

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
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July 22, 2013

Jim Kiger
Oxbow Mining, LLC
P.O. Box 535
3737 Highway 133
Somerset, CO 81434

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

Re: Elk Creek Mine (Permit No. C-1981-022)
Technical Revision No. 75 (TR-75)
TR-75 Sanborn Creek Pipeline and Borehole

Dear Mr. Kiger:

We have received your technical revision application to revise your permit to conduct coal mining in Colorado. Our initial review indicates that all preliminary items required by the Colorado Surface Coal Mining Reclamation Act, Section 34-33-101 *et seq.*, C.R.S., have been submitted. Thus, your application has been considered complete for the purposes of filing as of July 22, 2013. All review and comment periods as provided in the Act and the Regulations initiate from this date of filing.

Unless notification to the contrary accompanies this letter, the proposed newspaper advertisement submitted with the application has been found to be satisfactory. You should publish this advertisement as specified in Rule 2.08.4(6) of the Regulations. Proof of the publication of the advertisement must be filed with the Division as soon as available after the publication date.

Coincident with the publication, a copy of the revision application, less confidential items, must be filed for public inspection with the appropriate public office as specified by you in the notice. Any subsequent changes or additions to the application must also be made in this copy, at the same time it is submitted to the Division.

The Division is currently reviewing your revision application to determine whether the items you have submitted are adequate in terms of meeting the requirements of the Act and Regulations. In accordance with Section 34-33-116(5) of the Act, a proposed decision approving or denying this application will be issued no later than September 20, 2013.

If you have any questions, please contact me.

Sincerely,

Brock F. Bowles
Environmental Protection Specialist
Brock.bowles@state.co.us

C-TR-02