



STATE OF  
COLORADO

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

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## Proof of Publication Oxbow SL02 Delta County Independent

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

Wed, Nov 27, 2019 at 3:59 PM

Reply-To: savageandsavage@earthlink.net

To: Leigh Simmons <Leigh.Simmons@state.co.us>, Doug Smith <doug.smith@oxbow.com>

Leigh and Doug,

Attached is a PDF of the Proof of Publication for SL-02 from the Delta County Independent. Sorry this took so long, the Delta County Independent is now affiliated with the Montrose Times and their legal notice certification person is now in Montrose, and not quite on board with the DCI legals folks. The original is coming via US Mail. Let me know if you need a separate copy of the original. Thanks,

Mike Savage



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**Proof of Publication Delta County Independent SL02.pdf**

130K

**Delta County Independent**  
**401 Meeker St.**  
**PO Box 809**  
**Delta, CO 81416**  
**AFFIDAVIT OF PUBLICATION**

STATE OF COLORADO  
COUNTY OF DELTA

) SS.

I, Oscar Chavez Castaneda, do solemnly swear that the *Delta County Independent* 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 insertion(s); that the first publication of said notice was in the issue of said newspaper dated October 2nd, A.D., 2019, and that the last publication of said notice was in the issue of said newspaper dated October 23rd, A.D., 2019.

In witness whereof I have hereunto set my hand this 31 day of

October, 2019.

Other

Subscribed and sworn to before me this 31 day of

October, 2019.

Heather Kroschel Notary Public

HEATHER ANN KROSCHER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20194028886  
MY COMMISSION EXPIRES JULY 31, 2023

**Public Notice**

Oxbow Mining, LLC (OMLLC), P.O. Box 535, Somerset, CO 81434, (970) 929-5122, has filed a Phase I, II, and III Bond Release Request to OMLLC's Mining and Reclamation Permit No. C-1981-022 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 October 11, 1983, and subsequently renewed. The current five-year permit renewal 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 \$4,500,000 that exceeds the current reclamation liability.

OMLLC's approved permit area is located in Gunnison and Delta Counties north of the town of Somerset and the North Fork of the Gunnison River. OMLLC's current permit area is included within areas found on the Somerset and Bowie USGS 7.5 minute quadrangle maps and is generally described as follows: Township 12 South, Range 90 West, 6th PM, all or parts of Sections 27-34; Township 12 South, Range 91 West, 6th PM, all or parts of Sections 25-27 and 34-36; Township 13 South, Range 89 West 6th PM, all or parts of Sections 6 and 7; Township 13 South, Range 90 West, 6th PM, all or parts of Sections 1-12 and 17; Township 3 South, Range 91 West, 6th PM, all or parts of Sections 1-3 and 11-13. 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.

OMLLC is requesting a combination of Phase I, II, and III Bond Release for certain reclaimed surface facilities, mine ventilation boreholes, drill pads, and associated road segments, as well as facilities that have been repurposed for industrial or commercial uses at the mine. These reclaimed and repurposed areas comprise approximately 201.85 acres of private, Bureau of Land Management, and National Forest System lands. These facilities, sites, and roads were necessary for coal mining operations. OMLLC is requesting a release of 60% of the reclamation bond applicable to sites proposed for Phase I bond release, 85% of the reclamation bond applicable to sites proposed for Phase II bond release, and 100% of the reclamation bond applicable to sites proposed for Phase III bond release, as allowed by Colorado Statute and Rule 3.03. This amount will be verified by the State of Colorado. Revegetated sites have met the applicable vegetation bond release criteria for Phase II bond release and have been shown to control erosion to levels of adjacent undisturbed areas.

Reclamation of the reclaimed locations within the OMLLC permit are proposed for bond release were completed between 1996 and 2017. Reclamation included backfilling and regrading of surface facilities, plugging and abandonment of drill holes, reclamation of pad locations and roads, with subsequent replacement of plant growth medium, and implementation of sediment control measures. The areas proposed for bond release have been revegetated using various methods of seeding, fertilizing, and mulching.

A copy of the 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)