



August 29, 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. 130 (MR-130)
Second Adequacy Response**

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 this second adequacy response for minor revision 130 (MR-130) to Permit No. C-1981-008.

Tri-State received the Division's second adequacy letter dated August 1, 2024 and has the following responses to the Division's concerns:

- 1. The Division agrees that if the contract between ERMR and the local entity is confidential, than another form of documentation providing the permit with an attachment to confirm that the removal of topsoil material from the mine site is through a donation. The attachment can be a notarized letter from ERMR documenting that no sale of material will occur and all materials removed through this permitting action will be donated.*

Response: A confidential document has been provided from the entity that ERMR will be donating topsoil too.

- 2. The Division finds ERMR's response to Item #2 to be adequate. Previous minor revisions to the C-1981-008 Permit Application have approved the removal of topsoil from the piles to be used as material to repair differential settling or taken to another property owned by ERMR that is not within the permit boundary.*

Response: No response required.

If you have any further questions, please contact Tony Tennyson at (970) 824-1232 or tony.tennyson@tristategt.org.



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Sincerely,

DocuSigned by:

Chris Gilbreath

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Chris Gilbreath
Senior Manager,
Remediation and Reclamation

CG:TT

cc: Tony Tennyson (via email)
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