

**AFFIDAVIT OF PUBLICATION**

**Delta County Independent**  
**401 Meeker Street**  
**(970) 874-4421**

I, Brooke Jacquez, of lawful age, being duly sworn upon oath, deposes and says that I am the Representative of Delta County Independent, a publication that is a "legal newspaper" as that phrase is defined for the city of Delta, for the County of Delta, in the state of Colorado, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

**PUBLICATION DATES:**

15 Mar 2023

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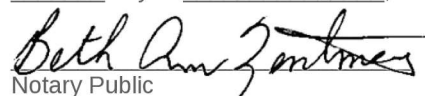
  
Representative

**VERIFICATION**

STATE OF COLORADO  
COUNTY OF DELTA

Signed or attested before me on this

5th day of April, A.D. 2023.

  
Notary Public

**My Commission Expires:** 08/20/2023  
**DAN #19874227037 - 975240**

**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 renewal of a valid, existing permit to conduct coal mining in Colorado for its mining Permit C-1981-022. The application covers the combined operation of the Elk Creek and Sanborn Creek mines.

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, 6 th PM  
Sec. 27: S½SW¼  
Sec. 28: S½S½  
Sec. 29: S½S½  
Sec. 30: S½S½  
Sec. 31: All  
Sec. 32: All  
Sec. 33: All  
Sec. 34: NW¼ + Lots 3, 4, 5, 6, 11, 12, 13, 14, 19 and 20

Township 12 South, Range 91, West, 6 th PM  
Sec. 25: S½S½  
Sec. 26: S½S½  
Sec. 27: SE¼SE¼  
Sec. 34: Lots 8, 9, 15, 16, E ½NE¼  
Sec. 35: All  
Sec. 36: All

Township 13 South, Range 89, West, 6 th 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, 6 th PM  
Sec. 1: All  
Sec. 2: All  
Sec. 3: Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, S½SW¼  
Sec. 4: Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, S½S½  
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. 12: Lots 1, 2, 3, 4, 5, 6, 7, 8, North of the Centerline of the River, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW  $\frac{1}{4}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$  North of the Centerline of the River  
Sec. 17: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ NE $\frac{1}{4}$  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, S $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$   
Sec. 3: Lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$   
Sec. 11: E $\frac{1}{2}$ NE $\frac{1}{4}$   
Sec. 12: All  
Sec. 13: Lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$

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 the Permit renewal application is available for public inspection at the Delta County Planning Office, 295 W 6th St., Delta, CO 81416, the Gunnison County Planning Office, 221 North Wisconsin Street – Suite D, Gunnison, CO 81416 and the Paonia Public Library, 80 Samuel Wade Rd., 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.

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