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# J. E. STOVER & ASSOCIATES, INC.

2352 NORTH 7<sup>TH</sup> STREET, UNIT B  
GRAND JUNCTION, COLORADO 81501  
PHONE: (970) 245-4101, FAX: (970) 242-7908

MINE ENGINEERING  
MINE RECLAMATION

CIVIL ENGINEERING  
CONST. MANAGEMENT

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April 8, 2021

Rob Zuber  
Division of Reclamation, Mining & Safety  
1313 Sherman St., Room 215  
Denver, CO 80203

Re: Bowie Resources, LLC, Bowie No. 1 Mine  
SL-07 Incompleteness Response  
Permit C-1981-038

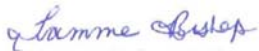
Dear Mr. Zuber:

On behalf of Bowie Resources, LLC, below is the response to the adequacy letter dated April 7, 2021.

1. The permit date in item #3 has been updated to 2018.
2. Item number 6 has been updated to include both Phase II and III in the bond release request.
3. Attached is the notarized certification statement in compliance with Rule 3.03.2(1)(e).

Please let me know if you need any additional information.

Sincerely,



Tamme Bishop, P.E.  
Project Engineer

Enclosures:

SL-07 Bond Release letter  
Notarized certification statement

Cc: Basil Bear

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April 8, 2021

Rob Zuber  
Division of Reclamation, Mining & Safety  
1313 Sherman St., Room 215  
Denver, CO 80203

Re: Bowie Resources LLC, Bowie No. 1 Mine  
Request for Phase II and III, Run-of-Mine  
Permit C-1981-038

Dear Mr. Zuber:

The follow information comprises Bowie Resources LLC's application for a Phase III bond release for the Run of Mine (ROM) (also referred to as the Timber Storage Area) area at its Bowie No. 1 Mine.

1. Date of Request: April 8, 2021
2. Permittee: Bowie Resources LLC
3. Permit No. C-1981-038
4. Date Permit was approved:  
Initial Permanent Program Permit Issuance September 24, 1981  
Current Permit Issued April 20, 2018
5. Mine Name: Bowie No. 1 Mine
6. Phase of Bond Release Requested:  
Phase II – ROM Sediment Pond (0.51 Ac.)  
Phase II and III – Upland ROM Areas and Sediment Pond (10.72 Ac.)
7. Number of Acres: 10.72 Ac.
8. Bond Company: Lexon Insurance Company
9. Bond: Number: Corporate Surety, Bond No. 1071400, \$2,500,000  
Corporate Surety, Bond No. 1071399, \$815,000
10. Current Total Bond Amount: \$2,800,00 posted

11. Original Total Bond Amount: 1981 East Mine Bond - \$1,116,500  
1986 West Mine Bond - \$1,025,000

12. Dollar Amount Requested for Release: \$45,196.00 (See Task 130A)

13. Legal Description of Area Requested: Portions of:

Township 13 South, Range 92 West, 6<sup>th</sup> P.M.

Sec. 25: Lot 3

14. A Map Showing the Area: Figures 1 & 2 are enclosed and shows the reclaimed configuration

15. Dates Reclamation Work Performed: 2008, and 2017. Figure 1 and 2 from BRLs ARR is included to document reclamation dates. Normal site maintenance has been performed since the initial reclamation dates. The ROM area has been sprayed for weeds on an as-needed basis.

16. A description of results achieved: Excerpts below are from the attached Cedar Creek report;

During 2008 partial reclamation of the ROM area was performed. The 2008 reclamation consisted of returning portions of the disturbed area back to approximate original contours and hydro seeding with a permanent seed mix and wood fiber mulch. During 2017, the run of mine pond was removed and the area was hydro seeded with permanent seed mix.

Vegetation has flourished since initial reclamation efforts in 2008 & 2017 and passed all success criteria in 2019 and 2020. The ROM unit surpassed the total plant cover success criterion of  $\geq 36\%$  (90% of the technical standard of 40%) with 68.8% in 2019 and 51.6% in 2020 (chart 5 in attached Cedar Creek report).

The annual (total) herbaceous production success criterion of  $\geq 360$  pounds per acre (90% of the technical standard value of 400 pounds per acre) was surpassed with 1,141 pounds per acre in 2019 and 951 in 2020 (Chart 6 in attached Cedar Creek report).

A total of 320 trees, shrubs, and sub-shrubs per acre were sampled in 2019 which equates to a 80% confidence limit of 131 that surpasses 90% of the technical standard when the reverse null ranked "L" test is utilized (Chart 7 in attached Cedar Creek report). A total of 332 trees, shrubs, and sub-shrubs per acre we sampled in 2020 surpassing the woody plant density success criterion of 90 per acre (90% of the technical standard value of 100 woody plants per acre).

The ROM surpasses the diversity standard with the required number of total native or introduced perennial herbaceous species with between 0.5% and 60.0% relative cover ( $\geq$  five species) with six in 2019 and eight in 2020 (Chart 8 in attached Cedar Creek report). The total native perennial cool-season grasses with between 0.5% and 60.0% relative cover ( $\geq$  three species) was surpassed with four in 2019 and five in 2020 (Chart 9 in attached Cedar Creek report). The total native or introduced forb species with between 0.5% and 60% relative cover was ( $\geq$  two species) was met with two in 2019 and three in 2020 (Chart 10 in attached Cedar Creek report). And finally, the total

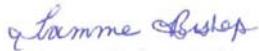
number of native trees, shrubs and sub-shrubs with <80% relative cover ( $\geq$  two species) was surpassed with seven in 2019 and four in 2020.

All reclamation work has been performed in accordance with plans approved by the Division of Reclamation Mining and Safety.

17. Copies of written notice to seek release to parties identified in Rule 3.03.2(1): A Certificate of Service which documents the notices required under Rule 3.03.2(1) have been mailed is enclosed.
18. Copy of newspaper advertisement: Proof of Publication of the public notice is attached.

Please call if you have any questions.

Sincerely,



Tamme Bishop, P.E.  
Project Engineer

Enclosures

1. Partial Bond Release Letter
2. Public Notice
3. Certificate of Service for Partial Bond Release Letter
4. Figures 1 & 2
5. Exhibits 1
6. Bond Release Certification Statement

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## **Supplemental Information**

### Surface and Groundwater impact analysis:

Surface water monitoring point SW-05 is located near toe of the ROM area. Review of the SW-05 data which is submitted as part of the Bowie No.1 Annual Hydrologic Review shows that there has not been a negative impact on the waters of East Roatcap creek, and the average values for laboratory parameters do not show any negative water quality trends. Further, approval of TR-58 documented that drainage from the reclaimed ROM does not contribute suspended solids to streamflow or runoff outside the permit area in excess of pre-mining levels.

There are no nearby groundwater monitoring points upstream or downstream of the ROM from which to analyze data. However, since data for SW-05 shows no negative impacts to surface waters, it would lead to the conclusion that no negative impacts to the groundwater resources would be seen.

### Post Mining Land Use

The Post Mining Land Use of the ROM area is livestock grazing as well as deer and elk winter habitat. This designation is consistent with the historical land use of the area and the management plans of the Bureau of Land Management.

Review of collected data demonstrates success and utility of the vegetated areas especially given the vegetative ground cover and favorable results with regard to diversity and production despite wildlife grazing. The 2019 and 2020 vegetation reports indicate the ground cover of perennial plants within the reclaimed areas are comparable to adjacent undisturbed native communities and plant succession is occurring and progressing in a positive direction, indicating that plants are self-sustaining. This demonstrates the success and utility of the vegetated areas to be used for the approved post mining land use of livestock grazing and deer and elk winter habitat.

PARTIAL BOND RELEASE LETTER –  
BOWIE NO. 1, EAST MINE

March 31, 2021

Re:     Bowie Resources, LLC  
          P.O. Box 483  
          Paonia, CO 81428

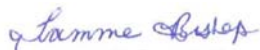
Dear People:

Bowie Resources LLC, is the successor in interest to Cyprus Orchard Valley Coal Company and Colorado Westmoreland Inc's. responsibilities under Division of Reclamation, Mining and Safety, Permit No. C-1981-038. Bowie Resources LLC backfilled, graded and seeded the run of mine or timber storage area during 2008 and 2017. During the following years, vegetation has flourished. Vegetation studies were performed during the summer of 2019 and 2020 which indicates the vegetation meets the requirements of a Phase III bond release at the run of mine area.

One provision of the Division of Reclamation, Mining and Safety's Rules is that the mine must be bonded for the estimated reclamation cost. Now that a portion of the reclamation work has been performed, Bowie Resources LLC has formerly requested a partial bond release from the Division of Reclamation, Mining and Safety. Bowie Resources LLC has a bond liability of \$2,800,000.00 and has requested about \$45,000 of that amount be released. In accordance with the Division's Rule 3.03.2(1), Bowie Resources LLC is required to send written notice of its partial bond release request to adjacent land owners, surface owners and various local governing bodies.

The area for which partial bond release is being requested is at the Bowie No. 1, East Mine, located in Delta County, approximately four (4) miles north of Paonia, CO. The run of mine area is located in Lot 3 of Section 25, Township 13 South, Range 92 West, 6<sup>th</sup> P.M.

Sincerely,



Tamme Bishop, P.E.  
Project Engineer

## PUBLIC NOTICE

Bowie Resources LLC, P.O. Box 1488, Paonia, CO, 81428 has submitted an application for a final Phase III bond release to the Division of Reclamation, Mining and Safety for its mining permit No. C-1981-038. The mining permit was initially approved on September 24, 1981 and renewed on April 20, 2018. The current reclamation bond is \$2,800,000 and is in the form of two corporate surety bonds. This permit action will release about \$45,000 from the reclamation bond. The area for which the bond release is being requested is at the Bowie No. 1, Run of Mine (ROM) area. The total disturbance associated with this bond release application is 12.0 acres.

Reclamation work was performed in 2008, and 2017. The ROM area is located in Lot 3 of Section 25, Township 13 South, Range 92 West, 6<sup>th</sup> P.M. The area has been backfilled, graded to approximate original contour and hydroseeded. Vegetation has flourished and meets the permit criteria to qualify for a Phase III bond release.

The Bowie No. 1 Mine is located in Delta County, approximately four (4) miles north of Paonia, CO. The surface facilities, located north of the North Fork of the Gunnison River, are located in portions of Sections 23 and 24, Township 13 South Range 92 West; and Section 29, Township 13 South, Range 91 West of the 6th P.M. The areas within the mine permit area that are requested for release are located on the U.S. Geological Survey 7.5-minute Bowie and Gray Reservoir, Colorado Quadrangle maps within the following sections.

### Township 13 South, Range 92 West, 6<sup>th</sup> P.M.

Sec 25:            Lot 3

Written comments or objections to the proposed release, and a request for a public hearing or informal conference may be submitted to and additional information obtained from the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, Co. 80203-2273, phone (303) 866-3567. Comments, objections or requests for a public hearing or informal conference must be made within thirty (30) days of the last publication of this notice or within thirty (30) days of the completed bond release inspection, whichever is later.

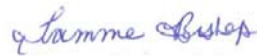
## CERTIFICATE OF SERVICE

BOWIE RESOURCES LLC

### PARTIAL RELEASE OF BOND LIABILITY - BOWIE NO. 1 MINE

Rule 3.03.2(1) requires that notice of intention to seek release from bond be sent to adjoining property owners, surface owners, appropriate local government bodies, municipalities, regional planning commissions, boards of county commissioners, county planning agencies, sewage and water treatment authorities, and water conservancy and water conservation districts.

I hereby certify that I have served a true and correct copy of the attached partial bond release letter for adjacent landowners and local governing bodies by placing same in the U.S. Mail, first class postage prepaid, on March 31, 2021.



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Tamme Bishop, P.E.

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

Mayor, Town of Paonia  
P.O. Box 460  
Paonia, CO 81428

Delta County Commissioners  
Delta County Courthouse  
5th & Palmer  
Delta, CO 81416

Delta County Planning Department  
5<sup>th</sup> & Palmer  
Delta, CO 81416

Gunnison County Planning Department  
Blackstock Government Center  
221 N. Wisconsin St., Ste. D  
Gunnison, CO 81230

Gunnison County Commissioners  
Gunnison County Courthouse  
200 East Virginia  
Gunnison, CO 81230

Ken Nordstrom  
Delta County Health Department



225 West 6<sup>th</sup> Street  
Delta, CO 81416

Region 10 League for Economic  
Assistance and Planning  
300 North Cascade, Suite #1  
Montrose, CO 81401

Robert Starr  
Commissioner Irrigation Dist. 4  
1167 3100 Road  
Hotchkiss, CO 81419

Bureau of Land Management  
Montrose District Office  
2505 So. Townsend Ave.  
Montrose, CO 81401

USDA- Forest Service  
Paonia Ranger District  
P.O. Box 1030  
Paonia, CO 81428

Colorado Parks and Wildlife  
2300 S Townsend Ave.  
Montrose, CO 81401

Fire Mountain Canal & Reservoir Co.  
P.O. Box 414  
Paonia, Colorado 81428

Terror Ditch and Reservoir Company  
P.O. Box 313  
Paonia, CO 81428

Overland Ditch & Reservoir Company  
Pete Kasper  
1321 2900 Road  
Hotchkiss, CO 81419

Roberts Stucker Ditch  
Steve Wolcott  
P.O. Box 6  
Paonia, CO 81428

Oak Mesa Ditch  
Grant Farnsworth  
1378 4100 Road  
Paonia, CO 81428

Bruce Ditch  
c/o Merritt Denison  
3760 J 75 Road  
Paonia, CO 81428

Roatcap Owners Access Road Maintenance Association  
John Egger  
1552 4005 Drive  
Paonia, CO 81428

North Fork Farmers Ditch Association  
Jess Campbell  
1323 3750 Road  
Hotchkiss, CO 81419

Stewart Ditch Company  
Dee Burns  
3865 J 75 Drive  
Paonia, CO 81428

The Pitkin Mesa Pipe Line Company  
P.O. Box 402  
Paonia, CO 81428

Derby Mountain LLP  
10543 3300 Road  
Hotchkiss, CO 81419

Pavlisick Mining Company  
P. O. Box 903  
Paonia, CO 81428-0903

Kirk Morgan  
P.O. Box 281  
Paonia, CO 81428

David Michael McClellan  
P.O. Box 1162  
Paonia, CO 81428

Ronald Spinelli  
4570 Hagerwood Street  
Colorado Springs, CO 80920

Madeline Sorkin

936 Grant PL

Boulder, CO 80302

Certification Statement

I, Basil Bear, hereby certify that all applicable reclamation activities performed at the Bowie No. 1 Mine, mining permit C-1981-038, have been accomplished in accordance with the requirements of the Act, the rules and the approved reclamation program.

  
Basil Bear

Subscribed and sworn to or affirmed before me this 8th day of April, 2021 in the County of Delta, State of Colorado.

  
Signature of Notary

My Commission expires: 1/22/2023

