

# AFFIDAVIT OF PUBLICATION

FORUM NEWSPAPER, INC.

STATE OF COLORADO )  
 )SS.  
COUNTY OF MONTROSE )

I, Erin Culver do solemnly swear that I am Secretary of Forum Newspaper, Inc.; that the same is a weekly newspaper printed, in whole or in part, and published in the County of Montrose, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterrupted in said County of Montrose for a period of more than fifty-two weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issues of every number of said weekly newspaper for the period 2 consecutive insertions; and that the first publication of said notice was in the issue of the newspaper dated April 4 A.D., 2013, and that the last publication of said notice was in the issue of said newspaper dated April 11 A.D., 2013.

In witness whereof I have hereunto set my hand  
this 15 day of April, A.D., 2013  
Erin Culver

Subscribed and sworn to before me, a Notary Public  
in and for the County of Montrose, State of Colorado  
this 15 day of April A.D., 2013  
Rayne Culver  
(Notary Public)

My Commission Expires 03-04-2017

## Public Notice

### NOTICE OF BLASTING SCHEDULE

#### NEW HORIZON 2 MINE

The Colorado Surface Coal Mining Reclamation Act of 1979 (34-33-101 *et seq.*) and the Rules and Regulations of the Colorado Mined Land Reclamation Board for Coal Mining, and in particular Rule 4.08.3, requires all surface coal mines detonating five (5) pounds of explosives or blasting agent to publish a schedule of blasting in accordance with the above stated regulatory requirements.

In accordance with these requirements, the New Horizon Mine, located at 27646 West 5TH Street, Nucla, Colorado 81424, hereby provides public notice of the planned blasting schedule for the area(s) described below.

1. Blasting Area  
Specific Area- The approximate center of the blasting areas is located in:

State: Colorado  
County: Montrose  
Township: 47 North  
Range: 16 West  
Section: NW 1/4 SW 1/4 Section 36  
Meridian: New Mexico Principal

The coordinates (Lat/Long, DD.DDD) of the polygons defining the blasting areas are listed below

38.28087	-108.59312	38.27926	-108.58984
38.28110	-108.59275	38.27926	-108.59024
38.28095	-108.59242	38.27861	-108.59024
38.28104	-108.59230	38.27837	-108.59116
38.28062	-108.59180	38.27786	-108.59291
38.28088	-108.58984	38.27818	-108.59316

This blasting area will encompass two irregular shaped areas. The North area is approximately 1030 feet easterly and westerly and 1450 feet northerly and southerly.  
The south area is approximately 400 ft easterly and westerly and 1240 feet northerly and southerly.

2. Dates and Times

Commencing on the 15th day of April 2013, blasting in the above-specific area(s) shall be conducted between sunrise and sunset, Monday through Saturday of the week. Operational considerations may dictate that blasting not be accomplished on some days.

3. Control of Access

The general mining area is identified by appropriate signs along all access roads designating the area as a mining area and entry is restricted to authorized personnel only. At entrances into the permitted area, signs are posted reading "Warning" that explain the blasting warning and all clear signals. Further, the perimeter of the specific blasting area described above is posted with signs reading "Blasting Area". In addition to the signs, all access to the immediate area of the shot is controlled by mine personnel prior to the shot and until such time as access can be safely resumed. All areas in which charged holes are awaiting firing will be guarded, barricaded, posted, or flagged against unauthorized entry.

4. Audible Warning Signals

BLASTING WILL BE PRECEDED BY THREE (3) SHORT WHISTLES FROM A HORN. ONE (1) LONG STEADY WHISTLE AFTER THE BLAST SHALL DESIGNATE AN "ALL CLEAR" CONDITION.

5. Emergency Detonations

Safety considerations may dictate detonation at times other than the above noted time periods. The following conditions, as defined in regulations (30CFR-77) promulgated under the Coal Mine Health and Safety Act of 1969 and 1977 Amendments, Mine Safety and Health Acts, shall be cause for detonations under emergency conditions:

- A. Destruction of damaged or deteriorated explosives or detonators in a safe manner.
- B. Disposal of misfires and/or undetonated explosives.
- C. Firing of charged holes as soon as practical after cessation of static electricity or stray current conditions when electric detonators are used.
- D. Firing of charged holes when weather conditions indicate the existence of an eminent safety hazard.

Operator safety or safety considerations for the general public.

New Horizon Mine  
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