

Delta County Independent

401 Meeker St.

PO Box 809

Delta, CO 81416

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF DELTA

)
) SS.

I, Diane Webster, do solemnly swear that the *Delta County Independent* is a weekly newspaper printed, in whole or in part, and published in the County of Delta, State of Colorado, continuously and uninterruptedly in said County of Delta for a period of more than fifty-two consecutive 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 the Act of March 3, 1879, and all 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 issue **one** consecutive insertion(s); that the first publication of said notice was in the issue of said newspaper dated **February 10, A.D., 2021**, and that the last publication of said notice was in the issue of said newspaper dated **February 10, A.D., 2021**.

In witness whereof I have hereunto set my hand this 10th day of February, 2021.

Diane Webster Other

Subscribed and sworn to before me this 10th day of February, 2021.

Beth Ann Zentmeyer Notary Public

BETH ANN ZENTMEYER
19874227037
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 8-20-2023

PUBLIC NOTICE

NOTICE OF PROPOSED DECISION

The Colorado Division of Reclamation, Mining and Safety proposes to approve Technical Revision Application No. 149 (TR-149) for the West Elk Mine (Permit No. C-1980-007), submitted by Mountain Coal Company, LLC. TR-149 seeks to update the subsidence and hydrologic impacts modeling and projections in Exhibits 60E and 55B based on more recent topographic survey data. Included is a technical review of chimney-type roof collapse in mine development roadways.

The West Elk Mine is a/an underground coal mine located in Delta, Gunnison County, approximately 9 miles E of Paonia, Colorado. Coal interest is federal and private, and the surface affected is federal and private land. The permit area encompasses approximately 19,854.90 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 34-33-101, et seq., C.R.S., and the regulations promulgated thereunder.

The revision application, as well as all other permit documents, can be viewed at <https://dnrwebblink.state.co.us/drms/search.aspx> by searching C1980007 in the "Permit No" field. A user guide is available to help first time users of the imaged document system and can be viewed at https://drive.google.com/file/d/1I8OUdf_Mpjo3kxIH-kP5hMH-w7MeBtxX7/view.

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 Delta County Independent February 10, 2021.