



STATE OF  
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

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## West Elk SL 011 Bond Release Proof of Publication

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**savageandsavage@earthlink.net** <savageandsavage@earthlink.net>

Mon, Oct 22, 2018 at 10:36 AM

Reply-To: savageandsavage@earthlink.net

To: Leigh Simmons <Leigh.Simmons@state.co.us>

Cc: KWelt@archcoal.com

Leigh,

Attached is a PDF of the Proof of Publication of the Legal Notice for SL-11. Let me know if you need a hard copy.  
Thanks,

Mike Savage



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**SL 11 Legal Notice Proof of Publication.pdf**

606K

DELTA COUNTY

# INDEPENDENT

401 Meeker St.  
P.O. Box 809  
Delta, CO 81416

## AFFIDAVIT OF PUBLICATION

STATE OF COLORADO }  
COUNTY OF DELTA } ss.

I, Roxanne McCormick, do solemnly swear that I am advertising director of the *Delta County Independent*; that the same is a weekly newspaper printed, in whole or in part, and published in the County of Delta, State of Colorado, continuously and uninterruptedly in said County of Delta for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, and all amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that the annexed legal notice or advertisement was published in the regular and entire issue four consecutive insertions; that the first publication of said notice was in the issue of said newspaper dated September 26th, A.D., 2018, and that the last publication of said notice was in the issue of said newspaper dated October 17th, A.D., 2018.

In witness whereof I have hereunto set my hand this 17th day of October, A.D., 2018.



Advertising director of said *Delta County Independent*

Subscribed and sworn before me, a Notary Public in and for the County of Delta, State of Colorado, this 17th day of October, A.D., 2018.



Notary Public

My commission expires 12/24/2021  
900 Cypress Wood Lane  
Delta, CO 81416

**PATRICIA SUNDERLAND**  
19934019033  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
My Commission Expires 12-24-2021

### PUBLIC NOTICE

Mountain Coal Company, LLC (MCC), 5174 Highway 133, Somerset, CO 81434, (970) 929-5015, has filed a Phase III Final Bond Release Request and Termination of Jurisdiction Application to MCC's Mining and Reclamation Permit No. C-1980-007 with the Colorado Mined Land Reclamation Board (Board), under the provisions of the Colorado Surface Coal Mining Reclamation Act of 1979. The permit was originally issued by the Board in July 1981, and subsequently renewed in August 1986, January 1993 (effective August 1991), July 1996, July 2001, April 2007 (effective July 2006), and July 2011. The current five-year permit term expired July 31, 2016 and is under administrative renewal review by the Colorado Division of Reclamation, Mining and Safety. The State of Colorado holds a surety reclamation bond in the amount of \$15,000,000 that exceeds the current reclamation liability. The West Elk Mine five-year permit area contains lands in Sections 9-11, 13-36, T13S, R90W, 6th PM; and Sections 23-26, T13S, R91W, 6th PM, and Sections 1-5, 8-12, T14S, R90W, 6th PM in Delta and Gunnison Counties. The location of the lands can be found on the USGS 7.5 minute Somerset and Minnesota Pass Quadrangle Topographic Maps. The current permit area encompasses approximately 17,154.9 acres. MCC is requesting Phase III Bond Release for reclaimed mine ventilation boreholes, drill pads, and

associated road segments at the West Flatiron area. These reclaimed areas cover approximately 15.25 acres of private and National Forest System lands specifically located in portions of Sections 22, 23, and 26, T13S, R90W, Gunnison County, Colorado. These sites and roads were necessary for coal exploration and methane ventilation over the past fifteen years. MCC is requesting a release of all remaining reclamation bond (approximately \$45,000.00) and reclamation liability, for a total release of 100% of the applicable bond amount posted for those sites, as allowed by Colorado Statute and Rule 3.03. This amount will be verified by the State of Colorado. The reclaimed areas have met the applicable vegetation bond release criteria for Phase III final bond release.

Reclamation of the various drill site locations and roads within MCC's permit were completed between 2002 and 2006. This reclamation included proper plugging and abandonment of drill holes, as well as backfilling and regrading of pad locations and roads, with subsequent replacement of topsoil from the sites. The borehole sites and roads proposed for bond release have been revegetated using various methods of seeding, fertilizing, and mulching, including the installation of straw and erosion control matting.

A copy of the Phase III Bond Release application is available for review at the Colorado Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215 Denver, CO 80203, phone (303) 866-3567, and the Gunnison County Planning Office, 221 N. Wisconsin St., Gunnison, CO 81230. Comments or objections concerning the application should be directed to the CDRMS at the above address not later than 30 days after the last date of publication of this notice (published 4 times consecutively) in order to be considered.

Published in the Delta County Independent September 26, October 3, 10 and 17, 2018.