

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106



John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

September 3, 2013

David G. Anderson, P.L.S.
Western Fuels Association, Inc.
12050 N. Pecos St., Suite 100
Westminster, CO 80234

**Re: New Horizon North Mine (Permit No. C-2010-089)
Proposed Decision - Technical Revision No. 3 (TR-3)
Incidental Permit Boundary Revision**

Dear Mr. Anderson:

Enclosed you will find the Division of Reclamation, Mining and Safety's Proposed Decision for Technical Revision No. 3 at the New Horizon North Mine. Notice of the proposed decision will be published in the *San Miguel Basin Forum* as soon as possible. The first publication will initiate the ten (10) day public comment period for the Division's decision.

Please refer to the Performance Bond heading on the enclosed proposed decision form. If the amount of Bond Held equals or exceeds the Revised Liability, you need not submit additional bond. However, if the Revised Liability exceeds the Bond Held, please submit additional bond or rider to your existing bond that equals or exceeds the Revised Liability. This Technical Revision must not be implemented until this proposed decision becomes final and until any required increase in bond is submitted to and approved by the Division.

If there are stipulations attached, please sign and return the proposed decision form to the Division.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Marcia L. Talvitie".

Marcia L. Talvitie, P.E.
Environmental Protection Specialist
Marcia.talvitie@state.co.us

Enclosure

cc: Greg Lewicki and Associates, PLLC

C-TR-08



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY
1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567

COAL MINING PERMIT - TECHNICAL REVISION DECISION

New Horizon North Mine, Western Fuels-Colorado, LLC
Permit No. C-2010-089

The Division of Reclamation, Mining and Safety has proposed the decision stated below. Provided there are no objections, the decision will become effective upon the termination of the ten (10) day public comment period, in accordance with Rule 2.08.4(6)(b)(iii).

Technical Revision No. 3

Decision: Approve

Submittal Date: April 12, 2013

Decision Date: August 30, 2013

Description of Revision: Incidental Permit Boundary Revision

DIVISION OF RECLAMATION,
MINING AND SAFETY

PERMITTEE

Andrea Z. Brown

Authorized Representative - Division

Authorized Representative - Permittee (if applicable)

Date: September 3, 2013

Date:

CHANGE IN ACREAGE	REVISED TOTAL ACREAGE	PERFORMANCE BOND
Disturbed: 6.70	Disturbed: 288.70	Prior Liability: \$4,952,979.88
Affected: 6.70	Affected: 288.70	Change in Liability: \$0.00
Permit: 6.70	Permit: 328.70	Revised Liability: \$4,952,979.88
State: 0.00	State: 0.00	Bond Held: \$5,044,743.00
Federal: 0.00	Federal: 0.00	
Private: 6.70	Private: 328.70	

REVISED APPLICATION PAGES

Section 2.03 Title Page, TOC (2 pages),
Pages 4 thru 14 (Revised)
Appendix 2.03.8-1 (Revised)
Section 2.05.3(3) Page 12 (Revised)
Appendix 2.05.3(3)-1 (New)
Section 2.05.3(4) Page 3 (Revised)

DELETED APPLICATION PAGES

None

REVISED MAPS

Map 2.03.4-1 Surface Ownership and Leases
Map 2.03.4-2 Mineral Ownership and Leases
Map 2.05.2-1 Life of Mine - Mine Plan
Map 2.05.3(4)-1 Surface Water Hydrology

DELETED MAPS

None