

**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

October 24, 2016

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

Re: Bowie Resources, LLC, Bowie No. 2 Mine  
Permit Revision-05, Land Use Change  
Permit C-1981-038

SCANNED

RECEIVED

NOV 01 2016

Division of Reclamation,  
Mining & Safety

Dear Mr. Musick:

On behalf of Bowie Resources, LLC, (BRL), enclosed is an application for a permit revision to revise the land use for the Loadout. The goal of this revision is to change the post mining land use from rangeland/undeveloped & cropland to industrial. The land use change will affect the majority of the property at the Loadout.

Bowie is the primary owner of the lands that are proposed to be changed with this revision, with the exception of a small area south of the river owned by Mark A. Roberts. Mr. Roberts has requested that the 'wye' portion of the track, south of the river, remain in its current configuration.

BRL currently has letter of intent with a company, Mining and Environmental Services, LLC (MES) that will use the loadout site. MES intends to use the site to consolidate equipment storage and maintenance activities that currently take place at various locations state wide.

There will not be significant grading or re-configuring of the site. The shop, scale house and truck scale will remain in place. The multi-plate culvert that is under the Black Bridge Road will remain in place.

The majority of the Highway 133 corridor in the vicinity of the Loadout is agricultural and residential, consisting of peach and apple orchards, and farming. However, directly across highway 133 an industrial parcel owned by Charles Chesnick and is used as an equipment storage area.

Concurrent to this Permit Application submittal, Bowie will submit a Specific Development Permit application to Delta County. Delta County will be the municipality

that has regulatory authority over the property after a land use change and bond release are approved by DRMS.

Please feel free to contact me if you have any questions.

Volume 7 Page 2.05-31 & 31, Map-6 & 6a

Sincerely,



Tamme Bishop, P.E.  
Project Engineer

Cc: Bureau of Land Management - Electronic  
USDA-FS - Electronic  
Paonia Library  
Bill Bear



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567

RECEIVED

NOV 01 2016

Division of Reclamation, Mining & Safety

APPLICATION FORM FOR A REVISION TO A COAL MINING AND RECLAMATION PERMIT

This form must be completed and submitted with all requests for minor revisions, as defined in Rule 1.04(73), technical revisions, as defined in Rule 1.04(136), and permit revisions, as defined in Rule 1.04(90). All revisions are to address the requirements of Rule 2.08.4. Three (3) copies of the revision, including maps, must be submitted in order for it to be complete.

All revisions are to be formatted so they can be inserted into the permit to replace the revised sections, maps, tables and/or figures, with a revised table of contents, if necessary. The revision submittal date should be printed in the lower right corner of each revision page. A cover letter to the revision should explain the nature of the revision and reference the specific permit sections being revised.

For federal mines, a copy of the revision application must be submitted to all agencies on the federal mailing list (except OSM) at the same time the application is submitted to the Division, and proof of distribution must be submitted to the Division along with the application. Copies of revision pages modified during the review process must be distributed in the same manner, along with proof of distribution. Proof of distribution must be submitted prior to implementation of the revision.

Permit No.: C - 1981 - 038 Date: 10 / 24 / 2016

Permittee: Bowie Resources, LLC

Bowie No. 1 Mine

Street: P.O. Box 1488

City: Paonia

State: CO Zip Code: 81428

Brief Description of Revision: Change land use for a portion of the Loadout from cropland and rangeland/undeveloped to Industrial.

Public Notice Attached: Yes [checked] No [ ] (Required for PRs and TRs)

Bond Increase: Yes [ ] No [checked] Federal [checked] Non-Federal [ ] Mine [ ]

Proposed Change in:

Permit Area -

Disturbed (+/-) 0 . 0 Acres

Permit (+/-) 0 . 0 Acres

Affected (+/-) 0 . 0 Acres

Surface Ownership -

Private Land (+/-) 0 . 0 Acres

Federal Land (+/-) 0 . 0 Acres

State Land (+/-) 0 . 0 Acres

Mineral Ownership -

Mineral Private (+/-) 0 . 0 Acres

Mineral Federal (+/-) 0 . 0 Acres

Mineral State (+/-) 0 . 0 Acres

## Public Notice

Bowie Resources, LLC, P.O. Box 1488, Paonia, CO 81428, has submitted a complete application for a permit revision to the Division of Reclamation, Mining and Safety for its approved Bowie No. 1 Mine, mining permit No. C-1981-038. The permit revision will change the land use at the Loadout from cropland & rangeland/undeveloped to an industrial land use. The land use change will affect the majority of the property at the Loadout.

The reclaimed Bowie No. 1 Mine is located in Delta county, approximately four (4) miles north of Paonia, CO. The Bowie No. 1 Mine loadout is located in Delta county approximately one mile east of Paonia, CO south of State Highway 133. 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 mine permit area is 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. 2: SE $\frac{1}{4}$
- Sec. 10: Lots 1-3, 6-11, 14-16
- Sec. 11: All
- Sec. 12: Lots 13-15, SW $\frac{1}{4}$ SW $\frac{1}{4}$
- Sec. 13: All
- Sec. 14: All
- Sec. 15: Lots 1-3, 6-11, 14-16 and E $\frac{1}{2}$  of Lot 5, SE $\frac{1}{4}$  Lot 4, NE $\frac{1}{4}$  Lot 12
- Sec. 22: Lots 1-3, 6-8
- Sec. 23: Lots 1-9, eastern portion of Lot 10
- Sec. 24: Lots 1-6, 8, 9, 11, 12, eastern portion of Lot 10, western portion of Lots 7 & 13, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$
- Sec. 25: Portion of N  $\frac{1}{2}$

### Township 13 South, Range 91 West, 6<sup>th</sup> P.M.

- Sec. 17: SW $\frac{1}{4}$
- Sec. 18: Lots 3-4, E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Sec. 19: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$   
Portions of Sections 29, 30, 31, 32

Containing 5,035 acres more or less.

The Bowie No. 1 permit encompasses 5,035 acres, 1,466 acres of federal surface, and 3,569 private surface. There are 200 acres of privately owned coal and the remaining coal is Federally owned.

A copy of the proposed revision is available for public inspection at the Paonia Public Library, 2 Third Street, Paonia, CO, and at the offices of the Division of Reclamation, Mining & Safety, 1313 Sherman St., Room 215, Denver, CO, 80203, (303) 866-3567. Written comments, objections or a request for an informal conference on the proposed permit revision may be submitted to and additional information obtained from the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203, phone (303) 866-3567. Written comments, objections or a request for an informal conference must be received by the Division of Reclamation, Mining and Safety within 30 days after the final date of this publication in order to be considered.

## SURFACE LANDOWNER'S CONSENT

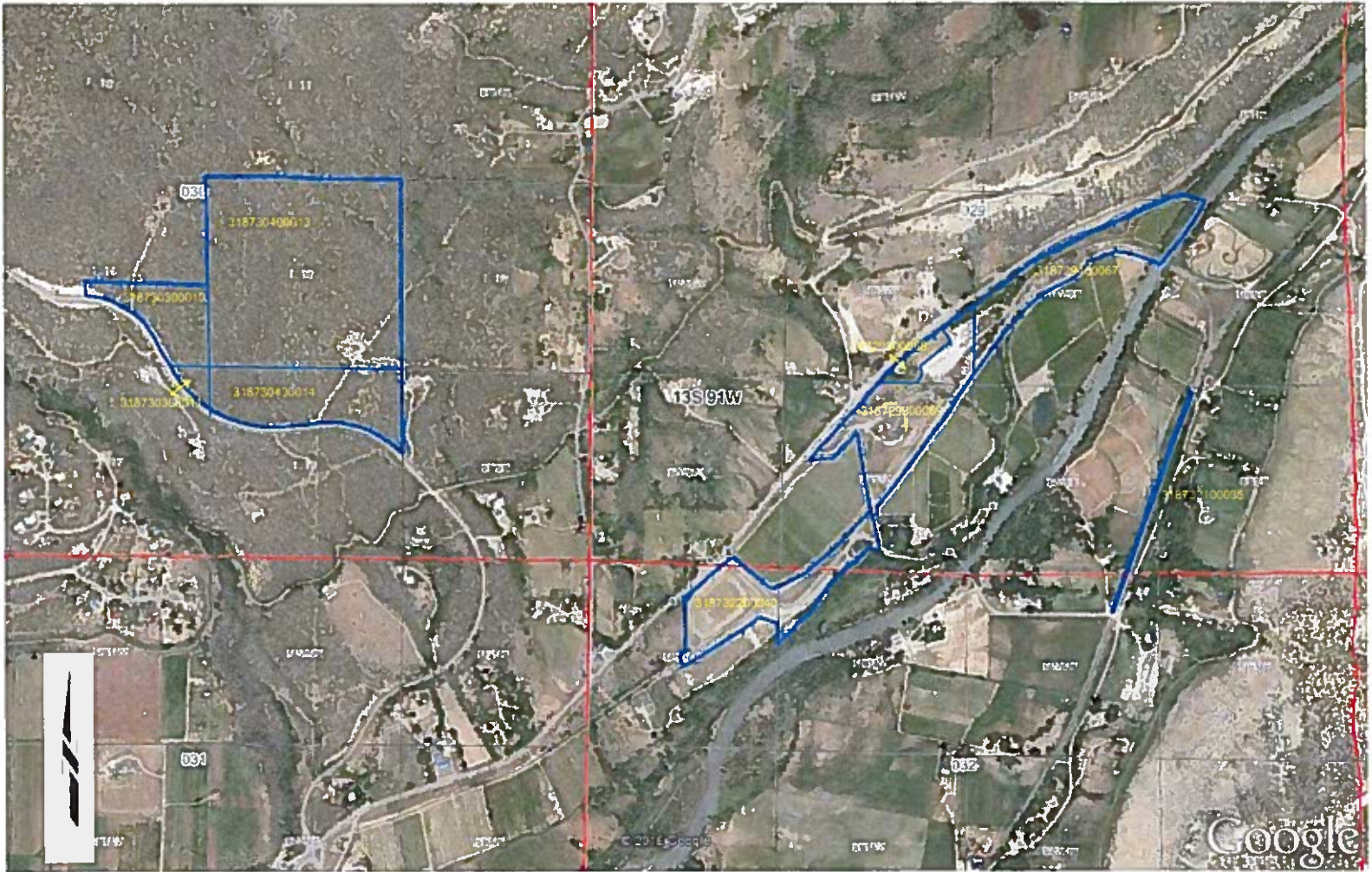
I, Bill Bear, Acting General Manager of Bowie Resources, LLC, (BRL) certify that BRL holds surface rights on certain land on which BRL has made application for a Permit Revision for Land Use Change for Mining and Reclamation Permit No. C-1981-038 with the Colorado Division of Reclamation, Mining and Safety. BRL's surface rights within the permit boundary includes those areas known as the unit train loadout, scale house and coal stockpile area located in the S/2 of Section 29 and the NW/4 of Section 32, Township 13 South, Range 91 West, 6<sup>th</sup> P.M., Delta County, Colorado.

I have examined the proposed Permit Revision for Land Use Change prepared for BRL by J. E. Stover and Associates, Inc. and in compliance with the DRMS' Rule 2.05.5(2)(b), do hereby approve of the provisions of the plan relative to the above described land.

Dated this 20<sup>th</sup> day of October, 2016

Bowie Resources, LLC

By: Bill Bear  
Bill Bear  
Acting General Manager



**§2.05 APPLICATION FOR PERMIT FOR SURFACE OR UNDERGROUND MINING ACTIVITIES -- MINIMUM REQUIREMENTS FOR INFORMATION ON ENVIRONMENTAL RESOURCES.**

**2.05.5 Post Mining Land Uses.**

**(1) Surface Coal Mining**

**(a) Not applicable**

**(2) Underground Mining Activities**

**(a) Reclamation Plan: Post-mining Land Uses**

The implementation of the detailed Reclamation Plan will restore disturbed land to a pre-disturbance use as irrigated hay crop. This will be physically accomplished by the regarding of the area to create approximate original contour, restoration of all drainage patterns to their original function, reapplication of available topsoil and seeding of the area with the appropriate seed mixture. Erosion will be controlled on newly seeded areas through the use of small contour furrows until the revegetation has been sufficiently established. The land will also be protected from noxious weeds and other biological processes such as animal grazing. This is consistent with prior and present land uses.

The areas in the bottom of the North Fork Valley and in the high country of the surround region have high recreation values and capacities to support recreational activities.

The proposed post-mining land use is consistent with the historical land use of the disturbed area and responsive to stability and drainage considerations.

(i) Agricultural planting mixes, as outlined in Section 2.05.4(e)(ii), are to be used in valley bottom areas best suited for cropland.

(ii) The pre-mining land use of the loadout is rangeland undeveloped, cropland and industrial. The pre-mining rangeland undeveloped land use is located towards the end of the tail track southwest of the old coal stockpile area. The pre-mining cropland land use covers most of the loadout area. The pre-mining industrial land use is located southeast of the river where the lead track parallels the mainline track. Most of the loadout property will be converted to an Industrial post mining land use. The Operator has a letter of intent with Mining and Environmental Services, LLC (MES). MES plans to use the site as an equipment storage and equipment maintenance area. The area to be converted to an industrial post mining land use currently has a post mining land use of cropland.

The site will be left mostly in its current configuration. No significant grading will occur. The shop will remain a shop/office area. The old coal storage area will become an equipment storage area and will be accessed by way of a light use road in the footprint of the old rail spur which has been removed. The multi-plate, under the County Road, locally known as "Black Bridge Road" will not be removed. It will continue to be used as an overpass on Black Bridge Road, and will serve as a tunnel for the new landowner to



## §2.05 APPLICATION FOR PERMIT FOR SURFACE OR UNDERGROUND MINING ACTIVITIES -- MINIMUM REQUIREMENTS FOR INFORMATION ON ENVIRONMENTAL RESOURCES.

access the equipment storage area. The bridge over the river and the wye located south of the river will be used as a secondary access to the property.

Following are some of the uses proposed for the industrial land use area:

- General Repair Shop
- Equipment maintenance and repair services
- Equipment rental and sales
- Parts sales
- Equipment manufacturing
- Fabrication services
- Engineering and consulting services
- Storage of equipment and contractor's supplies

The proposed industrial use will commence once the land use change is approved by DRMS. MES will begin occupying the site with equipment and maintenance personnel.

The proposed land use of industrial is compatible with adjacent land use. Map 6 shows that directly across State Highway 133, a large parcel of land has an industrial land classification. Land usage along Highway 133 is sporadic, consisting mostly of agricultural with adjoining commercial and industrial land uses. The operator will have to secure a Specific Development approval from Delta County prior to commencement to the new land usage.

The site will be regulated by Delta County, and the Colorado Department of Public Health and Environment (Stormwater Discharge). As such, the activities are regulated to assure there is no actual or probable hazard to public health or safety nor will it pose actual or probably threat of water flow diminution or pollution contrary to State or Federal laws, Rules or Regulations.

(iii) The Operator owns all the lands north of the river which will be changed from a cropland pre-mining land use to an industrial post-mining land use. The Operator will obtain a Specific Development Permit from Delta County if required by the County. Delta County will be the municipality that has regulatory authority over the property after the land use change and bond release are approved by DRMS.

The landowner south of the river has indicated an interest in leaving the wye in place because it provides privacy and access to the property.

With the exception of the Colorado Division of Reclamation, Mining and Safety and Delta County, no other state or local agencies' authorizations are required to achieve the post-mining land uses described above.

(b) Not applicable

(c) See Map 6 for Pre-mining land use and Map 6a for post-mining land use.

(d) Not applicable

| NO. | DESCRIPTION                           | BY  | DATE     |
|-----|---------------------------------------|-----|----------|
| 1   | Initial Permit Boundary, R-13 Subarea | DAJ | 03-12-01 |
| 2   | Initial Permit Boundary, R-13 Subarea | DAJ | 03-12-01 |
| 3   | Initial Permit Boundary, R-13 Subarea | DAJ | 03-12-01 |
| 4   | Initial Permit Boundary, R-13 Subarea | DAJ | 03-12-01 |
| 5   | Initial Permit Boundary, R-13 Subarea | DAJ | 03-12-01 |
| 6   | Initial Permit Boundary, R-13 Subarea | DAJ | 03-12-01 |
| 7   | Initial Permit Boundary, R-13 Subarea | DAJ | 03-12-01 |
| 8   | Initial Permit Boundary, R-13 Subarea | DAJ | 03-12-01 |
| 9   | Initial Permit Boundary, R-13 Subarea | DAJ | 03-12-01 |
| 10  | Initial Permit Boundary, R-13 Subarea | DAJ | 03-12-01 |

**J. R. STOVER & ASSOCIATES, INC.**  
 1000 N. 10th St., Suite 100  
 Fort Collins, CO 80504  
 Phone: 970-221-1111  
 Fax: 970-221-1112

**PROFESSIONAL ENGINEER**  
 No. 10000  
 State of Colorado  
 Date: 10-24-16

I hereby certify that this drawing was done by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Colorado. My name and the name of the firm are printed on this drawing in true and correct copy to the best of my knowledge and belief.

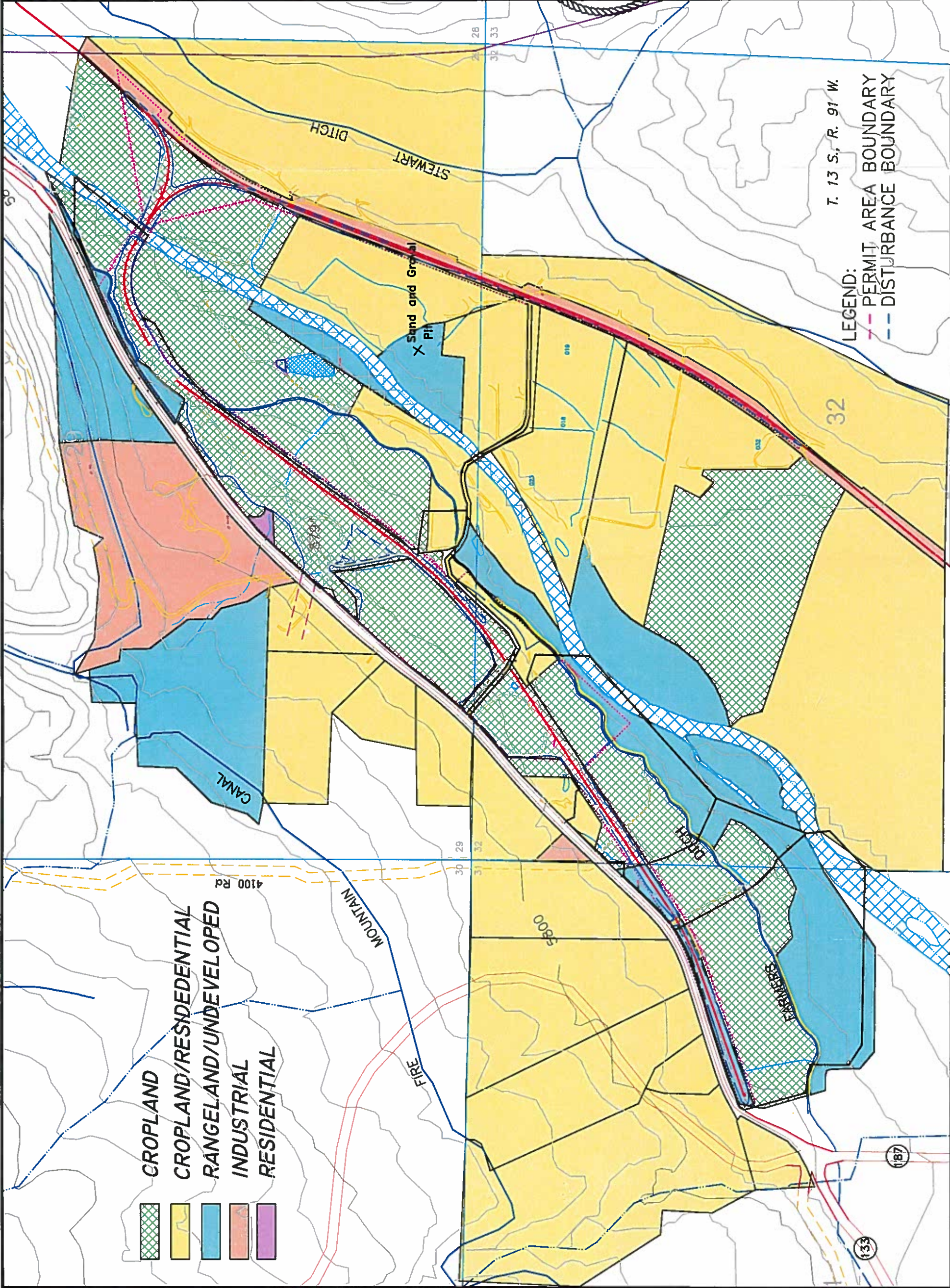
**DESIGNED:**  
**DRAWN:** D.A.J.  
**CHECKED:**

**DATE:** 03/12/01

**PROJECT:** BOWIE RESOURCES, LLC  
**BOYIE NO. 1 MINE**  
 P.O. BOX 4655  
 PALMER, COLORADO 80650

**PRE-MINING LAND USE**

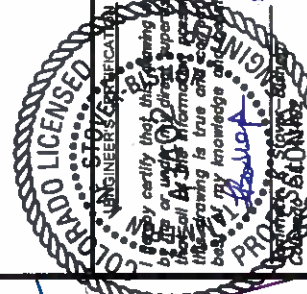
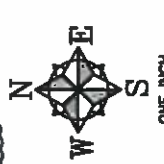
Scale: 1" = 600'  
 Map-6



-  CROPLAND/RESIDEDENTIAL
-  CROPLAND/RANGELAND/UNDEVELOPED
-  INDUSTRIAL
-  RESIDENTIAL

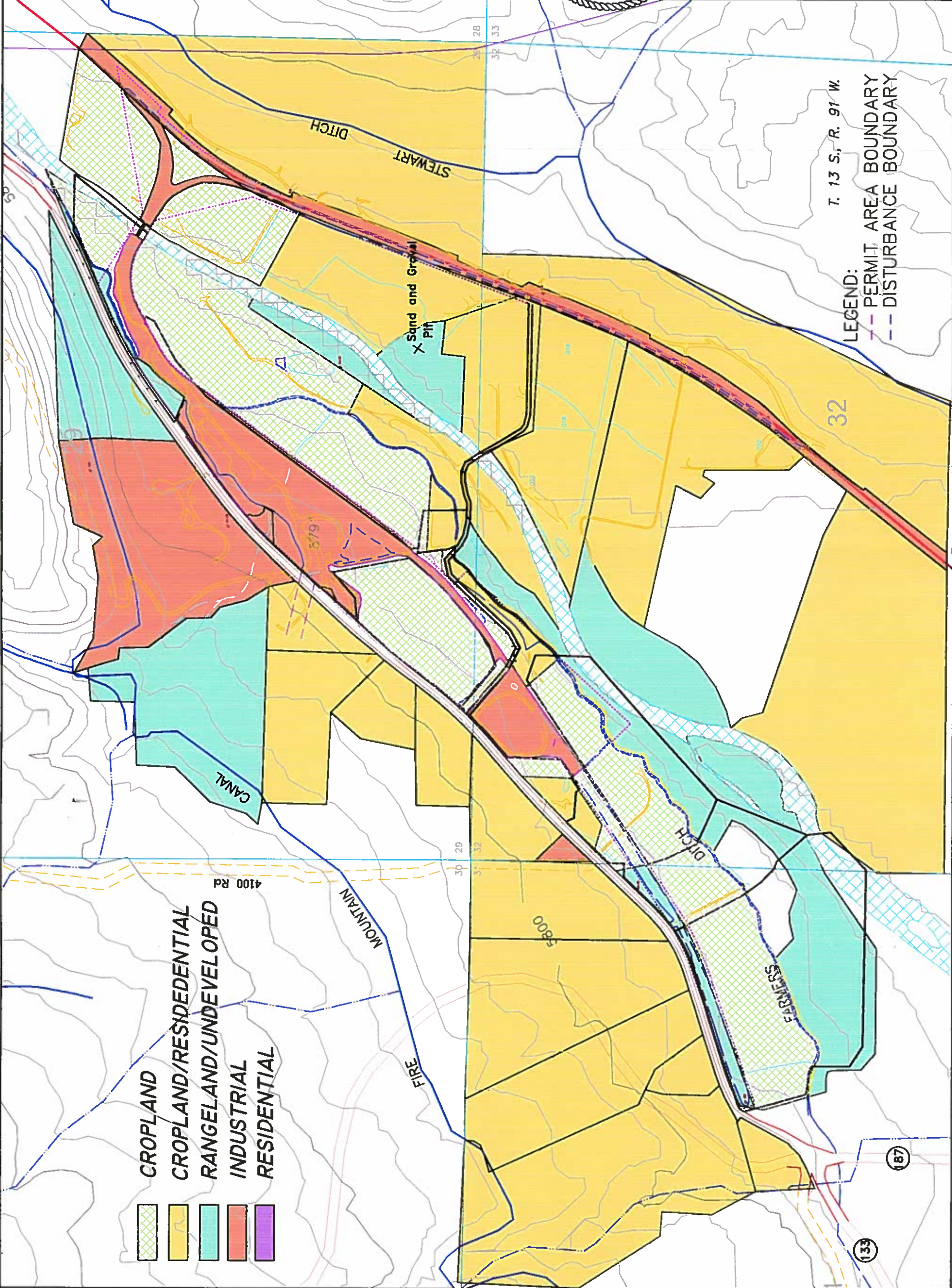
**LEGEND:**  
 — PERMIT AREA BOUNDARY  
 - - - DISTURBANCE BOUNDARY

T. 13 S., R. 91 W.



**J. E. STEVENSON & ASSOCIATES, INC.**  
 ENGINEERS & ARCHITECTS  
 1100 N. 1st St., Suite 200  
 Fort Collins, CO 80501  
 Phone: 970-221-1100  
 Fax: 970-221-1101  
 Email: jesse@jesa.com

| NO. | DESCRIPTION           | DATE     |
|-----|-----------------------|----------|
| 1   | Final Land Use Change | 03/12/01 |



**PROFESSIONAL ENGINEER**  
**CONRADO LICENSURE**  
 ENGINEER & ARCHITECT  
 I hereby certify that this drawing was done by me or under my direct supervision and that I am a duly licensed professional engineer in the State of Colorado. My knowledge of the facts shown on this drawing is true and correct to the best of my knowledge and belief.

**Signature:** [Handwritten Signature]  
**Date:** 03/12/01

**DESIGNED:** [Blank]  
**DRAWN:** D.A.J. 03/12/01  
**CHECKED:** [Blank]

**PROJECT:** BOWME NO. 1 MINE  
**DATE:** 03/12/01

**POST-MINING LAND USE**

Scale: 1" = 600'

Map: 8A

**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

March 13, 2017

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

Re: Bowie Resources, LLC, Bowie No. 2 Mine  
Permit Revision-05, Land Use Change  
Supplemental Information  
Permit C-1981-038

Dear Mr. Wein:

On behalf of Bowie Resources, LLC, (BRL), enclosed is the information required by Rule 2.08.4(5) in order to deem the PR-05 application complete.

- ✚ Revised Public Notice
- ✚ Cover letter of Delta County Specific Development Application

Please feel free to contact me with any questions.

Sincerely,



Tamme Bishop, P.E.  
Project Engineer

Cc: Bureau of Land Management - Electronic  
USDA-FS - Electronic  
Paonia Library  
Bill Bear

## Public Notice

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| Sec. 12: | Lots 13-15, SW $\frac{1}{4}$ SW $\frac{1}{4}$   |
| Sec. 13: | All   |
| Sec. 14: | All   |
| Sec. 15: | Lots 1-3, 6-11, 14-16 and E $\frac{1}{2}$ of Lot 5, SE $\frac{1}{4}$ Lot 4, NE $\frac{1}{4}$ Lot 12   |
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| Sec. 24: | Lots 1-6, 8, 9, 11, 12, eastern portion of Lot 10, western portion of Lots 7 & 13, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| Sec. 25: | Portion of N $\frac{1}{2}$  |

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|          |  |
|----------|--|
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| Sec. 19: | NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$  |
|          | Portions of Sections 29, 30, 31, 32  |

Containing 5,035 acres more or less.

The Bowie No. 1 permit encompasses 5,035 acres, 1,466 acres of federal surface, and 3,569 private surface. There are 200 acres of privately owned coal and the remaining coal is Federally owned.

A copy of the proposed revision is available for public inspection at the Paonia Public Library, 2 Third Street, Paonia, CO, and at the offices of the Division of Reclamation, Mining & Safety, 1313 Sherman St., Room 215, Denver, CO, 80203, (303) 866-3567. Written comments or objections regarding this application may be submitted to and additional information may be obtained from the Division of Reclamation Mining & Safety at the above address. The affected area of this revision application is within 100' feet, measured horizontally, of State Highway 133 near mile point 9.5. A request for public hearing may be made in writing, for the purpose of determining whether the interests of the public and affected landowners will be protected, by contacting the Division of Reclamation, Mining and Safety, and must be received by the Division within 30 days after final publication of this notice. Such hearing would be held in the locality of the Bowie No. 1 mining operation.



Gene DiClaudio  
225 North 5<sup>th</sup> Street, Suite 900  
Grand Junction, CO 81501  
Telephone: (970) 263-5130  
Fax: (970) 263-5161

March 10, 2017

Delta County  
Planning and Community Development Department  
501 Palmer Street, Suite 227  
Delta, CO 81416

Re: Application for Specific Development, Paonia Holdings, LLC

To whom it may concern,

Bowie Resources, LLC, a Delaware limited liability company, hereby authorizes Mark Levin, Manager of Paonia Holdings, LLC to apply for Specific Development approval on property currently owned by Bowie Resources. Pending approval of the enclosed application along with other needed approvals from the State of Colorado Department of Reclamation, Mining and Safety, Bowie anticipates it will sell the property identified in the application to Paonia Holdings, LLC or an affiliate thereof.

Please allow Mr. Levin to submit this application for the property currently owned by Bowie. If you have any further questions feel free to contact Ryan Wilson at (970) 263-5144 or [rwilson@bowieresources.com](mailto:rwilson@bowieresources.com).

Sincerely,

A handwritten signature in blue ink, appearing to read "Gene DiClaudio".

Gene DiClaudio  
Chief Operating Officer  
Bowie Resource Partners, LLC