

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



November 5, 2013

Jim Kiger
Oxbow Mining, LLC
P.O. Box 535
3737 Highway 133
Somerset, CO 81434

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

Re: Elk Creek Mine (Permit No. C-1981-022)
Proposed Decision - Technical Revision No. 75 (TR-75)
TR-75 Sanborn Creek Pipeline and Borehole

Dear Mr. Kiger:

Enclosed you will find the Division of Reclamation, Mining and Safety's Proposed Decision for Technical Revision No. 75 at the Elk Creek Mine. Notice of the proposed decision will be published in the *Delta County Independent* as soon as possible. The first publication will initiate the ten (10) day public comment period for the Division's decision.

Documentation must be submitted to the Division demonstrating that a copy of the approved revision application was sent to the Office of Surface Mining and the Bureau of Land Management. The material should be sent within 15 days of final approval.

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,



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

Enclosure

cc: Jeffrey W. Fleischman, Office of Surface Mining, with enclosures

C-TR-06



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

COAL MINING PERMIT - TECHNICAL REVISION DECISION

Elk Creek Mine, Oxbow Mining, LLC
Permit No. C-1981-022

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. 75

Decision: Approve

Submittal Date: July 16, 2013

Decision Date: November 5, 2013

Description of Revision: TR-75 Sanborn Creek Pipeline and Borehole

DIVISION OF RECLAMATION, MINING AND SAFETY PERMITTEE

Andrea Z. Brown

Authorized Representative - Division

Authorized Representative - Permittee (if applicable)

Date: November 5, 2013

Date:

CHANGE IN ACREAGE	REVISED TOTAL ACREAGE	PERFORMANCE BOND
Disturbed: 0.00	Disturbed: 211.48	Prior Liability: \$4,337,933.41
Affected: 0.00	Affected: 6,659.17	Change in Liability: \$0.00
Permit: 0.00	Permit: 15,676.51	Revised Liability: \$4,337,933.41
State: 0.00	State: 0.00	Bond Held: \$4,871,606.00
Federal: 0.00	Federal: 10,125.51	
Private: 0.00	Private: 5,551.00	

REVISED APPLICATION PAGES

2.05-23d, 2.05-23e

DELETED APPLICATION PAGES

None

REVISED MAPS

2.05-M1 1 of 6; 2.05-M1 2 of 6; 2.05-M1 3 of 6

DELETED MAPS

None