

AFFIDAVIT OF PUBLICATION

Delta County Independent
401 Meeker Street
(970) 874-4421

I, Brooke Jacques, of lawful age, being duly sworn upon oath, deposes and says that I am the Representative of Delta County Independent, a publication that is a "legal newspaper" as that phrase is defined for the city of Delta, for the County of Delta, in the state of Colorado, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

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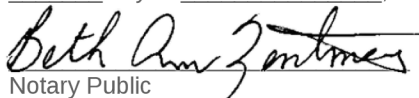

Representative

VERIFICATION

STATE OF COLORADO
COUNTY OF DELTA

Signed or attested before me on this

28th day of September, A.D. 2022.


Notary Public

My Commission Expires: 08/20/2023

DAN #19874227037 - 878916

Public Notice

Mountain Coal Company, LLC (MCC), 5174 Highway 133, Somerset, CO 81434, (970) 929-5015, has filed a Phase II Bond Release Request to MCC's Mining and Reclamation Permit No. C-1980-007 with the Colorado Mined Land Reclamation Board (Board), under the provisions of the Colorado Surface Coal Mining Reclamation Act of 1979. The permit was originally issued by the Board in July 1981, and subsequently renewed every five years with the last renewal issued September 2020. The State of Colorado holds a surety reclamation bond in the amount of \$15,000,000.00 that exceeds the current reclamation liability of \$11,756,466.23.

MCC's approved permit area is located in Gunnison and Delta Counties east of the town of Somerset and south of the North Fork of the Gunnison River. MCC's current permit area is included within areas found on the Somerset and Minnesota Pass USGS 7.5 minute quadrangle maps and contains lands in Sections 9-11, 13-36 in T13S, R90W of the 6th PM, Sections 23-26, T13S, R91W of the 6th Prime Meridian, and Sections 1-5, 8-12, 14-16, and 21-23, T14S, R91W of the 6th Prime Meridian in Gunnison and Delta Counties, Colorado. The current permit area contains approximately 19,854.9 acres. MCC is requesting a Phase II bond release for reclaimed methane vent boreholes (MVBs) and associated roads and surface disturbance. These re-claimed areas comprise approximately 20.74 acres of private and public land, within portions of the mine permit area that include Sections 33-36, T13S, R90 W; and Sections 1-3, T14S, R90W; all of the 6th Prime Meridian. The MVB's and associated disturbances were necessary for prior coal mining operations. MCC is requesting a release of \$109,926.02 which represents the maximum 25% of the reclamation bond applicable to sites proposed for Phase II bond release, as allowed by Colorado Statute and Rule 3.03. This amount will be verified by the State of Colorado. The revegetation on these reclaimed sites has met the applicable vegetation bond release criteria for Phase II bond release and has been shown to control erosion equal to levels of adjacent undisturbed areas.

Reclamation of the sites for which Phase II bond release is being requested was completed between 2012 and 2017. Reclamation included proper plugging and sealing of MVBs, followed by backfilling and regrading of surface disturbance, with subsequent replacement of topsoil and implementation of sediment control measures. The areas proposed for bond release have been revegetated using the methods and plant species consistent with the requirements of the landowners and the approved mining and reclamation permit. A copy of the bond release application is available for review at the Colorado Division

of Reclamation, Mining and Safety (CDRMS), 1313 Sherman Street, Room 215 Denver, CO 80203, (303) 866-3567, and the Gunnison County Planning Office, 221 N. Wisconsin St., Gunnison, CO 81230. All information pertinent to the bond release request is presented within this application. Comments or objections concerning the application should be directed to the CDRMS at the above address not later than 30 days after the last date of publication of this notice (published four times consecutively) in order to be considered.

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