



January 23, 2024

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

**RE: New Horizon North Mine (Permit No. C-2010-089)
Minor Revision No. 37 (MR-37)
Adequacy Response**

Dear Mr. Wein:

Tri-State Generation and Transmission Association (Tri-State), is the parent company to Elk Ridge Mining and Reclamation, LLC (ERMR) New Horizon North Mine. Therefore, Tri-State on the behalf of the ERMR is this adequacy response for minor revision 37 (MR-37) to Permit No. C-2010-089.

Tri-State received the Division's adequacy letter dated January 23, 2024, and as the following response to the Division's concern:

- 1. The Minor Revision proposes a hay stackyard to be incorporated into the permit area by the landowner. The hay stackyard will be located in the southeast corner of the permit area. The information included on the proposed revised pages for Section 2.05.5(3) does not include the size of the stackyard. Please update this section to include the acreage that this proposed post-mining feature will be.*

Response: As requested, an approximate acreage for the haystack yard has been incorporated into Section 2.05.3(3).

If you should have any additional questions or concerns, please feel free to contact Tony Tennyson at (970) 824-1232 or tennyson@tristategt.org.

Sincerely,

DocuSigned by:
A blue ink signature of Chris Gilbreath, written in a cursive style.
D250C711D0BF450...

Chris Gilbreath
Senior Manager,
Remediation and Reclamation

CG:TT

Enclosures

cc: Tony Tennyson (via email)
File: C.F. 1.1.27

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MINE FACILITIES

Introduction

This section contains a description of the structures current used at the New Horizon North Mine (NHN) to facilitate final reclamation activities.

Support Facilities

Buildings

There are no longer any buildings located at the NHN Mine Facilities area. Map 2.05.3(3)-1 Facilities Map shows the location of the remaining structures.

Domestic Water:

A well has been installed at the NHN Mine as shown on Map 2.05.3(3)-1. The surface landowner (Garvey & Co.) has requested the well be retained as a permanent structure. A copy of this request has been included in Appendix 2.05.5-1.

Support Facilities and Utility Installations

The surface landowner (Garvey & Co.) has requested the power poles with lights located within the Facilities Area, the emergency discharge structure from Pond 001, a small stock pond within the reclaimed Pond 001 footprint, gravel taken from the East and West Pond 001 ditches, and other various material containing rock to remain as permanent structures on their property. At the request of the landowner the gravel and various other material containing rock will be stockpiled west of the stock pond that will be constructed when Pond 001 is reclaimed. A copy of these requests has been included in Appendix 2.05.5-1.

Elk Ridge Mining and Reclamation, LLC (ERMR) has requested the emergency discharge piping from Pond 001 on the south side of AA Road to remain permanently on the property as it will continue to be used to support the surface landowner on the north side of AA Road. Please refer to the request from Garvey & Co. above and in Appendix 2.05.5-1 for retention of these structures on the north side of AA Road. ERMR has also requested the light use road to access the old Peabody Pond 001 (pre-law pond not associated with New Horizon North Mine) be retained as a permanent feature for long-term access to this water source on the property. The road is also located on the south side of AA Road. A copy of these requests by ERMR can be found in Appendix 2.05.5-1.

The surface landowner (Garvey & Company) plans to use an approximately two acre area within the mine permit boundary that is outside of the disturbed area to stack hay on their property. The location of this stack yard is shown on Map 2.05.3(3)-2. The haystack yard is not associated with Elk Ridge's mining and reclamation activities, and any ground disturbances associated with the

stack yard is associated with the landowner of record within the permit boundary and not Elk Ridge.

Surface and Subsurface Man-Made Features

Map 2.05.3(3)-2 shows surface and subsurface man-made features within, passing through, or passing over the permit area. Topsoil and overburden stockpiles information is provided in Section 2.05.4. The 2nd Park Lateral Irrigation Pipeline location is shown on Map 2.04.7-9.

Culverts

Appendix 2.5.3(3)-1 includes culvert designs for culverts C-1 and C-13. The location of C-1 and C-13 are shown on Map 2.05.3(4)-7.

Transportation Facilities

Haul Roads

No haul roads exist at NHN.

NHN requested Montrose County for a waiver to disturb within 100 feet of the County right-of-way. Montrose County has given such a waiver limiting the disturbance to within 25 feet of rights-of-way as a part of the Special Use Permit.

Access Roads

No access roads exist at NHN.

Light-Use Roads

Several light-use roads exist at NHN. These roads were established directly adjacent to reclamation areas and were areas that were disturbed when active mining was occurring at NHN. They are used to maintain access to the primary sediment control structures, and support access to the irrigated pasture reclamation areas to conduct farming activities. These light-use roads will be completely reclaimed and revegetated when the primary sediment control structures are reclaimed. The light-use roads will be used by pick-ups, light-duty service trucks, and farming equipment.

County Roads

Reclamation activities will be conducted within 100 feet of the outside right-of-way of current public roads.