



STATE OF  
COLORADO

Simmons - DNR, Leigh <[leigh.simmons@state.co.us](mailto:leigh.simmons@state.co.us)>

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## SL-1

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**Doug Smith** <[Doug.Smith@oxbow.com](mailto:Doug.Smith@oxbow.com)>

Tue, Apr 9, 2019 at 8:54 AM

To: "Simmons - DNR, Leigh" <[leigh.simmons@state.co.us](mailto:leigh.simmons@state.co.us)>

Leigh,

Please see the attachments. The notification did run for the four weeks and I have also attached the returned certified letter signatures for notifications.

Will get you maps and the notarized statement for SL-1 to be complete. These are today's tasks along with a visit from Desty.

Doug

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**From:** Simmons - DNR, Leigh [[leigh.simmons@state.co.us](mailto:leigh.simmons@state.co.us)]

**Sent:** Tuesday, April 09, 2019 7:53 AM

**To:** Doug Smith

**Subject:** SL-1

[external email-use caution]

[Quoted text hidden]

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**Attention:** This email was sent from outside the company. Please use caution when opening attachments or clicking on links that are unexpected or arrive from unknown senders.

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### 2 attachments



**Proof of Delivery.pdf**

125K



**Proof of Publication.pdf**

688K

# 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 March 6th, A.D., 2019, and that the last publication of said notice was in the issue of said newspaper dated March 27th, A.D., 2019.

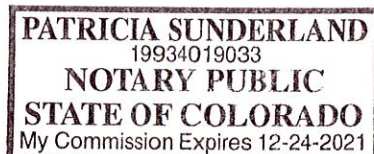
In witness whereof I have hereunto set my hand this 27th day of March, A.D., 2019.

Roxanne McCormick  
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 27th day of March, A.D., 2019.

Patricia Sunderland  
Notary Public

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



### PUBLIC NOTICE

Oxbow Mining, LLC, (OMLLC) located at 3737 Hwy 133, P.O. Box 535, Somerset, CO 81434 has submitted to the Colorado Division of Reclamation, Mining and Safety, (CDRMS) an application for a partial bond release for its mining Permit C-1981-022. The mining permit was initially approved on October 11, 1983, and is presently undergoing the seventh renewal. Production at the Elk Creek Mine concluded in 2013 and reclamation has been occurring since. The current reclamation bond value is \$4,500,000.00 and is in the form of a Corporate Surety. The equipment has been demolished and the area has been back filled and graded. The area shall remain as industrial post mining land use, and will not require topsoil or seeding. Therefore a phase 1 surety release of \$398,000.00 is requested.

This application covers a combined area of 20.6 acres located in the SW1/4 of NE1/4, NW1/4 of SE1/4, SW1/4 of SE1/4 and SE1/4 of SE1/4 of Section 8 of Colorado Township 13 South Range 90 West of the 6th prime meridian. The requested areas are also known as the Coal Storage or Lower Pad, and the Portal or Middle Pad. These areas are North of the Town of Somerset, Colorado and are entirely within the interior of Oxbow Mining owned property.

In early 2016, Oxbow Mining, LLC began demolition of its coal mine facilities near Somerset, Colorado. The structures removed from within the requested bond release areas include the Lamp house, Shop, Main Mine Portals and Structure, Tank Farm and Wash Bay, CV-1 Conveyor Drive Structure, Stack Tubes and Reclaim Tunnel, and associated pads and footings. Portions of the Elk Creek have been re-established.

The permit area is located within the area shown on the U.S. Geological Survey 7.5 minute, Somerset and Bowie Quadrangle maps and more particularly described as follows:

The surface facilities for the Elk Creek and Sanborn Creek mines are located north of the town of Somerset, which is located nine miles northeast of Paonia, Colorado. The facilities are located north of the North Fork of the Gunnison River (located due south of the town of Somerset), north of State Highway 133 and north of the Union Pacific Railroad right-of-way. The Elk Creek mine portal is located approximately one mile north and the reclaimed Sanborn Creek mine portal is located approximately one mile east of the town of Somerset. The Elk Creek Mine and Sanborn Creek Mine permit area is located on the following described lands:

#### Township 12 South, Range 90, West, 6th PM

Sec. 27: S1/2SW1/4  
Sec. 28: S1/2S1/2  
Sec. 29: S1/2S1/2  
Sec. 30: S1/2S1/2  
Sec. 31: All  
Sec. 32: All  
Sec. 33: All  
Sec. 34: NW1/4 + Lots 3, 4, 5, 6, 11, 12, 13, 14, 19 and 20

#### Township 12 South, Range 91, West, 6th PM

Sec. 25: S1/2S1/2  
Sec. 26: S1/2S1/2  
Sec. 27: SE1/4SE1/4  
Sec. 34: Lots 8, 9, 15, 16, E 1/2 NE1/4

Sec. 35: All  
Sec. 36: All  
Township 13 South, Range 89, West, 6th PM  
Sec. 6: Lots 17, 21, 22  
Sec. 7: Lots 1, 2, and 3 North of the Centerline of the River

#### Township 13 South, Range 90, West, 6th PM

Sec. 1: All  
Sec. 2: All  
Sec. 3: Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, S1/2SW1/4  
Sec. 4: Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, S1/2S1/2  
Sec. 5: All  
Sec. 6: All  
Sec. 7: All  
Sec. 8: All North of the Centerline of the River & Town of Somerset  
Sec. 9: All North of the Centerline of the River  
Sec. 10: All North of the Centerline of the River  
Sec. 11: Lots 1, 2, 3, 4, 5, 6, 7, 8, Lot 9 North of the Centerline of the River, NW1/4 SE1/4 North of the Centerline of the River, N1/2SW1/4 North of the Centerline of the River, NW 1/4 SW 1/4 North of the Centerline of the River  
Sec. 12: Lots 1, 2, 3, 4, 5, 6, 7, 8, North of the Centerline of the River, S1/2NW1/4, SW 1/4NE1/4, and NW1/4SW1/4 North of the Centerline of the River  
Sec. 17: NE1/4NW1/4, and NW1/4NE1/4 North of the Centerline of the River and Town of Somerset

#### Township 13 South, Range 91, West, 6th PM

Sec. 1: All  
Sec. 2: Lots 1, 2, 3, 4, S1/2NW1/4, S1/2NE1/4, SE1/4, N1/2SW1/4  
Sec. 3: Lots 1, 2, 3, S1/2NE1/4, N1/2SE1/4  
Sec. 11: E1/2NE1/4  
Sec. 12: All  
Sec. 13: Lot 1, N1/2NE1/4

The Permit area contains approximately 15,676.51 acres of surface lands of which 5,551 acres are on private land and 10,125.51 acres are on Federal land. The Permit area is located within both Delta and Gunnison Counties.

A copy of this Surety Release application is available for public inspection at the Delta County Planning Office, 501 Palmer Street, Delta, CO 81416, the Gunnison County Planning Office, 221 North Wisconsin Street - Suite D, Gunnison, CO 81416 and the Paonia Public Library, 2 3rd Street, Paonia, CO 81428 and at the offices of the Colorado Division of Reclamation, Mining and Safety (CDRMS), 1313 Sherman Street, Room 215, Denver, CO 80203, telephone number 303-866-3567.

Written comments, objections or requests for an informal conference on the renewal application may be submitted to and additional information obtained from the CDRMS at the address noted above. Comments may be submitted to the CDRMS within 30 days of the last publication of this notice.

Published in the Delta County Independent March 6, 13, 20 and 27, 2019.

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Region 10 League for Economic  
Assistance & Planning, Inc.  
145 S. Cascade  
Montrose, CO 81401

2. Article Number

(Transfer from service label)

7015 0640 0000 0826 9587

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Clauette Nicola*
☐ Agent  
☐ Addressee

B. Received by (Printed Name)

Clauette Nicola

C. Date of Delivery

3-1-19

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Attn Cathie Pagano  
Gunnison County Community and  
Economic Development  
221 N Wisconsin St. #D  
Gunnison, CO 81230

2. Article Number

(Transfer from service label)

7015 0640 0000 0826 9600

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Cathie Pagano*
☒ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paonia Public Library  
2 3rd Street P.O. Box 969  
Paonia, CO 81428

2. Article Number

(Transfer from service label)

7015 0640 0000 0826 9617

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Laura Lee Yates*
☒ Agent  
☐ Addressee

B. Received by (Printed Name)

Laura Lee Yates

C. Date of Delivery

3-6-19

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes



## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Gunnison County Commissioners  
200 E. Virginia Ave.  
Gunnison, CO 81230

## 2. Article Number

(Transfer from service label)

7015 0640 0000 0826 9648

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

x Elizabeth Mense

- ☐ Agent  
☐ Addressee

## B. Received by (Printed Name)

Elizabeth Mense

## C. Date of Delivery

3/4/19

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

North Fork Water Conservancy  
PO Box 217  
Hotchkiss, CO 81419

## 2. Article Number

(Transfer from service label)

7015 0640 0000 0826 9631

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

x Thomas M. Alvey

- ☐ Agent  
☐ Addressee

## B. Received by (Printed Name)

THOMAS M. ALVEY

## C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Delta County Planning Office  
501 Palmer St.  
Delta, CO 81416



9590 9402 1590 5362 2663 64

## 2. Article Number (Transfer from service label)

7015 0640 0000 0826 9594

PS Form 3811, July 2015 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

x [Signature]

- ☐ Agent  
☐ Addressee

## B. Received by (Printed Name)

[Signature]

## C. Date of Delivery

3/1/19

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☐ Adult Signature ☐ Priority Mail Express®  
☐ Adult Signature Restricted Delivery ☐ Registered Mail™  
☒ Certified Mail® ☐ Registered Mail Restricted Delivery  
☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise  
☐ Collect on Delivery ☐ Signature Confirmation™  
☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery  
☐ Insured Mail ☐ Restricted Delivery

Domestic Return Receipt