



February 22, 2023

Mr. Clayton Wein
Environmental Protection Specialist
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

**RE: New Horizon Mine (Permit No. C-1981-008)
Technical Revision No. 106 (TR-106)
Incidental Permit Boundary Revision**

Dear Mr. Wein:

Tri-State Generation and Transmission Association Inc. (Tri-State), is the parent company to Elk Ridge Mining and Reclamation, LCC (ERMR), which owns and operates the New Horizon Mine. The New Horizon Mine operates under the Division of Reclamation, Mining and Safety (DRMS) Permit No. C-1981-008. Therefore, Tri-State on behalf of ERMR is submitting TR-106 to Permit No. C-1981-008.

TR-106 proposes to reduce the permit boundary to remove Phase III released reclamation areas from the permit boundary as the areas are no longer necessary for a grass filter with the recent approval of SL-25.

If you have any questions about the request, please contact Tony Tennyson at (970) 824-1232 or ttennyson@tristategt.org.

Sincerely,

DocuSigned by:
A handwritten signature in black ink that reads "Chris Gilbreath".
D250C711D0BF450...

Chris Gilbreath
Senior Manager,
Remediation and Reclamation

CG:TT:der

Enclosures

cc: Tony Tennyson (via email)
File: G474-11.3(21)b-4

CHANGE SHEET FOR PERMIT REVISIONS, TECHNICAL REVISION, AND MINOR REVISIONS

Mine Company Name: New Horizon Mine

Date: **February 22, 2023**

Permit Number: **C-1981-008**

Revision Description: **TR-106 Incidental
Boundary Revision**

Volume Number	Page, Map or other Permit Entry to be REMOVED	Page, Map or other Permit Entry to be ADDED	Description of Change
1	Section 2.03 Pages 8 through 13 (6 pages)	Section 2.03 Pages 8 through 13 (6 pages)	Sections 2.03.4(6)(a), 2.03.4(7) and 2.03.8 have been updated.
1	Attachment 2.03.8-1 Pages 1 through 5 (5 pages)	Attachment 2.03.8-1 Pages 1 through 5 (5 pages)	Attachment 2.03.8-1, Parcel 2 has been updated.
1	Map 2.03.4-1	Map 2.03.4-1	Map 2.03.4-1 has been updated.
1	Map 2.03.4-2	Map 2.03.4-2	Map 2.03.4-2 has been updated
1	Map 2.04.6-7	Map 2.04.6-7	Map 2.04.6-7 has been updated.
2	Map 2.04.7-1A	Map 2.04.7-1A	Map 2.04.7-1A has been updated.
3	Map 2.04.9-1	Map 2.04.9-1	Map 2.04.9-1 has been updated.
4	Map 2.04.10	Map 2.04.10	Map 2.04.10 has been updated.
5	Map 2.04.11-1	Map 2.04.11-1	Map 2.04.11-1 has been updated.
6	Map 2.05.3(3)-1	Map 2.05.3(3)-1	Map 2.05.3(3)-1 has been updated.
6	Map 2.05.3(3)-3	Map 2.05.3(3)-3	Map 2.05.3(3)-3 has been updated.
7	Attachment 2.05.3(3)-37 All pages (9 pages)		Attachment 2.05.3(3)-37 is being removed from the permit as it is no longer applicable.
7	Attachment 2.05.3(3)-38 All pages (3 pages)		Attachment 2.05.3(3)-38 should have been previously removed from the permit as it is no longer inside the permit boundary.
8	Map 2.05.4-1	Map 2.05.4-1	Map 2.05.4-1 has been updated.
8	Map 2.05.4-4	Map 2.05.4-4	Map 2.05.4-4 has been updated.
8	Map 2.05.4-5	Map 2.05.4-5	Map 2.05.4-5 has been updated.
9			No change
10	Map 4.05.18-1	Map 4.05.18-1	Map 4.05.18-1 has been updated.

2.03.4(4)(a) Other mining operations controlled by the persons associated with applicant

Western Fuels - Wyoming, Inc. 12050 N. Pecos Street Westminster, CO 80234 (303) 255-5807 Name of Operation - Dry Fork Mine Employer ID 52-1619390 Wyoming DEQ Permit No. 599-T6 MSHA No.: 48-01429	Elk Ridge Mining and Reclamation, LLC P.O. Box 628 Nucla, CO 81424 (970) 864-2165 Name of Operation - New Horizon North Mine Employer I.D. 84-1195998 Colorado DRMS Permit Number C-2010-089 MSHA No.: 05-00299
Colowyo Coal Company L.P. 5731 State Highway 13 Meeker, CO 81641 (970) 824-1532 Name of Operation - Colowyo Coal Mine Employer I.D. 84-0705078 Colorado DRMS Permit Number C-1981-019 MSHA No.: 05-02962	Trapper Mining, Inc. 25910 State Highway 13 Craig, CO 81625 (970) 824-4401 Name of Operation - Trapper Mine Employer I.D. 94-2785879 Colorado DRMS Permit Number C-1981-010 MSHA Number 05-02838

2.03.4(4)(b) Not applicable**2.03.4(5) Not applicable****2.03.4(6)(a) Legal or Equitable Owners of Record of Surface Coal to be Mined****Surface Ownership within Permit Boundary (Map 2.03.4-1)**

<u>No.</u>	<u>Surface Owner</u>	<u>Address</u>	<u>City, State, Zip Code</u>
12	Elk Ridge Mining & Reclamation	P.O. Box 333695	Denver, CO 80233
13	GW46 Irrevocable Trust	P.O. Box 587	Nucla, CO 81424
15	Lester Goforth	P.O. Box 541	Nucla, CO 81424
43	Slash M, LLC	P.O. Box 4	Nucla, CO 81424
25	Patricia Morgan	P.O. Box 336	Nucla, CO 81424

Coal Ownership within Permit Boundary (Map 2.03.4-2)

<u>No.</u>	<u>Surface Owner</u>	<u>Address</u>	<u>City, State, Zip Code</u>
12	Elk Ridge Mining & Reclamation	P.O. Box 333695	Denver, CO 80233

13	GW46 Irrevocable Trust	P.O. Box 587	Nucla, CO 81424
15	Tsawhawbitts Meadows Ranch Trust	P.O. Box 550	Nucla, CO 81424
41	Carl (Bud) and Teresa Benson	16201 East Yucca Ash Farm	Sonoita, AZ 85637
42	Ernest Lloyd	220 10 th Avenue	Nucla, CO 81424
42	Rosella Lloyd	2435 South 25 Road	Cedaredge, CO 81413
42	Mary Bolender	1541 Rush Road	Eagle, ID 83616
42	Harry Lloyd	11432 Jones Road	Berrien Springs, MI 49103
43	Frank & Mary Lou Morgan	P.O. Box 4	Nucla, CO 81424

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2.03.4(6)(b) Holders of Record of any Leasehold

Surface, Coal (Minerals), Oil & Gas Leaseholders

Elk Ridge Mining and Reclamation, LLC

P.O. Box 33695

Denver, CO 80233

2.03.4(6)(c) Not Applicable

2.03.4(7) Names and Addresses of Contiguous Owners to the Permit Boundary for Surface, Coal, Oil and Gas.

Surface Ownership Contiguous to the Permit Boundary (Map 2.03.4-1)

<u>No.</u>	<u>Surface Owner</u>	<u>Address</u>	<u>City, State, Zip Code</u>
9	James Dirk Richards	P.O. Box 153	Nulca, CO 81424
12	Elk Ridge Mining & Reclamation	P.O. Box 333695	Denver, CO 80233
13	GW46 Irrevocable Trust	P.O. Box 587	Nucla, CO 81424
15	Lester Goforth	P.O. Box 541	Nucla, CO 81424
16	Melvin & Lea Ann Staats	P.O. Box 10	Nulca, CO 81424
18	Michael & Joann Moore	P.O. Box 326	Nulca, CO 81424
24	Gregg Massini	24 Hulett Hill Road	Sheffield, MA 01257
26	George V. Kirkwood III	P.O. Box 70	Camp Verde, AZ 86322
27	Timothy & Anna Higgs	P.O. Box 328	Nulca, CO 81424
33	Wilson Family Living Trust	1515 Ptarmigan Court North	Grand Junction, CO 81506
51	Mildred E. Campbell Trust	P.O. Box 51	Nulca, CO 81424

52	Raymond & Nora Davis	P.O. Box 442	Nulca, CO 81424
15	Lester Goforth	P.O. Box 541	Nucla, CO 81424
43	Slash M, LLC	P.O. Box 346	Nucla, CO 81424
46	Nancy Lee Enstrom Life Estate	P.O. Box 354	Nucla, CO 81424
25	Patricia Morgan	P.O. Box 336	Nucla, CO 81424
23	Robert Blohm	P.O. Box 50	Nucla, CO 81424

Oil, Gas and Minerals Ownership Contiguous to the Permit Boundary (Map 2.03.4-2)

<u>No.</u>	<u>Surface Owner</u>	<u>Address</u>	<u>City, State, Zip Code</u>
1	Carl (Bud) and Teresa Benson	16201 East Yucca Ash Farm	Sonoita, AZ 85637
1	Carl B. Benson	524 Gunnison Avenue	Grand Junction, CO 81501
1	David and Sylvia Chiles	P.O. Box 340	Nucla, CO 81424
1	Bobby Benson	1810 White Avenue	Grand Junction, CO 81501
9	James Dirk Richards	P.O. Box 153	Nulca, CO 81424
12	Elk Ridge Mining & Reclamation	P.O. Box 333695	Denver, CO 80233
13	GW46 Irrevocable Trust	P.O. Box 587	Nucla, CO 81424
15	Lester Goforth	P.O. Box 541	Nucla, CO 81424
16	Melvin & Lea Ann Staats	P.O. Box 10	Nulca, CO 81424
18	Michael & Joann Moore	P.O. Box 326	Nulca, CO 81424
42	Ernest Lloyd	220 10 th Avenue	Nucla, CO 81424
42	Rosella Lloyd	2435 South 25 Road	Cedaredge, CO 81413
42	Mary Bolender	1541 Rush Road	Eagle, ID 83616
42	Harry Lloyd	11432 Jones Road	Berrien Springs, MI 49103
33	Malcolm Wilson	1515 Ptarmigan Court North	Grand Junction, CO 81506
46	Nancy Lee Enstrom Life Estate	P.O. Box 4	Nucla, CO 81424
50	Marla Fritzlen	P.O. Box 82	Nucla, CO 81424

Surface Lessee

<u>No.</u>	<u>Entity</u>
13, 15, 43	Elk Ridge Mining and Reclamation, LLC

Oil, Gas, and Minerals Lessee

<u>No.</u>	<u>Entity</u>
1,9,13,15,19,41,42,43	Elk Ridge Mining and Reclamation, LLC

2.03.4(8) Mine Name & MSHA ID

The mine name is New Horizon Mine and the MSHA ID number is 05-00299.

2.03.4(9) Surface and Mineral Ownership Contiguous to the Permit Area

Maps 2.03.4-1 and 2.03.4-2 show the areas contiguous to the permit boundary owned by the applicant.

2.03.5 Compliance Information

The applicant, subsidiaries, affiliates, or persons controlled by or under common control with the applicant have not had a Federal or State mining permit suspended or revoked in the last five years or forfeited a mining bond or security. Neither New Horizon Mine nor the operations identified in Section 2.03.4(4)(a) have received any violations in the past three years.

2.03.6 Right of Entry and Operation Information

2.03.6(1) Attachment 2.03.6-1 presents information where Peabody transferred its rights to all lease agreements, property deeds to mine coal and rights-of-way agreements to Western Fuels-Colorado, a Limited Liability Company (WFC). On May 11, 2016, Elk Ridge Mining and Reclamation, LLC (Elk Ridge) took over ownership of the New Horizon Mine from WFC. Also included in Attachment 2.03.6-1 is the Tri-State board resolution approving the transfer of WFC to Elk Ridge. This document provides Elk Ridge the right of entry to the mine area. None of the rights acquired under any of these documents is the subject of pending litigation.

2.03.7 Relationship to Areas Designated Unsuitable for Mining

2.03.7(1) Unsuitable Designation Status.

A determination was made under the criteria set forth in Section 7.05 that no lands be designated unsuitable for mining at the New Horizon Mine. Furthermore, the Office of Mined Land Reclamation, in the "The Nucla Mine (C-1981-0081) Proposed Decision and Findings of Compliance", January 1983, found that "no Alluvial Valley Floors existed in either the mine area or the potentially affected area associated with New Horizon Mine." New Horizon Mine is unaware of the availability of any information which indicates that any portion of the New

Horizon Mine property has been or is under consideration or study for designation as land unsuitable for mining.

2.03.7(2) Legal and Financial Commitments.

New Horizon Mine has a contractual obligation to supply coal from the New Horizon Mine to the Nucla Power Generating Station owned by Tri-State Generation & Transmission Association.

2.03.7(3) Ownership Waivers.

There are five occupied dwellings within 300 feet of the actual mining disturbance from 1993 to the present located within the New Horizon Mine permit area. There are no occupied dwellings within 300 feet of the projected mining disturbance from the present to end of the renewed permit period (May 26, 2023). Copies of waivers from the owners of these dwellings consenting to mining operations are included as Attachment 2.03.7-1.

2.03.8 Permit Term Information

The total area within the New Horizon Mine permit boundary is 342.3 acres. A legal description of the New Horizon Mine permit boundary is included in Attachment 2.03.8-1.

2.03.9 Personal Injury & Property Damage Insurance Information

This information is included as Attachment 2.03.9-1.

2.03.10 Identification of Other Licenses and Permit Pertinent to Surface Coal Mining

FEDERAL

Mine Safety and Health Administration (MSHA)

2nd Street, Building 25, E-18

Denver, CO 80225

Mine I.D. Number: 05-00299

Effective: May 17, 1993

Federal Communications Commission (FCC)

1270 Fairfield Road

Gettysburg, PA 17325

New Horizon Mine has a frequency of 151.775 MHz & call sign of WPGP927.

Effective: February 22, 1995

Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

New Horizon Mine will not store, transport or use explosives. All blasting will be done by a licensed contractor.

STATE

Colorado Division of Reclamation Mining and Safety (DRMS)

1313 Sherman Street, Room 215

Denver, CO 80203

Mining and Reclamation Permit No. C-1981-008

Effective: May 26, 2018

CO Dept. of Public Health and Environment-Water Quality Control Division

4300 Cherry Creek Drive South

Denver, CO 80246

NPDES Permit No. CO-0000213

Effective: April 1, 2016

COUNTY

Montrose County Board of Commissioners

317 South 2nd Street

Montrose, CO 81401

Special Use Permit No. SU-99-0834

Effective: September 17, 1999

2.03.11 Locations of Public Offices for Filing of Application

Colorado Division of Reclamation Mining and Safety (DRMS)

1313 Sherman Street, Room 215

Denver, CO 80203

Montrose County Courthouse Annex

300 Main Street

Nucla, Colorado 81424

2.03.12 Newspaper Advertisement

A generic copy of the newspaper advertisement can be found in Attachment 2.03.12-1. Proof of publication will be submitted to DRMS after publication.

The New Horizon permit area consists of five separate parcels as summarized below in Table 1. Each is described with a bearing and distance description following Table 1.

Table 1: New Horizon 2 Permit Area

Area	Township	Range	Section	Partial Description	Acres
Parcel 1	T46N	R15W	Section 6	a portion of the S/2	26.2
Parcel 2	T46N	R15W	Section 6	a portion of the N/2	3.2
Parcel 3	T47N	R16W	Section 36	a portion of the S/2	13.1
Parcel 4	T47N	R16W	Section 36	a portion of the S/2	185.8
Parcel 5	T46N	R16W	Section 1	a portion of the N/2	114.0
				Total	342.3

Parcel 1, lays in the S/2 of Section 6, Township 46 North, Range 15 West of the New Mexico Principal Meridian, Montrose County, CO, or described specifically as follows:

Commencing at the Northwest corner of said Section 6, said beginning point is S60°53'38" E, a distance of 6311.74 feet;

thence N 89°10'21" E a distance of 177.83';
thence N 01°53'35" W a distance of 34.20';
thence S 83°40'18" E a distance of 128.75';
thence N 02°04'11" E a distance of 240.10';
thence N 88°22'10" W a distance of 565.95';
thence N 88°26'06" W a distance of 505.60';
thence S 35°40'42" E a distance of 62.04';
thence S 49°23'16" E a distance of 45.90';
thence S 32°45'57" E a distance of 18.04';
thence S 18°15'40" E a distance of 18.14';
thence S 06°22'08" E a distance of 24.57';
thence S 11°17'24" E a distance of 18.68';
thence S 01°56'09" W a distance of 30.52';
thence S 11°48'35" E a distance of 46.60';
thence S 13°02'24" E a distance of 41.33';
thence S 08°06'56" W a distance of 35.17';
thence S 01°59'23" E a distance of 67.37';
thence S 02°13'54" W a distance of 59.29';
thence S 15°09'50" W a distance of 50.74';
thence S 21°45'24" W a distance of 30.64';
thence S 22°04'48" W a distance of 45.63';
thence S 28°41'33" W a distance of 34.71';
thence S 16°47'07" W a distance of 64.40';

thence S 12°02'50" W a distance of 51.75';
thence S 01°38'41" E a distance of 44.87';
thence S 07°49'56" E a distance of 59.81';
thence S 04°17'44" E a distance of 34.89';
thence S 01°25'37" E a distance of 49.51';
thence S 26°13'24" W a distance of 16.73';
thence S 08°22'30" E a distance of 22.70';
thence S 09°05'10" E a distance of 31.66';
thence S 00°05'58" W a distance of 32.24';
thence S 03°45'03" W a distance of 28.07';
thence S 17°44'23" W a distance of 40.91';
thence S 26°36'25" W a distance of 27.48';
thence S 41°33'07" W a distance of 10.85';
thence N 60°00'14" W a distance of 31.57';
thence S 48°42'38" W a distance of 30.06';
thence S 38°43'07" W a distance of 103.25';
thence S 54°21'22" E a distance of 570.97';
thence S 83°11'40" E a distance of 667.94';
thence N 03°01'47" E a distance of 149.28';
thence N 83°52'17" W a distance of 300.59';
thence N 01°57'25" E a distance of 1108.20';
which is the point of beginning, having an area of 26.2 acres more or less

Parcel 2, lays in the N/2 of Section 6, Township 46 North, Range 15 West of the New Mexico Principal Meridian, Montrose County, CO, or described specifically as follows:

Commencing at the Northwest corner of said Section 6, said beginning point is S 86°59'18" E a distance of 1842.19';
thence S 88°15'49" E a distance of 378.73';
thence S 01°48'41" W a distance of 31.48';
thence S 62°14'33" E a distance of 43.06';
thence S 78°45'36" E a distance of 57.13';
thence S 81°53'40" E a distance of 53.36';
thence S 59°51'26" E a distance of 48.06';
thence S 34°39'12" E a distance of 21.96';
thence S 00°22'27" E a distance of 24.96';
thence S 87°58'30" E a distance of 75.92';
thence N 82°31'39" E a distance of 39.15';
thence S 82°09'40" E a distance of 83.52';
thence N 87°18'01" E a distance of 75.05';
thence N 88°21'21" E a distance of 90.55';
thence S 86°45'56" E a distance of 61.15';
thence N 88°54'56" E a distance of 41.37';

thence S 85°45'59" E a distance of 78.17';
thence S 86°19'10" E a distance of 90.63';
thence N 86°23'28" E a distance of 82.99';
thence N 78°46'38" E a distance of 56.90';
thence S 81°02'01" E a distance of 16.41';
thence S 02°35'08" W a distance of 102.12';
thence N 83°16'08" W a distance of 17.10' ;
thence S 88°19'18" W a distance of 16.29';
thence N 83°05'00" W a distance of 17.11' ;
thence N 83°05'00" W a distance of 69.83' ;
thence N 83°05'00" W a distance of 142.96';
thence N 83°10'13" W a distance of 97.24';
thence S 88°32'50" W a distance of 18.44';
thence S 88°32'50" W a distance of 30.94';
thence S 88°32'50" W a distance of 59.25';
thence S 88°32'50" W a distance of 362.38';
thence S 68°12'18" W a distance of 44.95';
thence S 67°13'23" W a distance of 93.63';
thence S 85°06'08" W a distance of 60.65';
thence N 68°33'26" W a distance of 51.94';
thence N 25°28'09" W a distance of 80.30';
thence N 16°33'40" W a distance of 66.63';
thence N 47°49'23" W a distance of 74.56';
thence N 85°31'00" W a distance of 69.22';
thence N 85°31'00" W a distance of 19.10';
thence N 83°17'25" W a distance of 64.70';
thence N 87°22'41" W a distance of 38.73';
thence N 02°37'19" E a distance of 61.88';
which is the point of beginning, having an area 3.22 acres more or less

Parcel 3, lays in the S/2 of Section 36, Township 47 North, Range 16 West of the New Mexico Principal Meridian, Montrose County, CO, or described specifically as follows.

Commencing at the Southeast corner of Section 36, said beginning point is N 27°42'48" W, a distance of 1714.7';
thence N 85°45'15" E a distance of 632.76';
thence S 04°34'45" E a distance of 912.17';
thence S 84°46'42" W a distance of 613.92';
thence N 05°45'03" W a distance of 922.93';
which is the point of beginning, having an area of 13.128 acres more or less

Parcel 4, lays in the S/2 of Section 36, Township 47 North, Range 16 West of the New Mexico Principal Meridian, Montrose County, CO, or described specifically as follows.

Commencing at the Southeast corner of Section 36, said beginning point is N 85°58'47" W, a distance of 962.4;

thence N 87°34'00" W a distance of 1677.24'to a ;
thence N 87°26'24" W a distance of 753.20'to a ;
thence N 36°52'38" W a distance of 566.93'to a ;
thence N 58°36'06" W a distance of 698.32'to a ;
thence S 69°18'22" W a distance of 689.74'to a ;
thence S 59°51'27" W a distance of 335.51'to a ;
thence N 02°15'28" E a distance of 1658.26'to a ;
thence S 88°13'16" E a distance of 1341.82'to a ;
thence S 02°06'28" W a distance of 50.01'to a ;
thence S 88°11'03" E a distance of 1294.81'to a ;
thence N 02°11'30" E a distance of 645.06'to a ;
thence S 87°21'24" E a distance of 1318.03'to a ;
thence S 87°21'24" E a distance of 658.87'to a ;
thence S 87°21'24" E a distance of 629.22'to a ;
thence S 02°06'54" W a distance of 679.38'to a ;
thence N 54°48'56" W a distance of 241.25'to a ;
thence N 54°51'05" W a distance of 483.38'to a ;
thence S 88°55'02" W a distance of 36.95'to a ;
thence S 79°41'40" W a distance of 19.75'to a ;
thence S 77°04'39" W a distance of 21.60'to a ;
thence S 75°21'55" W a distance of 12.63'to a ;
thence S 71°30'27" W a distance of 18.64'to a ;
thence S 67°14'36" W a distance of 17.23'to a ;
thence S 60°01'08" W a distance of 31.36'to a ;
thence S 61°17'02" W a distance of 24.15'to a ;
thence S 60°53'16" W a distance of 37.67'to a ;
thence S 65°48'22" W a distance of 33.71'to a ;
thence S 76°04'49" W a distance of 27.57'to a ;
thence S 73°37'06" W a distance of 26.99'to a ;
thence S 82°29'42" W a distance of 43.59'to a ;
thence N 87°46'56" W a distance of 50.78'to a ;
thence N 87°25'00" W a distance of 48.50'to a ;
thence N 87°37'24" W a distance of 45.80'to a ;
thence N 89°27'49" W a distance of 39.01'to a ;
thence S 88°39'44" W a distance of 28.79'to a ;
thence S 81°35'00" W a distance of 28.52'to a ;
thence S 75°46'24" W a distance of 16.68'to a ;
thence S 71°10'49" W a distance of 30.04'to a ;
thence S 75°08'06" W a distance of 44.73'to a ;
thence S 89°33'57" W a distance of 36.39'to a ;
thence S 16°05'20" W a distance of 189.44'to a ;
thence S 50°37'02" W a distance of 70.80'to a ;
thence S 62°26'00" W a distance of 55.87'to a ;
thence S 62°39'07" W a distance of 50.72'to a ;

thence S 61°00'21" W a distance of 50.50'to a ;
thence S 59°30'25" W a distance of 50.39'to a ;
thence S 56°26'09" W a distance of 51.17'to a ;
thence S 56°29'12" W a distance of 56.81'to a ;
thence S 57°11'15" W a distance of 51.49'to a ;
thence S 55°43'32" W a distance of 51.64'to a ;
thence S 54°51'59" W a distance of 59.11'to a ;
thence S 65°26'34" W a distance of 63.63'to a ;
thence S 04°27'46" W a distance of 354.71'to a ;
thence S 89°56'40" E a distance of 477.58'to a ;
thence S 01°49'56" W a distance of 625.39'to a ;
thence N 90°00'00" E a distance of 428.35'to a ;
thence S 00°00'00" E a distance of 686.46'to a ;
which is the point of beginning, having an area of 185.839 acres more or less

Parcel 5, lays in the N/2 of Section 1, Township 46 North, Range 16 West of the New Mexico Principal Meridian, Montrose County, CO, or described specifically as follows.

Commencing at the Northeast corner of Section 1, said beginning point is S 61°20'06" W, a distance of 3595.49';
thence S 43°31'33" W a distance of 192.16';
thence N 61°35'11" W a distance of 182.25';
thence N 61°35'11" W a distance of 51.19';
thence N 04°44'27" E a distance of 137.29';
thence N 88°10'01" W a distance of 298.14';
thence with a curve turning to the right with an arc length of 363.55', with a radius of 230.00', with a chord bearing of N 42°53'07" W, with a chord length of 326.86';
thence N 02°23'39" E a distance of 1505.33';
thence S 87°26'19" E a distance of 1301.57';
thence S 87°26'20" E a distance of 1314.93';
thence S 87°24'14" E a distance of 1294.70';
thence S 01°59'04" W a distance of 734.80';
thence N 88°46'54" W a distance of 1441.96';
thence S 47°10'12" W a distance of 1246.34';
thence N 88°09'43" W a distance of 348.89';
thence S 01°50'17" W a distance of 128.86';
thence S 87°26'01" W a distance of 389.83';
which is the point of beginning, having an area of 114.01 acres, more or less.