

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

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November 5, 2013

Delta County Independent
401 Meeker
P.O. Box 809
Delta, CO 81416

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

Re: Elk Creek Mine (Permit No. C-1981-022)
Technical Revision Application No. 75 (TR-75)

To Whom It May Concern:

Please publish the attached legal notice in the *Delta County Independent*, **one time**, as soon as possible. For reimbursement, please send the invoice and proof of publication to Ms. Mary Rodriguez of our office at the above address. For questions regarding the publication, please contact me.

Please respond to Brock.bowles@state.co.us to verify receipt of this publication request.

Thank you for your cooperation.

Brock F. Bowles
Environmental Protection Specialist
Brock.bowles@state.co.us

Enclosure

C-TR-11

NOTICE OF PROPOSED DECISION

The Colorado Division of Reclamation, Mining and Safety proposes to Approve Technical Revision Application No. 75 (TR-75) for the Elk Creek Mine (Permit No. C-1981-022), submitted by Oxbow Mining, LLC. Oxbow Mining, LLC proposes to construct an elevated pad to facilitate a drill rig, methane pump and monitoring equipment at the sealed and reclaimed Sanborn Creek portal area. Oxbow plans to drill a degas borehole into the Sanborn Creek sealed mine to recover methane gas and transfer the gas via a pipeline to the Elk Creek electrical generating facility that was approved in TR-73. The proposed project will be on surface owned by Oxbow, LLC. A COGCC permit will be obtained for the degas borehole.

The Elk Creek Mine is a/an Underground coal mine located in Delta, Gunnison County/Counties, approximately 0 miles N of Somerset, Colorado. Coal interest is Federal and private, and the surface affected is Federal, state and private land. The permit area encompasses approximately 15,676.51 acres.

This proposed decision is based on a finding that the proposed operation will comply with all requirements of the Colorado Surface Coal Mining Reclamation Act, Section 34-33-101, *et seq.*, C.R.S., and the regulations promulgated thereunder.

Copies of the proposed decision, including stipulations, are on file for public inspection at the Colorado Division of Reclamation, Mining and Safety, Room 215, Centennial Building, 1313 Sherman Street, Denver, Colorado 80203. Persons with an interest that may be adversely affected by the proposed decision may request a formal hearing before the Mined Land Reclamation Board on the proposed decision. Such request must be made within ten (10) days of the initial publication of this notice, must be in writing, and must state with reasonable specificity the reasons for the request and the objections to the proposed decision.