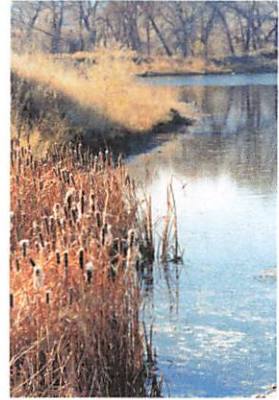


Savage and Savage *Environmental*

practical solutions for environmental concerns

4610 Haystack Drive
Windsor, Colorado 80550

970. 674. 8080 telephone
savageandsavage@earthlink.net



August 30, 2022

Ark Land Company
c/o Mountain Coal Company, LLC
5174 Highway 133
Somerset, Colorado 81434

Re: Notice of Application for Phase II Bond Release of Selected Areas of the Mountain Coal Company, LLC West Elk Mine (CDRMS file C-1980-007)

Dear Ark Land Company:

Mountain Coal Company, LLC (MCC) is applying for a Phase II liability and bond release for portions of the West Elk Mine (Colorado Division of Reclamation, Mining, and Safety permit C-1980-007) in accordance with the approved reclamation plan. The subject of the bond release is a release from liability and reclamation bond for areas where it has been demonstrated that MCC has successfully established vegetation supporting the post-mining land use, met the approved success standard for vegetation cover, and demonstrated that suspended solids contributions to runoff or streamflow from the eligible reclaimed areas do not exceed pre-mining (native adjacent area) levels of suspended solids contributions.

The application for bond release includes reclaimed areas located above the Dry Creek and Deep Creek drainages within the mine site encompassing approximately 20.74 acres. The reclaimed areas requesting bond release are located within the current permit area and are found within Sections 33-36, T13S, R90 W; and Sections 1-3, T14S, R90W; all within the 6th Prime Meridian, Gunnison County, Colorado. The mine permit area entrance is located approximately two miles east of Somerset, Colorado, and is accessed from Colorado Highway 133.

As required by Colorado law, whenever bond release is requested, all interested or affected parties with a valid legal interest must be notified and afforded the opportunity to comment or request an informal conference on the bond release in accordance with Rule 3.03.3 of the Regulations of the Colorado Mined Land Reclamation Board for Coal Mining.

This letter will serve to notify you that MCC is requesting Phase II liability and bond release in the amount of approximately \$109,926.02 of the total calculated current reclamation bond liability amount of \$11,756,466.23. A copy of the entire bond release application submitted to the Colorado Division of Reclamation, Mining, and Safety will be on file with the Division in Denver, Colorado at 1313 Sherman Street, Room 215 (telephone 303.866.3567), and the Gunnison County Planning Office, 221 N. Wisconsin, Suite C, Gunnison, Colorado 81230 during the review period. All information pertinent to the bond release request is presented within this application.

If you have any questions, comments, or concerns regarding the request for bond release, please contact the Colorado Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203 (telephone 303.866.3567).

Additionally, if I can answer any questions or concerns, please call me at the above number.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Savage", with a long horizontal flourish extending to the right.

Michael S. Savage
Principal

CERTIFIED MAIL # 7021 2720 0002 5069 7534
RETURN RECEIPT REQUESTED

c: Leigh Simmons, CDRMS, Denver
Nicki Poulos, Mountain Coal Company, LLC

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861.

2. The second part is a report from the Secretary of the Treasury, dated January 1, 1861.

3. The third part is a report from the Secretary of the Interior, dated January 1, 1861.

4. The fourth part is a report from the Secretary of the Navy, dated January 1, 1861.

5. The fifth part is a report from the Secretary of the War, dated January 1, 1861.

6. The sixth part is a report from the Secretary of the State, dated January 1, 1861.

7. The seventh part is a report from the Secretary of the Army, dated January 1, 1861.

8. The eighth part is a report from the Secretary of the Marine Corps, dated January 1, 1861.

9. The ninth part is a report from the Secretary of the Coast and Geodetic Survey, dated January 1, 1861.

10. The tenth part is a report from the Secretary of the Smithsonian Institution, dated January 1, 1861.

11. The eleventh part is a report from the Secretary of the Department of the Interior, dated January 1, 1861.

12. The twelfth part is a report from the Secretary of the Department of the Navy, dated January 1, 1861.

13. The thirteenth part is a report from the Secretary of the Department of the War, dated January 1, 1861.