

PUBLIC NOTICE

AFFIDAVIT OF PUBLICATION FORUM NEWSPAPER

STATE OF COLORADO)

COUNTY OF MONTROSE)

I, **Mary Culver** do solemnly swear that I am the **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 throughout the County of Montrose, State of Colorado 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 delivered to the United States mails as second-class matter under the provisions of Act of March 3, 1879, and any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publication of 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 4 consecutive insertions; and that the first publication of said notice was in the issue of the newspaper dated January 27 A.D., 2022, and that the last publication of said notice was in the issue of said newspaper dated February 17 A.D., 2022.

In witness whereof I have hereunto set my hand

this 17th day of Feb, A.D., 2022

Mary Culver

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

this 17 day of Feb, A.D., 2022

Roger Culver

(Notary Public)

My Commission Expires 03-04-2025

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 II and III Bond Release of a portion of the New Horizon North Mine site. The application is denoted as SL-03 and pertains to the New Horizon North Mine, Permit No. C-2010-089 (issued June 20, 2012) by Elk Ridge Mining and Reclamation, LLC, P.O. Box 628, Nucla, 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 Phase II bond release areas applied for, contains areas reclaimed to dryland and irrigated pasture from 2017-2019, and totals 118.6 acres. The Phase III bond release area applied for is a reclaimed sediment control structure, it was reclaimed in 2017, and totals 3.7 acres. The work to reclaim the proposed bond release areas included topsoiling and seeding the areas with the approved seed mixtures. All areas being applied for bond release are consistent with the requirements of the New Horizon North Mine permit for proper topsoil replacement thickness and revegetation success that supports the post mine land use. The areas being applied for bond release are shown on Map 1 within the application. Listed below is a general legal description of these areas:

Township 47 North, Range 16 West of the 6th P.M. New Mexico Principal Meridian,
County of Montrose, State of Colorado

Section 25 - SW 1/4 and the NW 1/4 S 1/4

The New Horizon North Mine currently holds a surety bond in the amount of \$2,617,883.57, which covers the above listed areas. The New Horizon North Mine will be requesting relinquishment of 25% of the bond held for the Phase II parcels, and 100% of the bond held for the Phase III parcel being applied for under this application.

A copy of the bond release application is on file at the Montrose County Courthouse Annex, 300 Main Street, Nucla, 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.

Published in the San Miguel Basin Forum on January 27, February 3, 10, and 17, 2022

