

ATTACHMENT 11

PROOF OF PUBLICATION

Revised 05/02/14

ATTACHMENT 11

The following affidavits of publication are included in this attachment:

Permit Transfer - 1994

Navajo Times

Permit Renewal - 1995

Navajo-Hopi Observer  
Navajo Times  
Arizona Daily Sun  
Lake Powell Chronicle  
The Independent

Permit Renewal - 2000

Navajo-Hopi Observer  
Navajo Times  
Hopi Tutuveni

N-11 Extension (N-99) Significant Permit Revision - 2004

Navajo-Hopi Observer  
Navajo Times  
Hopi Tutuveni

Permit Renewal - 2005

Navajo-Hopi Observer  
Navajo Times  
Hopi Tutuveni

Permit Renewal - 2010

Navajo-Hopi Observer  
Navajo Times

Life-of-Mine Plan Extension Significant Permit Revision Application - 2012

Navajo-Hopi Observer  
Navajo Times  
Hopi KUYI Radio FM - 88.1  
Navajo KTNN Radio AM - 660

**AFFIDAVIT OF PUBLICATION**

**Inv#L14-376**

I, Candace Begody, Editor of the Navajo Times, a legal newspaper published weekly at Window Rock, Navajo Nation, Arizona, do hereby swear that a public notice:

**PUBLIC NOTICE: Kayenta Mine Complex**

was published in said Navajo Times on the following date(s):

March 13, 20, & 27, 2014 & April 03, 2014

and that said notice is attached to this Affidavit and is a true and exact copy of said notice as published.



Candace Begody  
Editor

STATE OF ARIZONA :}

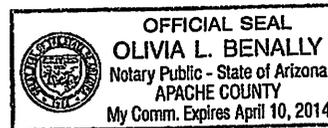
COUNTY OF APACHE :}

SUBSCRIBED AND SWORN TO before me this

03rd day of April, 2014.

  
Notary Public

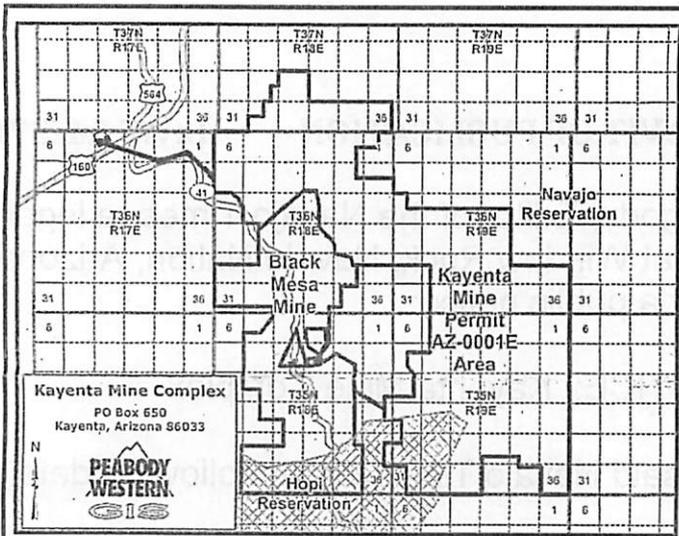
My Commission Expires:  
April 10, 2014



# PUBLIC NOTICES

NAVAJO TIMES

# PUBLIC NOTICES



## PUBLIC NOTICE

Peabody Western Coal Company (PWCC) submitted a permit revision application to the Office of Surface Mining Reclamation and Enforcement (OSMRE) to update the sequence and scheduling of surface coal mining and reclamation operations at the Kayenta Mine Complex (KMC) through 2044, incorporate 841 acres into the KMC permanent program permit for active essential facilities, and provide a relocated corridor for 5.7 miles of Navajo Route 41. The relocated road corridor will improve safety and access for local residents and others using Navajo Route 41 for local and through traffic. The permit revision application does not affect any terms and conditions of the existing coal leases, and no new coal leases are associated with the application. The application is submitted to continue surface coal mining and reclamation operations beyond 2019 (Navajo Tribal Coal Leases 14-20-0603-8580 and 14-20-0603-9910; Hopi Tribal Coal Lease 14-20-0450-5743) pursuant to the Code of Federal Regulations (CFR), Title 30, Subchapter E, Part 750. PWCC is not proposing any plans to reactivate the Black Mesa Mine or mine reserves in that area. Only the J-19, J-21, J-21 West, J-28, N-9, N-10, and N-11 Extension surface-recoverable reserves within the Kayenta Mine are included in this revision. PWCC's permit revision application was determined by OSMRE to be administratively complete on March 5, 2014.

1. The Name and Business Address of the Applicant is:

Peabody Western Coal Company  
P. O. Box 650, Navajo Route 41  
Kayenta, Arizona, 86033.

2. A general location map of the project area is shown above. The Kayenta Mine Permit AZ-0001E area and the area proposed for the KMC permanent program permit are located in northeastern Arizona near the northern edge of Black Mesa about 20 miles southwest of Kayenta, Arizona. The operation is located on USGS 7.5-minute quad maps: Longhouse Valley, Marsh Pass S.E., Owl Spring, Great Spring, Yucca Hill, and Cliff Rose Hill. The permanent program permit area for KMC is located within the following lands of Navajo County, Arizona that are described relative to the Gila and Salt River Base Meridian:

- Township 35 North, Range 18 East: Sections 3-5, 8-11, 13-17, and 20-36
- Township 35 North, Range 19 East: Sections 1-5 and 7-36
- Township 36 North, Range 17 East: Sections 1-4, 11, and 12
- Township 36 North, Range 18 East: Sections 1-18, and 20-35
- Township 36 North, Range 19 East: Sections 15-22, 25-30, and 32-36
- Township 37 North, Range 18 East: Sections 28, 29, and 32-36

3. Locations of where copies of the application are available for public review and/or inspection are:

|   |  |
|---|--|
| Navajo Nation Minerals Department<br>Office of Surface Mining<br>Corner of Morgan Boulevard and<br>Window Rock Boulevard<br>Window Rock, AZ 86515<br>(928) 871-6587 | Forest Lake Chapter House<br>Navajo Route 41<br>20 miles north of Pinon<br>Pinon, AZ 86510<br>(928) 766-3252 |
|---|--|

|   |   |
|---|---|
| The Hopi Tribe<br>Office of Mining and Mineral Resources<br>Highway 264<br>.1 mile east of Kykotsmovi<br>Kykotsmovi, AZ 86039<br>(928) 734-7140 | Office of Surface Mining<br>Reclamation and Enforcement<br>Western Region<br>1999 Broadway, Suite 3320<br>Denver, CO 80202-3050<br>(303) 293-5033 |
|---|---|

4. Written comments, objections, or a request for an informal conference on the application, may be submitted within 30 days of the fourth and last publication of this notice, by any person with an interest that is or may be adversely affected, or by an officer or head of a Federal, State, or local government agency or authority. The name and address of the OSMRE representative where written comments, objections, or requests for an informal conference may be submitted is:

Rick Williamson, Manager  
Indian Programs Branch  
Office of Surface Mining  
Reclamation and Enforcement  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050  
(303) 293-5033  
osm-kmc@osmre.gov

The application will be made available for public review and inspection on OSMRE'S Western Region Homepage at:

[www.wrcc.osmre.gov/Current Initiatives/Kayenta Mine Complex.shtm](http://www.wrcc.osmre.gov/Current%20Initiatives/Kayenta%20Mine%20Complex.shtm)

The application has been filed with OSMRE and will be acted upon pursuant to the permanent regulatory program for Indian Lands (30 CFR Part 750) approved by the Secretary of the Interior under Title V of the Surface Mining Control and Reclamation Act of 1977.

NAVAJO TIMES

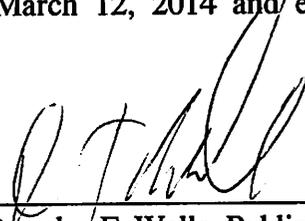
NAVAJO TIMES

# PUBLIC NOTICES

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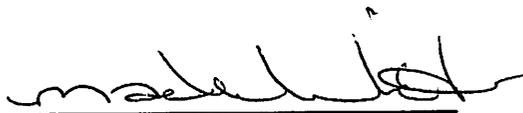
## Affidavit of Publication

I, Douglas F. Wells, Publisher of the NAVAJO-HOPI OBSERVER, a newspaper of general circulation published at Williams, Coconino County, Arizona, do solemnly swear that a copy of this notice, as per clipping attached, was published weekly in the regular and entire issue of said paper and not in any supplement thereof, FOUR (4) consecutive weeks, commencing with issue dated March 12, 2014 and ending with issue dated April 02, 2014.



Douglas F. Wells, Publisher

Subscribed and sworn to before me this 3rd day of April, 2014.



Madeline Keith, Notary Public  
My commission expires October 20, 2016.



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1. The Name and Business Address of the Applicant is: Peabody Western Coal Company, P. O. Box 650, Navajo Route 41, Kayenta, Arizona, 86033.

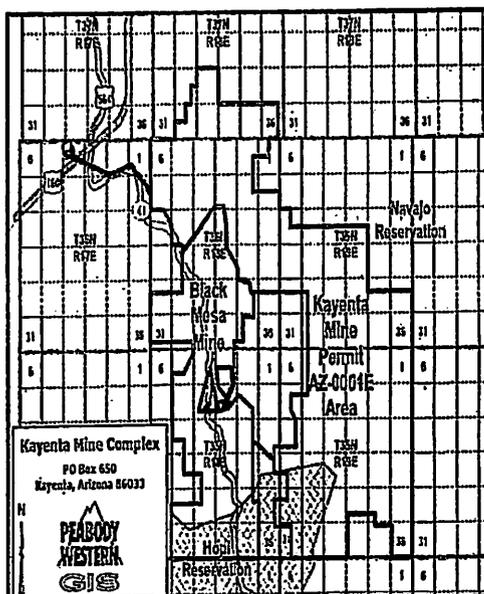
2. A general location map of the project area is shown below. The Kayenta Mine Permit AZ-0001E area and the area proposed for the KMC permanent program permit are located in northeastern Arizona near the northern edge of Black Mesa about 20 miles southwest of Kayenta, Arizona. The operation is located on USGS 7.5-minute quad maps: Longhouse Valley, Marsh Pass S.E, Owl Spring, Great Spring, Yucca Hill, and Cliff Rose Hill. The permanent program permit area for KMC is located within the following lands of Navajo County, Arizona that are described relative to the Gila and Salt River Base Meridian: Township 35 North, Range 18 East: Sections 3-5, 8-11, 13-17, and 20-36. Township 35 North, Range 19 East: Sections 1-5 and 7-36. Township 36 North, Range 17 East: Sections 1-4, 11, and 12. Township 36 North, Range 18 East: Sections 1-18, and 20-35. Township 36 North, Range 19 East: Sections 15-22, 25-30, and 32-36. Township 37 North, Range 18 East: Sections 28, 29, and 32-36.

3. Locations of where copies of the application are available for public review and/or inspection are: Navajo Nation Minerals Department, Office of Surface Mining, Corner of Morgan Boulevard and Window Rock Boulevard, Window Rock, AZ 86515 (928) 871-6587 • Forest Lake Chapter House, Navajo Route 41, 20 miles north of Pinon, Pinon, AZ 86510 (928) 766-3252 • The Hopi Tribe, Office of Mining and Mineral Resources, Highway 264, 1 mile east of Kykotsmovi, Kykotsmovi, AZ 86039 (928) 734-7140 • Office of Surface Mining Reclamation and Enforcement, Western Region, 1999 Broadway, Suite 3320, Denver, CO 80202-3050 (303) 293-5033.

4. Written comments, objections, or a request for an informal conference on the application, may be submitted within 30 days of the fourth and last publication of this notice, by any person with an interest that is or may be adversely affected, or by an officer or head of a Federal, State, or local government agency or authority. The name and address of the OSMRE representative where written comments, objections, or requests for an informal conference may be submitted is: Rick Williamson, Manager Indian Programs Branch, Office of Surface Mining Reclamation and Enforcement, 1999 Broadway, Suite 3320 Denver, CO 80202-3050 (303) 293-5033 [osm-kmc@osmre.gov](mailto:osm-kmc@osmre.gov)

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The application has been filed with OSMRE and will be acted upon pursuant to the permanent regulatory program for Indian Lands (30 CFR Part 750) approved by the Secretary of the Interior under Title V of the Surface Mining Control and Reclamation Act of 1977.



KMC PWCC Proof Of Performance 2014

24 times

**Fri 3/14 @ 6:30pm & 9:50pm.**

**Sat 3/15 @ 8:59am & 10:59am.**

**Sun 3/16 @ 7:00am & 6:00pm.**

**March 17 to 23 = M W F = Tues 3/18 @ 7:03am & 6:53pm; Thurs 3/20 @ 3:52pm & 7:45pm; Fri 3/21 @ 10:59am & 12:42pm.**

**March 24 to 30 = Thurs 3/27 @ 3:35pm & 8:36pm; Fri 3/28 @ 6:59am & 7:33am; Sun 3/30 @ 7:31pm & 9:30pm.**

**March 31 to April 3 = [Mon 3/31 @ 6:29pm \*extra\*] Tues 4/1 @ 6:51am & 6:03pm; Weds 4/2 @ 11:01am & 6:45pm; Thurs 4/3 @ 5:15pm & 6:02pm.**

**invoice \$50- for translation Donald Dawahongnewa & \$50- for recording Clark Tenakhongva, & airing & production time**

**a verbal copy of the translated (Hopi) message,**

**and a certified record for the dates and times the message was aired to the address listed below.**

# INVOICE



**Invoice #:** IN-114036786  
**Invoice Date:** 03/31/2014  
**Contract #:** 11836  
**Page:** 1  
**Net Amount:** \$1,417.50

**Advertiser:** PEABODY ENERGY  
 3001 W Shamrell Blvd.,  
 Suite 110  
 Flagstaff, AZ 86005

**Station(s):** KTNN-AM

**Advertiser:** PEABODY ENERGY  
**Product:** PUBLIC NOTICE REVISION  
**Estimate #:**  
**Agency Client Code:**  
**Buyer Name:** Gary W Wendt

**Salesperson(s):** Stewart Begay  
**Terms:** R

| Day | Date     | Time   | Ln | Length | Product                | ISCI | Rate    |
|-----|----------|--------|----|--------|------------------------|------|---------|
| FRI | 03/14/14 | 11:10a | 1  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| FRI | 03/14/14 | 12:19p | 1  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| SAT | 03/15/14 | 09:10a | 1  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| SAT | 03/15/14 | 06:14p | 1  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| SUN | 03/16/14 | 12:33p | 1  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| SUN | 03/16/14 | 04:27p | 1  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| TUE | 03/18/14 | 12:21p | 2  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| TUE | 03/18/14 | 05:45p | 2  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| THU | 03/20/14 | 10:10a | 2  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| THU | 03/20/14 | 04:07p | 2  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| SAT | 03/22/14 | 08:43a | 2  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| SAT | 03/22/14 | 05:07p | 2  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| MON | 03/24/14 | 12:17p | 3  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| MON | 03/24/14 | 04:06p | 3  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| WED | 03/26/14 | 12:16p | 3  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| WED | 03/26/14 | 03:38p | 3  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |
| FRI | 03/28/14 | 11:10a | 3  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |

# INVOICE



Invoice #: IN-114036786  
 Invoice Date: 03/31/2014  
 Contract #: 11836  
 Page: 2  
 Net Amount: \$1,417.50

| Day | Date     | Time   | Ln | Length | Product                | ISCI | Rate    |
|-----|----------|--------|----|--------|------------------------|------|---------|
|     |          | 3 MIN  |    |        |                        |      |         |
| FRI | 03/28/14 | 04:11p | 3  | 1      | PUBLIC NOTICE REVISION |      | \$75.00 |
|     |          | 3 MIN  |    |        |                        |      |         |

Remit To:  
 NATIVE BROADCAST ENTERPRISE  
 928-871-3553  
 PO Box 2569  
 Window Rock, AZ 86515

**Invoice Totals**

Total Spots: 18  
 Gross Amount: \$1,350.00  
 Agency Commission: \$0.00  
 Taxes:  
     NAVAJO NATION TAX 1 \$67.50  
 Net Amount: \$1,417.50

DUE UPON RECEIPT UNLESS  
 PRE-PAID

NAVAJO NATION TAX INCREASE FROM 4% TO 5% AS OF 1/1/2013.

Native Broadcast Enterprise and KTNN-AM/KWRK-FM do not and will not discriminate, in any way on the basis of race or ethnicity, with respect to its advertising practices. No advertiser may use the Station to discriminate on the basis of race or ethnicity and any contract entered into by an advertiser intending to discriminate on the basis of race or ethnicity shall be null and void.