-089), submitted by Elk Ridge Mining and Reclamation, LLC. ERM is proposing to remove the east ditch liner in Segment 6 of the ditch.

The New Horizon North Mine is a surface coal mine located in Montrose County, approximately 2.5 miles NW of Nucha. Coal interest is private, and the surface affected is private land. The permit area encompasses approximately 234.60 acres.

This proposed decision is based on a finding that the proposed operation will comply with all requirements of the Colorado Surface Coal Mining Reclamation Act, Section 3433101, et seq., C.R.S., and the regulations promulgated thereunder.

Copies of the proposed decision, including stipulations, are on file for public inspection at the Colorado Division of Reclamation, Mining and Safety, Room 215, Centennial Building, 1313 Sherman Street, Denver, Colorado 80203. Persons with an interest that may be adversely affected by the proposed decision may request a formal hearing before the Mined Land Reclamation Board on the proposed decision. Such request must be made within ten (10) days of the initial publication of this notice, must be in writing, and must state with reasonable specificity the reasons for the request and the objections to the proposed decision.

Published in the San Miguel Basin Forum on March 26, 2020