

FABIAN & CLENDENIN

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

TWELFTH FLOOR
215 SOUTH STATE STREET
P.O. BOX 510210
SALT LAKE CITY, UTAH 84151
TELEPHONE (801) 531-8900
FACSIMILE (801) 596-2814

OF COUNSEL
PETER W. BILLINGS, SR.
RALPH H. MILLER

NEVADA OFFICE
2835 SOUTH JONES BLVD., SUITE 5
LAS VEGAS, NEVADA 89102
TELEPHONE (702) 367-4545
FACSIMILE (702) 252-5014

GEORGE D. MELLING, JR.
WARREN PATTEN
M. BYRON FISHER
STANFORD B. OWEN
WILLIAM H. ADAMS
ANTHONY L. RAMPTON
PETER W. BILLINGS, JR.
THOMAS CHRISTENSEN, JR.
DENISE A. DRAGOO
JAY B. BELL
DANIEL W. ANDERSON
GARY E. JUBBER
ROSEMARY J. BELESS
ANNA W. DRAKE
W. CULLEN BATTLE
KEVIN N. ANDERSON†
RANDY K. JOHNSON

NORMAN J. YOUNKER
MICHELE MITCHELL†
JOHN E. S. ROBSON†
DOUGLAS B. CANNON
DOUGLAS J. PAYNE
ROBERT PALMER REES
DIANE H. BANKS
P. BRUCE BADGER
JOHN (JACK) D. RAY
CRAIG T. JACOBSEN
BRUCE D. REEMSNYDER
BROCK R. BELNAP
DOUGLAS R. BREWER
CRAIG E. HUGHES
JULIE FORTUNA
ELAYNE WELLS HARMER

†ALSO MEMBER NEVADA BAR

HAND DELIVERED

September 13, 1994

946

James M. Carter, Director
UTAH DIVISION OF OIL, GAS & MINING
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

File # 2 & #5
ACT/007/001
Call
Copy PAM
for Approval
File

RE: White Oak Mining & Construction Co., Inc. -- Abatement of NOV No. N94-45-2-1

Dear Director Carter:

We have been requested to contact you on behalf of White Oak Mining & Construction Company, Inc. ("White Oak"), regarding abatement of NOV No. N94-45-2-1 and compliance with Attachment "A" Stipulation No. 2 of White Oak's approved permit. Under separate cover, White Oak has provided the legal and financial information requested by the Division as an addendum to the existing Permit Application Package ("PAP"). Volume 1, Chapter 100 of the PAP has been completely revised to reflect White Oak's corporate structure and ownership information. This submittal addresses the change in ownership of Mining Permit No. ACT/007/001 from Valley Camp of Utah, Inc. to White Oak.

Following review of this permit change, White Oak would appreciate written confirmation that this submittal has abated and terminated NOV No. N94-45-2-1.

Very truly yours,

Denise A. Dragoo

DAD:jmc:41188

cc: Scott Kiscaden
Mark Wayment
Steve Tanner
Dave Hansen

APPLICATION FOR PERMIT CHANGE

Title of Change: **OWNERSHIP CHANGE SUBMITTALS**

- 1994 MRP
- PAP Addendum 1994-1 (Section 100)

Permit Number: ACT / 007 / 001

Mine: White Oak Mine Complex

Permittee: White Oak Mining & Const. Co.

Description, include reason for change and timing required to implement:

This MRP is being submitted to reflect ownership changes that have occurred since the sale of the coal property by Valley Camp of Utah Inc. to White Oak Mining and Construction Co. Changes made throughout include ownership and mapping nomenclature. White Oak is in the process of transferring select mapping to AutoCad in preparation for future submittals dealing with additional coal leases. As a result, some MRP amping (such as the Seep and Spring Survey Map) have been updated and expanded to the east. Although this extended data is shown, it is not intended to be used at this time for review and analysis by regulatory entities. The data will be presented and discussed in its entirety in future MRP submittals.

The attached PAP ADDENDUM 1994-1 includes a revised PAP Section 100. This addendum is submitted to update Ownership, Financial and Legal issues as required.

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Change in the size of the Disturbed Area? acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Will permit change include operations in hydrologic basins other than currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does permit change require or include public notice publication?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	7. Permit change as a result of a Violation? Violation #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Permit change as a result of a Division Order? D.O. #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Permit change as a result of other laws or regulations? Explain:
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the permit change affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does permit change require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Does permit change require or include soil removal, storage or placement?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	16. Does permit change require or include construction, modification, or removal of surface facilities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	18. Does permit change require or include certified designs, maps, or calculations? BASE MAP CHANGED
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	19. Does permit change require or include underground design or mine sequence and timing?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does permit change require or include subsidence control or monitoring?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan? N/A
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area? N/A

Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.



Title of Change: **OWNERSHIP CHANGE SUBMITTALS**

- 1994 MRP
- PAP Addendum 1994-1 (Section 100)

Permit Number: ACT / 007 / 001

Mine: White Oak Mine Complex

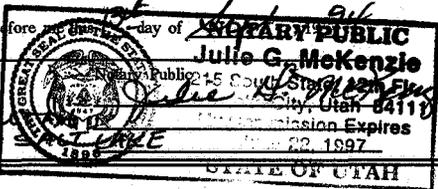
Permittee: White Oak Mining & Const. Co.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitment, undertakings, and obligations, herein.

Received by Oil, Gas & Mining

[Signature]
 Enviro. Coord. 9-13-94
 Signed - Name - Position - Date *Steenk. Tamm*

Subscribed and sworn to before me this 10th day of SEPTEMBER 1994



My Commission Expires:
 Attest: STATE OF
 COUNTY OF

ASSIGNED PERMIT CHANGE NUMBER

Application for Permit Change Detailed Schedule of Changes to the Permit

Title of Change: 1994 MRP SUBMITTAL REFLECTING OWNERSHIP CHANGES	Permit Number: ACT / 007 / 001
	Mine: White Oak Mine Complex
	Permittee: White Oak Mining & Const. Co.

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the existing mining and reclamation plan. Include page, section and drawing numbers as part of the description.

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Text throughout now shows owner as White Oak Mining & Construction Co.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Reference to the "Belina" mine and/or facilities has been changed to "White Oak" mine or facilities in both text and mapping.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Reference to "Valcam" Loadout Facility has been changed to "White Oak" Loadout Facility in both text and mapping.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Reference to legal and financial concerns has been provided in the cover letter submitted with the MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Maps transferred to AutoCad to allow display of all permitted areas include: R645-301-100; 223.100; 323.100; 500; 521.122; 622.200a;
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Maps modified to reflect ownership and mine facility name changes include: R645-301-231.300 (1-4); 527 (1-16); 728a; 728b; Reclamation Maps R1 through R13.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Maps R645-301-112.500 and R645-301-112.600 (Surface and Coal Ownership) have been updated for the Miller/Gordon Creek track areas and added to the MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Map R645-301-527 (Sheet 4) - Post Mining Land Use statement modified due to ownership change.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Map R645-301-621a - Geology added for Miller/Gordon Creek Track areas.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Map R645-301-622.100a - Drill hole locations added for Miller/Gordon Creek Track areas.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Map R645-301-722.100a - Water Sampling locations added for Miller/Gordon Creek Track areas. Data associated with these locations is not yet submitted.
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	PAP Section 100

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

Entire MRP is to be replaced with submission. Items identified above include those items changed or modified since last submittal.

PERMIT CHANGE TRACKING FORM

DATE RECEIVED	9/13/94	PERMIT NUMBER	AZT/007/001
Title of Proposal:	Abatement & Violation	PERMIT CHANGE #	94G
Description:	N94-45-2-1 Permit Slip #2 - w/due 8/24 Legal: Financial	PERMITTEE	White Oak King Contractor
		MINE NAME	White Oak #1-#2

<input type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION	DATE DUE	DATE DONE	RESULT
<input type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee.			<input type="checkbox"/> ACCEPTED <input type="checkbox"/> REJECTED
<input type="checkbox"/> Request additional review copies prior to Division/Other Agency review.			Permit Change Classification
<input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.)			<input type="checkbox"/> Significant Permit Revision
<input type="checkbox"/> Notice of request to modify proposed permit change prior to approval.			<input type="checkbox"/> Permit Amendment
			<input type="checkbox"/> Incidental Boundary Change

REVIEW TRACKING	INITIAL REVIEW		MODIFIED REVIEW		FINAL REVIEW AND FINDINGS	
DOGM REVIEWER	DUE	DONE	DUE	DONE	DUE	DONE
<input checked="" type="checkbox"/> Administrative						
<input type="checkbox"/> Biology						
<input type="checkbox"/> Engineering						
<input type="checkbox"/> Geology						
<input type="checkbox"/> Soils						
<input type="checkbox"/> Hydrology						
<input type="checkbox"/> Bonding						
<input checked="" type="checkbox"/> AVS Check						

COORDINATED REVIEWS	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> OSMRE						
<input type="checkbox"/> US Forest Service						
<input type="checkbox"/> Bureau of Land Management						
<input type="checkbox"/> US Fish and Wildlife Service						
<input type="checkbox"/> US National Parks Service						
<input type="checkbox"/> UT Environmental Quality						
<input type="checkbox"/> UT Water Resources						
<input type="checkbox"/> UT Water Rights						
<input type="checkbox"/> UT Wildlife Resources						
<input type="checkbox"/> UT State History						
<input type="checkbox"/> Other						

<input type="checkbox"/> Public Notice/Comment/Hearing Complete (If the permit change is a Significant Revision)	<input type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied.
<input type="checkbox"/> Copies of permit change marked and ready for MRP.	<input type="checkbox"/> Notice of <input type="checkbox"/> Approval <input type="checkbox"/> Denial to Permittee.
<input type="checkbox"/> Special Conditions/Stipulations written for approval.	<input type="checkbox"/> Copy of Approved Permit Change to File.
<input type="checkbox"/> TA and CHIA modified as required.	<input type="checkbox"/> Copy of Approved Permit Change to Permittee.
<input type="checkbox"/> Permit Change Approval Form ready for approval.	<input type="checkbox"/> Copies to Other Agencies and Price Field Office.