



April 11, 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 Mine (Permit No. C-1981-008)  
Minor Revision No. 128 (MR-128)  
Surface Ownership Map Update**

Dear Mr. Wein:

Tri-State Generation and Transmission Association Inc. (Tri-State), is the parent company to Elk Ridge Mining and Reclamation, LCC (ERMR), New Horizon Mine. Therefore, Tri-State on behalf of ERMR is submitting minor revision 128 (MR-128) to Permit No. C-1981-008.

MR-128 revises Map 2.03.4-1 – Surface Ownership due to ERMR divesting two properties adjacent to the mine permit boundary. Map 2.03.4-1 was also updated with currently available surface ownership information from Montrose County as other surface ownership adjacent to the mine permit boundary has changed since the map was last updated.

If you have any questions about the enclosed minor revision, please contact Tony Tennyson at (970) 824-1232 or [tennyson@tristategt.org](mailto:tennyson@tristategt.org).

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Chris Gilbreath". The signature is enclosed in a blue DocuSign signature box.  
4BE980BE59E442F...

Chris Gilbreath  
Senior Manager,  
Remediation and Reclamation

CG:TT

Enclosures

cc: Tony Tennyson (via email)  
File: G474-11.3(21)b-5

**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
43	Slash M, LLC	P.O. Box 4	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
41	Carl (Bud) and Teresa Benson	16201 East Yucca Ash Farm	Sonoita, AZ 85637
42	Ernest Lloyd	220 10 <sup>th</sup> 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

**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(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>
1	Olen Batchelor	P.O. Box 1	Rico, CO 81332
2	Eleasha A. Hemphill	P.O. Box 458	Paradox, CO 81429
3	Raymond & Nora Davis	P.O. Box 442	Nucla, CO 81424
4	Leaan Staats	P.O. Box 10	Nucla, CO 81424

5	Elk Ridge Mining & Reclamation, LLC	P.O. Box 628	Nulca, CO 81424
6	Michael & Joann Moore	P.O. Box 326	Nulca, CO 81424
7	James C. & Kimleah W. Collins	P.O. Box 543	Sheffield, MA 01257
8	Eric Crespini	P.O. Box 241	Nucla, CO 81424
9	Roseanne Guire & Jimmy Ray Guire II Life Estate	P.O. Box 550	Nucla, CO 81424
10	Naslund & Sons Corp	P.O. Box 154	Nucla, CO 81424
11	Greg Massinni	24 Hulett Hill Road	Sheffield, MA 01257
12	James Dirk Richards	P.O. Box 153	Nulca, CO 81424
13	James Fournery	P.O. Box 189	Nucla, CO 81424
14	Robert Blohm	P.O. Box 50	Nucla, CO 81424
15	Garvey & Co. LLC	P.O. Box 555	Nucla, CO 81424
16	Slash M., LLC	P.O. Box 346	Nucla, CO 81424
17	Patricia Morgan	P.O. Box 336	Nucla, CO 81429

**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 <sup>th</sup> 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 and 43	Elk Ridge Mining and Reclamation, LLC

#### **Oil, Gas, and Minerals Lessee**

<u>No.</u>	<u>Entity</u>
13,41,42, and 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 surface and mineral ownership contiguous to the permit boundary.

#### **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. Once notice of violation has occurred in the past three years for the operations identified in Section 2.03.4(4)(a). Colowyo Coal Company L.P. received NOV-2022-001 on October 4, 2022.

#### **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.