



STATE OF
COLORADO

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

SL-04 Proof of Publication

1 message

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

Mon, Jan 25, 2021 at 9:50 AM

Reply-To: savageandsavage@earthlink.net

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

Leigh and Doug,

Attached please find the proof of publication for SL-04 from the Delta County Independent. Please let me know if you have any questions. Thanks,

Mike Savage



SL04 Proof of Publ,.pdf

1041K

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

STATE OF COLORADO)
COUNTY OF DELTA) SS.

I, Diane Webster, 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 **December 30, A.D., 2020**, and that the last publication of said notice was in the issue of said newspaper dated **January 20, A.D., 2021**.

In witness whereof I have hereunto set my hand this 20th day of January, 2021.
Diane Webster Other

Subscribed and sworn to before me this 20th day of January, 2021.

Beth Ann Zentmeyer Notary Public



Public Notice
Oxbow Mining, LLC (OMLLC), P.O. Box 535, Somerset, CO 81434, (970) 929-5122, has filed a Phase III Final Bond Release Request (SL-04) 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 State of Colorado holds a surety reclamation bond in the amount of \$4,500,000.00 that exceeds the current reclamation liability of \$4,113,573.04.
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 Phase III Bond Release for certain reclaimed mine ventilation boreholes, drill pads, and associated road segments and surface disturbance at the mine. These reclaimed areas comprise approximately 48.81 acres of private, Bureau of Land Management, and National Forest System lands. These sites and roads were necessary for prior coal mining operations. OMLLC is requesting a release of a total of 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 III bond release and have been shown to support the approved post-mining land uses, and demonstrate the establishment of a diverse, effective and permanent vegetation community of the same seasonal variety native to the land disturbed.
Reclamation of the sites for which Phase III bond release is being requested was completed between 1996 and 2011. Reclamation included backfilling and regrading of surface disturbance, 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 consistent with the requirements of the various surface landowners. 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) 866-3567, the Gunnison County Planning Office, 221 N. Wisconsin St., Gunnison, CO 81230, the Delta County Clerk and Recorder, Delta County Courthouse, 501 Palmer St. #211, Delta, Colorado 81416, and the Paonia Public Library, 80 Samuel Wade Rd., Paonia, CO 81428 during the review period. All information pertinent to the bond release request is presented within this application. 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 December 30, 2020, January 6, 13 and 20, 2021.
DL-11775