



STATE OF
COLORADO

Gibson - DNR, Amber <amber.gibson@state.co.us>

New Elk Coal Company

Keith Smith <ksmith@cumberlandsurety.com>
To: "Gibson - DNR, Amber" <amber.gibson@state.co.us>
Cc: B Patterson <bpatters@cumberlandsurety.com>

Tue, Oct 14, 2025 at 11:06 AM

Hello, Amber!

For your information, attached is the executed contract between Indemnity National/Newbridge Services and Relic Habitat and Construction for certain tasks to be completed on Permit C1981012 to maintain the site while Primero Coal completes their due diligence for the purchase of the mine.

We feel the work outlined in the contract will prevent off-site impacts through the winter months.

Relic should begin the work within a week, and John Mestas anticipates it will take three weeks to complete, weather notwithstanding.

Please feel free to share with whoever you deem necessary and please let me know if you have any questions.

Keith

2 attachments

Page 1.pdf
765K

Page 2.pdf
649K

Relic Habitat and Construction Services, LLC

jomes812@gmail.com

John Mestas

10/02/2025

33893 County Road 22.6

Trinidad, CO 81082

719-568-5008

Bill To:

Job Info:

Indemnity National Insurance Company

New Elk Mine DRMS Work

200 North Upper Street

12250 Highway 12

Lexington, KY 40507

Weston, CO 81091

Contact: Keith Smith

ksmith@cumberlandsurety.com

Off. 800-767-8622 Cell 502-418-1852

Proposal/Acceptance

The following is an Agreement between Relic Habitat and Construction Services, LLC and New Elk Mine, 12250 Highway 12, Weston, CO 81091, Las Animas County. According to DRMS Work Scope and site visit. ****NOTE** Please respond as soon as possible to allow for scheduling of work before inclement/winter weather arrives.**

#1 Clean sediment, per Bill Maseroti, from inlet and outlet side of C81 culvert. Build road above C81 to establish access to repair damaged rock structure. Additional rock will be hauled in to repair erosion. Dig diversion trench on top of this area (approx. 200 feet) to divert storm water back to repaired rock check dam. Reclaim access road. **Per Bill Maseroti**, Upon inspection of Pond 8, condition of pond is over maximum storage capacity and will be pumped to pond 6 with 3" pump. Clean and repair rock check dams along road above C81 on both sides.

****NOTE**** RDA access road must be cleaned and graded to allow access to RDA.

#2 Grade RDA access road and remove fallen rocks. Repair ditch D56 for proper drainage to Culvert C81. Repair damaged section of road caused by stormwater erosion. Haul fallen rocks to RDA to be used for check dams.

Continued next page

Continued from page 1

#3 Upon Inspection, area 5 is not at maximum storage capacity but sediment needs to be removed, **per Bill Maseroti**. Dig out sediment from containment area 5 pond below pond 8, Haul silt and mud to RDA and spread. ****NOTE** silt and mud may need to be spread in a designated drying area first, per Bill Maseroti**. Once material has dried, haul to RDA and spread.

#4 Clean and repair ditch along DWDA 2. Repair Rock Check dams. Dig out sump holes in front of check dams. Dig out silt and mud from sediment basin on east side of DWDA 2. ****NOTE** silt and mud may need to be spread in a designated drying area first, per Bill Maseroti**. Once material has dried, haul to RDA and spread. Repair and reclaim drying area after all material has been removed.

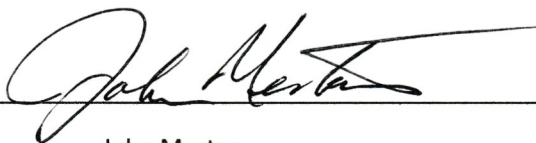
#5 Clean out inlet and outlet of Culvert C64. Clean and repair ditch D32 from C64 to wash plant and continue to east side of pump house to Culvert C65. Repair Banks of ditch to prevent from overflowing. Move/relocate piping and mining supplies for work access.

#6 **Add Pond 7A diversion work, both side roads and silt fences.**

Provide all material, equipment and labor to complete the aforementioned scope of work for the Sum of \$ 80,300.00.00, with payments to be made as follows;

Deposit of 1/3 of contract, upon contract signing	\$ 26,766.66
Progress payment of 1/3 of contract at 50% completion	\$ 26,766.66
Final Payment of 1/3 of contract at final completion	\$ 27,766.66

Contractor

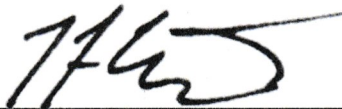


John Mestas

Date

10-14-2025

Indemnity National Insurance Company



Date

10/13/2025

Thomas Elkins, President