



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 17, 2014

William A. Bear
Bowie Resources, LLC
P.O. Box 483
Paonia, CO 81428

**Re: Bowie No. 2 Mine (Permit No. C-1996-083)
 Issuance - Permit Revision No. 14 (PR-14)
 Spruce Stomp Lease**

Dear Mr. Bear:

The Division of Reclamation, Mining and Safety's Proposed Decision to approve with conditions Permit Revision No. 14 at the Bowie No. 2 Mine became final on November 15, 2014. Notice of the proposed decision was published in the *Delta County Independent* on October 15, 2014, initiating the thirty (30) day public comment period for the Division's decision. No requests for a formal hearing were received during the comment period.



If you have any questions, please contact me.

Sincerely,



Susan L. Burgmaier
Environmental Protection Specialist
Susan.burgmaier@state.co.us

cc: Alan Boehms, Office of Surface Mining
James Stover, J.E. Stover & Associates
Tammerin Stover-Bishop, J.E. Stover & Associates

Stipulations

38 - PRIOR TO ANY SURFACE DISTURBANCE OF LANDS WITHIN THE SPRUCE STOMP LEASE AREA (COC-75916), THE BASELINE VEGETATION INFORMATION REQUIRED UNDER RULE 2.04.10 MUST BE SUBMITTED TO AND APPROVED BY THE DIVISION.

39 - PRIOR TO ANY SURFACE DISTURBANCE OF LANDS WITHIN THE SPRUCE STOMP LEASE AREA (COC-75916), THE BASELINE SOILS RESOURCE INFORMATION REQUIRED UNDER RULE 2.04.9 MUST BE SUBMITTED TO AND APPROVED BY THE DIVISION.

40 - PRIOR TO ANY SURFACE DISTURBANCE OF LANDS WITHIN THE SPRUCE STOMP LEASE AREA (COC-75916), BRL WILL NEED TO EVALUATE THE EFFECTS OF THAT DISTURBANCE ON ANY OF THE SITES LISTED AS ELIGIBLE FOR LISTING ON THE NATIONAL REGISTER OF HISTORIC PLACES, AS DOCUMENTED IN THE 2012 CLASS III CULTURAL RESOURCES INVENTORY REPORT FOR THE LEASE AREA.

41 - PRIOR TO COMMENCING ANY MINING ACTIVITIES THAT COULD CAUSE SUBSIDENCE IN THE SPRUCE STOMP LEASE AREA, BRL MUST DEMONSTRATE THAT, SHOULD MINING ACTIVITIES RESULT IN CONTAMINATION, DIMINUTION OR INTERRUPTION OF WATER IN THE WEST FORK OF TERROR CREEK, BRL HAS OBTAINED SUFFICIENT WATER RIGHTS AND AN APPROVED WATER REPLACEMENT PLAN TO RESTORE, REHABILITATE, OR REPLACE THE WATER SUPPLY. BRL MUST SUBMIT A COPY OF A COURT APPROVED ALTERNATIVE WATER SUPPLY OR COURT APPROVED SOURCES OF AUGMENTATION WATER THAT COULD BE DEVELOPED TO REPLACE THE EXISTING SOURCES. THE ALTERNATE OR SUBSTITUTED WATER SHALL BE OF A QUALITY AND QUANTITY SO AS TO MEET THE REQUIREMENTS FOR WHICH THE WATER HAS NORMALLY BEEN USED.

42 - BRL MUST REHABILITATE OR REPLACE GROUNDWATER MONITORING POINTS CWI-DH-58 AND CWI-CH-60 BY DECEMBER 31, 2014. FOLLOWING COMPLETION OF THE WORK, A MINOR REVISION MUST BE SUBMITTED TO UPDATE THE PERMIT APPLICATION PACKAGE TEXT WITH A DISCUSSION OF THE REHABILITATION OR REPLACEMENT OF THE WELLS.

43 - WITHIN SIXTY DAYS FOLLOWING THE COLLECTION OF A YEAR OF VALID BASELINE DATA FROM THE TWO DOWN-GRADIENT MONITORING WELLS TO BE DRILLED IN 2015 (2015-1B AND 2015-1SS), BRL MUST SUBMIT A TECHNICAL REVISION TO UPDATE THE PROBABLE HYDROLOGIC CONSEQUENCES SECTION OF THE PERMIT TO ESTABLISH THOSE WELLS AS GROUNDWATER POINTS OF COMPLIANCE, IN ACCORDANCE WITH RULES 2.05.6(3)(B)(III) AND (IV).

44 - PRIOR TO INITIATING ANY LONGWALL MINING IN THE SPRUCE STOMP LEASE AREA (COC-75916), BRL MUST OBTAIN APPROVAL FOR A PLAN TO MANAGE REFUSE GENERATED AS A RESULT OF MINING ACTIVITIES IN THE SPRUCE STOMP LEASE AREA AND ALL CURRENTLY APPROVED COAL MINING ACTIVITIES. THIS RESTRICTION WILL NOT PRECLUDE DEVELOPMENT MINING ACTIVITIES IN THE SPRUCE STOMP LEASE AREA CONSTRUCTED WITH CONTINUOUS MINING EQUIPMENT. PROPOSED MANAGEMENT PLANS MUST BE PREPARED IN ACCORDANCE WITH RULES 2.05.3(8), 4.10, AND 4.11 AND BE BASED ON CURRENT AND PREDICTED RATES OF PRODUCTION AND REFUSE GENERATION AND INCLUDE REFUSE THAT WILL BE GENERATED FROM ALL CURRENTLY APPROVED MINING PLANS.