



June 25, 2024

Ms. 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
Technical Revision No. 26
Incidental Permit Boundary Revision**

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 submitting technical revision 26 (TR-26) to Permit No. C-2010-089. TR-26 proposes to remove 4.6 acres of Phase III bond release areas from the permit boundary.

Included in this technical revision are a revision application, a proposed public notice, and a change of index sheet to ease incorporation of this technical revision into the permit document. If you should have any additional questions or concerns, please feel free to contact Tony Tennyson at (970) 824-1232 or ttennyson@tristategt.org.

Sincerely,

DocuSigned by:

4BE980BE59E442F...

Chris Gilbreath
Senior Manager
Remediation and Reclamation

CG:TT

Enclosures

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

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

Mine Company Name: **New Horizon North Mine**

Date: **June 14, 2024**

Permit Number: **C-2010-089**

Revision Description: **TR-26 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 Page 2.03-14 (1 page)	Section 2.03 Page 2.03-14 (1 page)	Section 2.03 has been updated.
1	Appendix 2.03.8-1 Pages 1 and 2 (2 pages)	Appendix 2.03.8-1 Page 1 (1 pages)	Appendix 2.03.8-1 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 2.04.3-1	Map 2.04.3-1	Map 2.04.3-1 has been updated.
1	Map 2.04.4	Map 2.04.4	Map 2.04.4 has been updated.
2	Map 2.04.7-1	Map 2.04.7-1	Map 2.04.7-1 has been updated.
2	Map 2.04.7-9	Map 2.04.7-9	Map 2.04.7-9 has been updated.
2	Map 2.04.9-1	Map 2.04.9-1	Map 2.04.9-1 has been updated.
2	Map 2.04.9-2	Map 2.04.9-2	Map 2.04.9-2 has been updated.
2	Map 2.04.10-1	Map 2.04.10-1	Map 2.04.10-1 has been updated.
2	Map 2.04.10-4	Map 2.04.10-4	Map 2.04.10-4 has been updated.
2	Map 2.04.11-1	Map 2.04.11-1	Map 2.04.11-1 has been updated.
3	Map 2.05.3(3)-2	Map 2.05.3(3)-2	Map 2.05.3(3)-2 has been updated.
3	Map 2.05.3(4)-1	Map 2.05.3(4)-1	Map 2.05.3(4)-1 has been updated.
4	Map 2.05.4-1	Map 2.05.4-1	Map 2.05.4-1 has been updated.
4	Map 2.05.4(2)(d)-1	Map 2.05.4(2)(d)-1	Map 2.05.4(2)(d)-1 has been updated.
4	Map 2.05.4(2)(d)-2	Map 2.05.4(2)(d)-2	Map 2.05.4(2)(d)-2 has been updated.
4	Map 2.05.5-1	Map 2.05.5-1	Map 2.05.5-1 has been updated.
4	Map 2.05.6(2)-1	Map 2.05.6(2)-1	Map 2.05.6(2)-1 has been updated.
4	Map 4.05.18-1	Map 4.05.18-1	Map 4.05.18-1 has been updated.

Under this agreement SMPA sold to WFC the property in NW1/4 and W1/2NE1/4, Section 36, T47N, R16W, NMPM.

None of the above referenced rights is the subject of pending litigation.

2.03.6-2 Severance of Minerals Estate

The surface and the minerals are owned separately in SW1/4 of Section 25, Garvey & Co. LLC owns the surface. NHN right of entry for this surface is given in Appendix 2.03.6-1(a). The coal under this surface is owned by NHN as evidenced in Appendix 2.03.6-1(b) and 2.03.6-1(c).

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 NHN. Furthermore, no Alluvial Valley Floors exists in the mine area or the potentially affected area associated with NHN. NHN is unaware of the availability of any information which indicates that any portion of NHN property has been or is under consideration or study for designation as land unsuitable for mining.

2.03.7(2) Legal and Financial Commitments

Not applicable.

2.03.7(3) Ownership Waivers

Mining activities are proposed to occur within 300 feet of a dwelling west of the permit boundary on the Garvey Bros. Land & Cattle Co. property. However, since this is an unoccupied dwelling, no waiver is required.

2.03.8 Permit Term Information

NHN began mine development in 2012. Mining of coal began in mid-2013 and mining concluded in 2017. The total area within the mine permit is 230.0 acres.

The tracts of land described below are shown on USGS 7.5 minute Nucla Quadrangle map. The permit area contains tracts of land located in Section 25 and Section 36, Township 47 North, Range 16 West of the New Mexico Principal Meridian, Montrose County, Colorado being more particularly described as follows:

New Horizon North Mining Area

Lays in the W/2 of Section 25, Township 47 North, Range 16 West of the New Mexico Principal Meridian, Montrose County, CO, or described specifically as follows:

Commencing at the Southwest corner of said Section 25, said beginning point is N43°33'12" E, a distance of 39.74 feet;

thence S 87°23'03" E a distance of 2559.85';

thence N 01°55'31" E a distance of 3960.39';

thence N 88°32'54" W a distance of 2535.21';

thence S 02°17'06" W a distance of 3908.67';

which is the point of beginning, having an area of **230.0 acres**, more or less.