

August 20, 2020

New Elk Mining Company, LLC
12250 State Highway 12
Weston CO, 81091

**RE: Coal Exploration No. X-2020-232-02
Second Adequacy Letter**

The Division has reviewed the above-referenced responses to the Divisions first Adequacy Letter for Notice of Intent to Conduct Coal Exploration, NOI No. X-2020-232-02 in accordance with the applicable provisions of the Colorado Surface Coal Mining Act (“Act”) and the Regulations of the Colorado Mined Land Reclamation Board for Coal Mining (“Regulations”), and has the following comments.

- 1. The response provided by the operator contained two maps, one showing Surface Ownership and the second showing Coal ownership. The New Elk Mine’s permit boundary is not consistent between these two maps. Please provide maps accurately showing the location of the permit boundary.**
- 2. Specific to the Coal Ownership Map the Division has the following comments:**
 - a. Proposed well NE-06-20 is shown to be within the New Elk Mine permit boundary. This borehole would need to be permitted under the existing mining permit C-1981-012, with a technical revision.**
 - b. It does not appear that proposed borehole NE-11-20 or the proposed access road are within the Lease Boundary, but it is unclear in that area of the map where the lease boundary extends.**
 - c. The maps uses solid red lines to depict both lease boundary and owners parcels, which makes it unclear where these boundaries are located. Please provide a map that clearly shows different lines representing different boundaries.**
 - d. The revised map removed the outline of historic mine workings which were shown on the original map, please include this feature.**
- 3. It is not clear how all proposed drill holes will be accessed. The map shows only one proposed access road. Please ensure access routes are clearly shown where applicable.**

Determination of Amount of Performance Bond [Rule 3.05.2(1)]

The Division will prepare a preliminary estimate of the amount of performance bond sufficient to assure the satisfactory reclamation of the proposed coal exploration disturbance in the event of bond forfeiture, the work had to be performed by the Division through independent contractors.

Upon acceptance of NOI X-2020-232-02 coal exploration cannot be initiated prior to receiving the bond.



If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **720-618-0860**, or by email at tabetha.lynch@state.co.us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tabetha Lynch".

Tabetha Lynch
Environmental Protection Specialist