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## Additional Revisions to Section 2.03 for the New Elk Mine Required

1 message

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**Gibson - DNR, Amber** <amber.gibson@state.co.us>  
To: jterry@newelkcoal.com

Wed, Mar 6, 2024 at 1:43 PM

Good afternoon,

The Division has been sent the attached documents, from Chris Walker, that alter the controller information for the New Elk Mine (C-1981-012). Due to this new information, in addition to the adequacy items in the Division's Preliminary Adequacy Review for the RN8 application, please update Section 2.03 to reflect these changes as well.

If you have any questions, please send me an email, or call at 720-836-0967.

Thank you,

**Amber M. Gibson**  
Environmental Protection Specialist



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

**P 720.836.0967** | F 303.832.8106 |  
[amber.gibson@state.co.us](mailto:amber.gibson@state.co.us)

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216  
Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

<https://drms.colorado.gov/>



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**REDACTED\_ChrisWalkerResignation\_5March2024\_Redacted.pdf**  
245K

STATE OF  
COLORADO

Ebert - DNR, Jared &lt;jared.ebert@state.co.us&gt;

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## New Elk Coal

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**Chris Walker** <cwalker@allegiancecoal.com.au>

Tue, Mar 5, 2024 at 1:57 PM

To: "Ebert - DNR, Jared" &lt;jared.ebert@state.co.us&gt;

Cc: "jerry@newelkcoal.com" &lt;jerry@newelkcoal.com&gt;, Chris Walker [REDACTED]

Jared,

Please see attached letters regarding my resignation. As mentioned in attached, please don't hesitate to reach out if you have any questions or I can be of any help.

Thanks,  
Chris

**Chris Walker**

Chief Financial Officer U.S. | Allegiance Coal Limited

Mobile: [REDACTED]

Email: [cwalker@allegiancecoal.com.au](mailto:cwalker@allegiancecoal.com.au)

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### 2 attachments

**C Walker Resignation - CDRMS.pdf**

109K

**Allegiance - Walker Board Resignations.pdf**


62K

1 March 2024

Allegiance Coal USA Ltd  
Black Warrior Minerals Inc  
New Elk Coal Holdings LLC  
New Elk Coal Company LLC

In order to pursue another employment opportunity, I will be resigning from my employment position with Allegiance Coal USA on the 5<sup>th</sup> of March 2024. In concert with that resignation, I hereby resign as a Director and Officer of each of the named entities above, effective end of day 5<sup>th</sup> March 2024.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'C Walker', with a stylized flourish at the end.

Christopher Walker

Chris Walker  
[REDACTED]  
[REDACTED]

Via Email

March 5<sup>th</sup>, 2024

Jared Ebert  
Colorado Division of Reclamation, Mining and Safety  
jared.ebert@state.co.us

Re: Resignation from Allegiance Coal USA (New Elk Coal)

Dear Mr. Ebert,

I am writing to formally let you know that I am resigning from my employment positions as Chief Restructuring Officer and Chief Financial Officer of Allegiance Coal USA effective at the end of day March 5<sup>th</sup>, 2024. I will also be resigning from associated board positions. I've included a communication on the board resignations separately.

As you may be aware Allegiance and its operating companies, Black Warrior Minerals and New Elk Coal Company, are in the late stages of a Chapter 11 bankruptcy case that began in February 2023. I joined Allegiance in January 2023 as Chief Financial Officer of Allegiance's U.S. assets. Unfortunately, nearly the entirety of my time with Allegiance has been while the company has been in the Chapter 11 process. Due to attrition of the senior team, I assumed the Chief Restructuring Officer role in April 2023 and am now the sole director and officer remaining. I've included a timeline summary for clarity.

I accepted the restructuring officer position and appointment to the board out of concern for the outcome for the mines and personnel amid challenging circumstances including a hostile liquidation focused approach from Allegiance's foreign based lead creditor. I am leaving at this point to pursue another opportunity that I cannot extend any further.

Capstone Advisors will be taking my place for what is expected to be a short remaining duration of the Chapter 11 case:

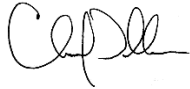
David Rychalsky  
Capstone Partners  
drychalsky@capstonepartners.com  
(617) 869-1017

Allegiance's bankruptcy counsel is:

Morris Nichols Arsht & Tunnell  
(302) 658-9200  
contact@morrisnichols.com

My personal email and phone number are listed above and I will be more than happy to help in any way I can going forward.

Best regards,



Chris Walker

### **Timeline Summary**

January 2023: Chris Walker joins Allegiance as Chief Financial Officer of U.S. assets

February 2023: Allegiance Coal USA enters Chapter 11

April 2023: Chris Walker assumes Chief Restructuring Officer role for Allegiance Coal USA and is appointed to the board of directors due to forthcoming idling of operations and departure of existing directors and officers

May 2023: Operations are idled at New Elk and Black Warrior due to lack of financial support from Allegiance's foreign based lead creditor and debtor-in-possession lender

June 2023: Allegiance CEO resigns officer and director roles, leaving Chris Walker as only remaining director

August 2023: Black Warrior Minerals President resigns his officer role, leaving Chris Walker as the only remaining officer

August 2023: Equipment auctions are held at both mine sites for majority of equipment. This decision was made under pressure from the lead creditor and debtor-in-possession lender, despite concerns raised that these auctions would impair marketability of the mines and ultimately creditor recoveries