

### Document Information Form

Mine Number: C/007/004

File Name: Incoming

To: DOGM

From:

Person N/A

Company CASTLE GATE COAL COMPANY

Date Sent: MAY 30, 1986.

Explanation:

FINDINGS / TRANSFER OF PERMIT RIGHTS

cc:

File in: C/007, 004, Incoming

Refer to:

- Confidential
- Shelf
- Expandable

Date \_\_\_\_\_ For additional information

FINDINGS

Transfer of Permit Rights  
Price River Complex  
Castle Gate Coal Company  
ACT/007/004  
Carbon County, Utah

May 30, 1986

The applicant for transfer of permit rights, Castle Gate Coal Company has committed to continue to conduct the operations involved in full compliance with the terms and conditions of the original permit issued to Price River Coal Company (UMC 788.18(c)(3)). Therefore, Findings II 1-4, and 9-14 of the original Decision Document (attached) are still pertinent.

However, Castle Gate Coal Company is not going to take over the responsibility for the entire permit area which was under permit by Price River Coal Company. Specifically, Price River Coal Company will retain the liability for the Willow Creek Storage area, and the Kennilworth/Utah Fuel mine fan and intake portals. This area is shown on Attachment number 2 of the Request for Permit Transfers filed by Castle Gate Coal Company.

Currently, Castle Gate Coal Company has submitted a bond sufficient to cover the entire permit area permitted by Price River Coal Company. After this permit transfer has been effected, the Division of Oil, Gas and Mining (DOGGM) will determine the amount of bonding liability that Price River Coal Company must continue to carry for reclamation of the area which will not be transferred. Upon posting of the requisite amount by Price River Coal Company, the Castle Gate Coal Company bond will be reduced by the same amount.

The following findings specifically apply to the application for transfer of permit rights.

1. The State of Utah, DOGM has determined that the application for transfer of permit rights is accurate and complete, and complies with the requirements of UMC 788.18(a) and (b).
2. The applicant has obtained a performance bond equivalent to the bonding requirements of the original permit, in the amount of \$2,683,603 (1987 Dollars) (UMC 788.18(c)(2)).
3. The applicant has the legal right to enter and begin coal mining activities pursuant to the Lease Transaction Agreement between Price River Coal Co Coal Company or a letter of agreement Coal Company and Castle Gate Coal Com

File in:

Confidential

Shelf

Expandable

Refer to Record No. 0026 Date 5-30-86

In C/ 007, 004, Incoming

For additional information

## FINDINGS

Transfer of Permit Rights  
Price River Complex  
Castle Gate Coal Company  
ACT/007/004  
Carbon County, Utah

May 30, 1986

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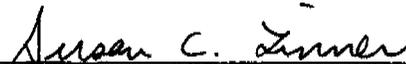
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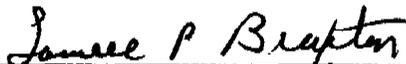
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The following findings specifically apply to the application for transfer of permit rights.

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3. The applicant has the legal right to enter and begin coal mining activities pursuant to the Lease Transaction Agreement between Price River Coal Company and Castle Gate Coal Company or a letter of agreement between Blackhawk Coal Company and Castle Gate Coal Company.

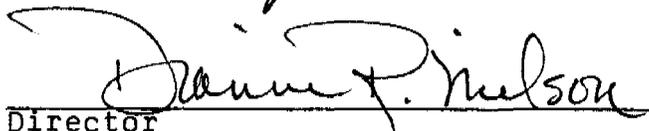
4. DOGM's records show that Castle Gate Coal Company has received no violations in Utah, and therefore does not control and has not controlled mining operations with a demonstrated pattern of willful violations of the Act of such nature, duration and with such resulting irreparable damage to the environment as to indicate an intent not to comply with the provisions of the Act. Castle Gate Coal Company has paid no fees to the Abandoned Mine Reclamation Fund, as no coal has been mined in Utah.
5. Procedures for public participation have complied with requirements of the Act and the Utah State Program. Notice was published in the Price Sun Advocate on February 14, 1986 as required by UMC 788.18(b)(1). No comments were received.

  
\_\_\_\_\_  
DOGM Lead Reviewer

  
\_\_\_\_\_  
Administrator, Mineral Resource  
Development and Reclamation Program

  
\_\_\_\_\_  
Associate Director, Mining

  
\_\_\_\_\_  
Attorney General  
Approved as Form

  
\_\_\_\_\_  
Director

## FINDINGS

### Price River Coal Company Price River Mine Complex

#### Application for Mining Plan and Permit Approval

- I. The State of Utah and the Office of Surface Mining (OSM) have determined that the mining plan and permit application submitted on March 20, 1981, and updated through July 6, 1984, and the permit with conditions are accurate and complete and comply with the requirements of the approved Utah regulatory program, the Surface Mining Control and Reclamation Act (SMCRA), and the Federal Lands Program [786.19(a)]
- II. The Utah Division of Oil, Gas and Mining (UDOGM) and the Office of Surface Mining (OSM) have reviewed the permit application and prepared the technical and environmental assessment (TEA); and based on this have made the following findings:

1. The applicant proposes acceptable practices for the reclamation of disturbed lands. Vegetation will be reestablished utilizing introduced species which were successfully grown in this area prior to the onset of mining operations. UDOGM and OSM have determined that reclamation, as required by the Act, can be feasibly accomplished under the mining plan. [786.19(b)]

OSM has determined that reclamation at the Price River Mine Complex is technologically and economically feasible under SMCRA. [Section 522(b)]

2. The cumulative hydrologic impact assessment (CHIA) for the Price River Mine Complex has been made by UDOGM and OSM, and the operation has been designed to prevent any material damage to the hydrologic balance. An assessment of mining operations in the vicinity of the Price River mine showed that there are no active coal-mining operations upstream except for those that are isolated from the Price River by Scofield Reservoir. State leases exist upstream of the mine, but mine plans have not yet been developed for these tracts. Although some mining exists downstream on the Price River, the cumulative hydrologic impacts near the Price River Mine Complex are expected to be negligible. Due to the lack of other coal-mining operations in the Price River basin that could potentially have any cumulative impact on the local

hydrologic system, the cumulative impact area (CIA) includes only the PRCC complex lease and immediate area. A summarization of findings follows:

The surface water control plan is sufficient to prevent uncontrolled runoff from leaving disturbed areas within the surface facilities sites. The chemical quality of the surface water in the permit area is generally alkaline with various parameters that have been found to exceed water quality standards or equivalent NPDES criteria for discharge points, primarily as a result of coal and coal fines being allowed to wash into Hardscrabble Canyon in the past. Although the water quality at the mine sites was declining prior to the implementation of surface water controls, current monitoring data indicates that these controls are allowing the water quality to improve.

Reduction of flow of surface water will occur as a result of evaporation from sediment ponds. The amount of waters evaporated is expected to be insignificant; however, there is a potential to reduce baseflow to the streams by less than one percent. An analysis of the amount of ground-water flow intercepted by mining represents only 0.6 to 0.9 percent of the Price River mean annual flow. This intercepted ground water potentially represents a maximum of 56 percent of the water rights held by the mine. Any diminution of baseflow can be replaced by the mine.

During active mining, inflow into the mine from the regional aquifer system is expected to be in excess of the natural recharge of the aquifer system, indicating that water is being removed from storage. This will result in a decrease in the hydrostatic head of the Blackhawk/Star Point aquifer. Due to a lack of potentiometric data, the loss of hydrostatic head cannot be quantified. This water removed from ground-water storage will eventually be replaced as recharge occurs.

Incremental increases in TDS and TSS constituent loads to receiving waters, based on comparing TDS values from the Blackhawk monitoring wells to water from abandoned mine workings, are expected to be within established effluent limitations. The impact is, therefore, considered to be minimal.

Subsidence impacts to the area as a result of mining will be controlled by limited extraction of coal in the mine under Price River and Willow Creek. Impacts to springs and surface waters by subsidence are expected to be minimal due to the amount of overburden and the fact that there is no historical occurrence of subsidence in the area.

X

The probable cumulative hydrologic impact assessment of all existing and anticipated mining in the general area indicates that the surface facilities and underground mining operation proposed under this application have been designed to prevent damage to the hydrologic balance in associated off-site areas [UMC 786.19(c); TEA. Cumulative Hydrologic Impact Assessment]

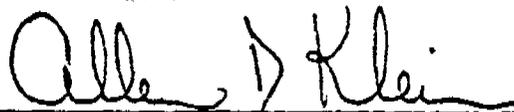
3. After reviewing the description of the proposed permit area, the OSM has determined that the area is:
- a. Not included within an area designated unsuitable for mining operations. [UMC 762.11]
  - b. Not within an area under study for designating lands unsuitable for coal mining operations. [UMC 764 and 765]
  - c. Not on any land subject to the prohibitions or limitations of 30 CFR 761.11(a) (national parks, etc.), 761.11(f) (public buildings, etc.), and 761.11(g) (cemeteries). [786.19(d)(3)]

C

The Willow Creek facilities area is adjacent to the Willow Creek Cemetery but beyond 100 feet from the nearest border of the cemetery. The area is currently used only for storage and a ventilation system with an access road. The area was in existence prior to 1977; therefore, the prohibitions and limitations of 30 CFR 761.11(g) do not apply (see letter from Price River Coal Company dated November 1, 1983). The cemetery will not be impacted by the activities at the Willow Creek site (see TEA. "Cultural Resources"). The Price Canyon Recreation Area, located at the north-central border of the proposed permit area, will most likely experience some subsidence as a result of longwall mining underneath the recreation area by the applicant. No structural damage is anticipated, and subsidence effects are expected to be minimal. The applicant is responsible for material damage to structures or facilities resulting from subsidence and is tied to liability under State of Utah law. The land management agency of this recreation area, the Bureau of Land Management, has consented to permit the applicant to mine under the Price Canyon Recreation Area (see BLM letter of concurrence dated February 2, 1984). Concurrence between BLM and OSM allowing the applicant to mine underneath the Price Canyon Recreation Area is in accordance with UMC 761.11(a)(3).

- d. Within 100 feet of the outside right-of-way of a public road. The operations within 100 feet of public roads existed prior to the passage of PL 95-87. [UMC 786.19(d)(4)]
- e. Not within 300 feet of an occupied building. [UMC 786.19(d)(5)]
- f. Not unsuitable in accordance with section 522(b) and (a)(3) of SMCRA.
4. OSM's issuance of a permit and the Secretarial decision on the Mineral Leasing Act plan are in compliance with the National Historic Preservation Act and implementing regulations (36 CFR 800). The life-of-mine area includes a cemetery site that represents the known extent of cultural resources sites in the vicinity of the permit area. [UMC 786.19(e); see Concurrence Letter section]
5. The applicant has the legal right to enter and begin mining activities in the permit area. [UMC 786.19(f)]
6. The applicant has submitted proof, and OSM's records indicate, that prior violations of applicable laws and regulations either have been corrected or were in the process of being corrected. [786.19(g); verified as of May 17, 1984; personal communication with Steve Martin, OSM, Albuquerque Field Office.
7. OSM's records confirm that all fees for the Abandoned Mine Reclamation Fund have been paid. [UMC 786.19(h); verified as of May 17, 1984; personal communication with Joanna Sanchez, OSM Albuquerque Field Office.
8. OSM records show that the applicant does not control and has not controlled mining operations with a demonstrated pattern of willful violations of the Act of such nature, duration, and with such resulting irreparable damage to the environment as to indicate an intent not to comply with the provisions of the Act. [786.19(i); verified as of May 17, 1984; personal communication with Steve Martin, OSM Albuquerque Field Office.
9. Coal mining and reclamation operations to be performed under the permit will not be inconsistent with other underground mines in the general vicinity of the Price River Mine Complex. [786.19(j)]

10. The applicant has provided evidence and OSM and UDOGM have found that there are no prime farmlands in the permit area. [UMC 786.19(1)]
11. Negative alluvial valley floor (AVF) determinations have been made for the drainages in the proposed permit area and life-of-mine area. Alluvial deposits along the perennial streams will not be disturbed further by the continuance of mining operations. Agriculture that does occur downstream of the Price River Mine Complex typically consists of small areas that rely on surface water diversions from the Price River. The mine is not expected to affect this surface water source available to downstream users. [UMC 786.19(1)]
12. The proposed postmining land use for the permit area has been approved by UDOGM, OSM and BLM. [UMC 786.19(m)]
13. UDOGM and OSM have made all specific approvals required by the Act, the Utah regulatory program and the Federal Lands Program. [UMC 786.19(m)]
14. The proposed operation will not affect the continued existence of threatened or endangered species or result in the destruction or adverse modification of their critical habitats. [UMC 786.19(o); letter from U.S. Fish and Wildlife Service]
15. Procedures for public participation have complied with requirements of the Act, the Utah regulatory program, the Federal Lands Program, and Council on Environmental Quality regulations (40 CFR Part 1500 et seq). [30 CFR 741.21(a)(2)(ii); see Chronology of Events]
16. The applicant has complied with all other requirements of applicable Federal laws and either has or has applied for permits from the Environmental Protection Agency. [30 CFR 741.17(d)]



Administrator  
Western Technical Center

Headquarters Reviewing Officer

File ACT/007/004 Folder #24

RECEIVED  
MAY 15 1986

DIVISION OF  
OIL, GAS & MINING



**CASTLE  
GATE**  
COAL COMPANY

May 13, 1986

Susan C. Linner  
Permit Supervisor  
355 West, North Temple  
3 Triad Center  
Suite 350  
Salt Lake City, Utah 89180-1203

RE: Application for permit transfer ACT-007-004

Dear Susan:

Attached to this letter are copies of the approvals for the State and Federal Sub leases from Blackhawk Coal Company and Meadowlark Utah, Inc. As you know these are the land holding companies for Price River Coal Company and Castle Gate Coal. The lease transfers were the last major hurdles for closing the business arrangement between Castle Gate and Price River Coal Companies.

Therefore, I am requesting that you make the effective date of transfer to Castle Gate Coal Company of the Mining Permit No ACT 007-004 on the 30th of May 1986.

In order to complete the business transaction, I will need a letter from the Division that approval will be given for the transfer of the Permit on the 30th.

Thank you for all your help in expediting this permit transfer process.

Sincerely,

Richard H. Allison, Jr., P.E.

RHA-bd

cc: Dave Ham  
Dennis Bryant



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
UTAH STATE OFFICE  
324 SOUTH STATE, SUITE 301  
SALT LAKE CITY, UTAH 84111-2303

IN REPLY REFER TO

3453  
SL-029093-  
046653 et al.  
(U-942)

MAY 12 1986

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

## DECISION

Meadowlark Utah, Inc. : Coal Leases  
P.O. Box 967 : SL-029093-046653, SL-071737,  
Indianapolis, Indiana 46206 : U-019524, U-058184, U-25484  
: and U-25485

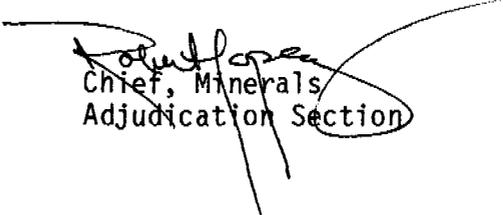
### Subleases Approved Bonds Accepted

On March 13, 1986, subleases of coal lease SL-029093-046653, SL-071737, U-019524, U-058184, U-25484 and U-25485, dated February 18, 1986, between Meadowlark Utah, Inc., as sublessee and Blackhawk Coal Company, as lessor, were filed in this office.

Satisfactory evidence of the qualifications and holdings of Meadowlark Utah, Inc. has been filed. The lease accounts are in good standing. The subleases appear to meet the requirements of the regulations and are hereby approved effective June 1, 1986. Approval of these subleases does not constitute approval of any of the terms therein which may be in violation of the lease terms.

As required by the regulations in 43 CFR 3474.2(a), bonds in the amounts listed below with Meadowlark Utah, Inc., as principal, and National Fire Insurance of Hartford, as surety, were filed in this office on March 20, 1986. The bonds have been examined, found to be satisfactory and are accepted effective March 20, 1986, the date of filing.

<u>Lease No.</u>	<u>Bond No.</u>	<u>Bond Amount</u>
SL-029093-046653	9309163	\$296,000
SL-071737	9309165	\$ 5,000
U-019524	9309167	\$ 5,000
U-058184	9309164	\$295,000
U-25484	9309168	\$ 5,000
U-25485	9309166	\$ 5,000

  
Chief, Minerals  
Adjudication Section



STATE OF UTAH  
NATURAL RESOURCES  
State Lands & Forestry

Norman H. Bangerter, Governor  
Dee C. Hansen, Executive Director  
Ralph A. Miles, Division Director

355 W. North Temple - 3 Triad Center - Suite 400 - Salt Lake City, UT 84180-1204 - 801-538-5508

April 21, 1986

Meadowlark Utah, Inc  
P.O. Box 967  
Indianapolis, IN 46204

Gentlemen:

RE: ML 11940, ML 13681, and ML 18148 Coal

The Director, on April 7, 1986, approved the sublease of the above-numbered leases to you by Blackhawk Coal Company, Lessee. These subleases affect neither an enlargement, diminution, or waiver of the posture of the Lessee and Lessor under the pending State Production Audit Report regarding ML 18148.

Our records have been noted.

Yours very truly,

A handwritten signature in cursive script that reads "John T. Blake".

JOHN T. BLAKE  
MINERAL RESOURCES SPECIALIST

JTB/eb

**CASTLE**

**GATE COAL COMPANY**

*Misc file*  
S-C. Linn

P.O. Box 449  
Helper, Utah 84526  
801-472-5523

March 3, 1986

Mr. L. P. Braxton, Administrator  
Mineral Resource Development  
and Reclamation Program  
State of Utah Natural Resources  
355 W. North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

**RECEIVED**  
MAR 07 1986

DIVISION OF  
OIL, GAS & MINING

*ACT/007/004*  
*#2*

Dear Mr. Braxton:

Enclosed are dated replacement pages which address the deficiencies noted in your letter dated February 19, 1986, on the Castle Gate Coal Company "Request for Permit Transfer." A summary of those changes follow:

UMC.782.13 - Identification of Interests

- (a)(4) This page has been changed to include coal interests.
- (a)(6) The page has been changed to give the phone number of the Resident Agent.

UMC 782.15 - Right of Entry

Castle Gate Coal Company has the right of entry with respect to the SW $\frac{1}{4}$  Section 25 and the E $\frac{1}{2}$  NE $\frac{1}{4}$  and E $\frac{1}{2}$  SE $\frac{1}{4}$ , Section 26, Township 12 South, Range 9 East by virtue of a letter agreement between Castle Gate Coal Company and Blackhawk Coal Company. The information set forth with respect to UMC 782.15 has been corrected to reflect this fact. A revised page is attached.

UMC 788.18(b)(1) - Newspaper Advertisement and Proof of Publication

The page entitled Attachment 7 is a proof of publication which includes Section 22, Township 12 South, Range 9 East. Please include this in the original document.

Thank you for your expeditious handling of this request. If you require any further information, please call me at our Helper office (801) 472-5523 or Indianapolis at (317) 266-2616.

Sincerely,

*Richard H. Allison, Jr.*

Richard H. Allison, Jr., P.E.  
Project Supervisor

RHA/mg  
Enclosure

REVISED 2/28/86

UMC 788.18 APPLICATION FOR APPROVAL,  
TRANSFER, ASSIGNMENT OR SALE OF PERMIT RIGHT

This is an application for transfer of certain permit rights under the Utah Coal Program from Price River Coal Company, the existing permittee, to Castle Gate Coal Company, a Delaware corporation.

788.18(a)(2)(i):

Existing Permittee

Price River Coal Company  
P. O. Box 629  
Helper, Utah 84526

788.18(a)(2)(ii)

Applicant

Castle Gate Coal Company  
  
Corporate Office:  
P. O. Box 967  
105 South Meridian Street  
Indianapolis, IN 46206

Castle Gate Coal Company  
  
Field Office:  
P. O. Box 449  
Helper, Utah 84526

Resident Agent for Service

C. T. Corp. System  
170 S. Main Street  
Salt Lake City, Utah 84101  
(801) 364-1228

782.13(a) Identification of Interests

Names and Addresses

(1) Permit Applicant

Castle Gate Coal Company  
  
Corporate Office:  
P. O. Box 967  
South Meridian Street  
Indianapolis, Indiana 46206

Castle Gate Coal Company  
  
Field Office:  
P. O. Box 449  
Helper, Utah 84526  
Telephone: (801) 472-5523

REVISED 2/28/86

(2) Legal or Equitable Owners of Record

The legal or equitable owners of the areas to be affected by the surface operations and facilities are:

The surface to be affected is owned by:

Blackhawk Coal Company

Principal (Legal) Office:

Suite 400, Deseret Building  
Salt Lake City, Utah 84111

Accounting Office:

One Summit Square, P. O. Box 60  
Fort Wayne, Indiana 46801

Coal to be mined is owned by:

Blackhawk Coal Company  
State of Utah  
United States of America

(3) The holders of record of any leasehold interest in areas to be affected by surface operations or facilities or coal to be mined:

Blackhawk Coal Company  
Suite 400, Deseret Building  
Salt Lake City, Utah 84111

Meadowlark Utah, Inc.  
P. O. Box 967  
105 South Meridian Street  
Indianapolis, Indiana 46206

(4) There are no purchasers of record under a real estate contract of the areas affected by surface operations and facilities or coal to be mined.

(5) The Operator is:

Castle Gate Coal Company

Castle Gate Coal Company

Corporate Office:  
P. O. Box 967  
105 South Meridian Street  
Indianapolis, Indiana 46206

Field Office:  
P. O. Box 449  
Helper, Utah 84526  
Telephone: (801) 472-5523

(6) The resident agent of the Applicant who will accept service of process:

C. T. Corporation  
170 South Main Street  
Salt Lake City, Utah 84101

REVISED 2/28/86

782.13(f) The name of the Mine is Castle Gate Mine. MSHA I.D. Numbers for this mine are:

Roof Control	Castle Gate Portal #3	42-00165
	Castle Gate Portal #5	42-01202
Ventilation	Castle Gate Portal #3	42-00165
	Castle Gale Portal #5	42-01202
Coal Plant		42-01517
Refuse Pile Pond		1211-UT-9-0028
Castle Gate Refuse Disposal Site		1211-UT-9-0027
Barn Canyon Refuse Site		1211-UT-9-0029

782.13(g) There are no outstanding interests in lands, options or pending bids on interests held or made by the Applicant for lands which are contiguous to the area to be covered by the permit.

Upon consumation of all transactions contemplated by the Lease Transaction Agreement executed by and between Applicant, Meadowkark Utah, Inc., Blackhawk Coal Company and Price River Coal Company on January 31, 1986, (hereinafter called the "Lease Transaction Agreement"), Applicant or Meadowark Utah, Inc., will acquire certain rights of first refusal with respect to the acquisition of interests in certain adjoining property.

782.14 COMPLIANCE INFORMATION

(a) Statement of Compliance

Neither the Applicant, nor any of its subsidiaries, affiliates or persons controlled by or under common control with the Applicant has had a federal or state mining permit suspended or revoked in the last five years; nor forfeited a mining bond or similar security deposited in lieu of bond.

(b) This section does not apply.

(c) Violation Notices received by the Applicant in connection with any underground or surface coal mining activities within the last three years: NONE

UMC 782.15 Right of Entry and Operations Information

(a) Applicant Castle Gate Coal Company will obtain the legal right to enter and begin activities on the Closing Date specified in the Lease Transaction Agreement by virtue of the various leases and subleases to be executed pursuant to the Lease Transaction Agreement or a Letter of Agreement between Blackhawk Coal Company and Castle Gate Coal Company.

The right of entry to commence underground mining operations will apply to the following property:

REVISED 2/28/86

Township 12 South, Range 8 East, Salt Lake Base and Meridian (SLBM)  
Section 35 - All  
Section 36 - All

Township 13 South, Range 8 East, SLBM  
Section 2 - Part of the West 1/2

Township 12 South, Range 9 East, SLBM  
Section 22 - SE-1/4 SW-1/4, SW-1/4 SE-1/4, that part of SE-1/4 SE-1/4 West of the Price River  
Section 25 - SW-1/4  
Section 26 - All  
Section 27 - All  
Section 28 - All  
Section 29 - S-3/4, NE-1/4 NE-1/4  
Section 30 - S-3/4  
Section 31 - All  
Section 32 - All  
Section 33 - All  
Section 34 - All  
Section 35 - S-3/4 that part of N-1/2 N-1/2 west of Price River  
Section 36 - SE-1/4 NW-1/4, SW-1/4 NE-1/4, NW-1/4 SE-1/4, SW-1/4

Township 13 South, Range 9 East, SLBM  
Section 1 - That part of the W-1/2 west of the Price River, and that part of N-1/2 NW-1/4 east of the Price River  
Section 2 - All  
Section 3 - All  
Section 4 - All  
Section 5 - All  
Section 6 - All  
Section 8 - All except SW-1/4 SW-1/4 and a portion of SE-1/4 SW-1/4  
Section 9 - All  
Section 10 - N-1/2, part of NE-1/4 SW-1/4  
Section 11 - N-1/2 NW-1/4, part of S-1/2 NW-1/4  
Section 12 - That part of NW-1/4 west of the Price River  
  
Section 16 - All except NE-1/4 NE-1/4 and E-3/4 N-1/2 SE-1/4  
  
Section 17 - NE-1/4, NE-1/4 SE-1/4

(b) This section does not apply.

UMC 782.16(c) Relationship to Areas Designated Unsuitable for Mining

(c) No surface operations are not located within three hundred feet of an occupied dwelling.

# AFFIDAVIT OF PUBLICATION

STATE OF UTAH }  
County of Carbon, } ss.

I, Dan Stockburger, on oath, say that I am  
the General Manager of The Sun-Advocate,  
a weekly newspaper of general circulation, published at Price,  
State and County aforesaid, and that a certain notice, a true copy  
of which is hereto attached, was published in the full issue of  
such newspaper for One (1)  
consecutive issues, and that the first publication was on the  
14th day of February, 19 86 and that the  
last publication of such notice was in the issue of such newspaper  
dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

*Dan Stockburger*  
\_\_\_\_\_

Subscribed and sworn to before me this  
14th day of February, 19 86

*Hally Jo Baker*  
\_\_\_\_\_  
Notary Public.

My Commission expires My Commission Expires October 22, 1986, 19 \_\_\_\_\_

Publication fee, \$ 34.80

## AMENDED NOTICE OF APPLICATION FOR TRANSFER OF A PERMIT Castle Gate Coal Company

Notice is hereby given that Castle Gate Coal Company, P.O. Box 449, Helper, Utah 84528, has submitted an application to the State of Utah, Department of Natural Resources, Division of Oil, Gas & Mining for transfer of a permit to operate under the provisions of the Utah Coal Mining and Reclamation Act (Utah Code Ann. 40-10-1 et seq.) and the Utah Coal Program Regulation UMC 788.18. The previous permittee was the Price River Coal Company, Permit No. ACT/007/004. The permit area is located in Carbon County, Utah as follows:

Township 12 South, Range 9 East, SLBM  
Sec. 22, portion; SW $\frac{1}{4}$  Section 25; Section 26; Section 27; Section 28; Section 29 all except N $\frac{1}{2}$ NW $\frac{1}{4}$  and NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Section 30 all except N $\frac{1}{2}$ N $\frac{1}{4}$ ; Section 31; Section 32; Section 33; Section 34; Section 35, portion; Section 36, portion.

Township 13 South, Range 9 East, SLBM  
Section 1, portion; Section 2, portion; Section 3, portion; Section 4, portion; Section 5, portion; Section 6, portion; Section 8, portion; Section 9, portion; Section 10, portion.

This permit area for which responsibility is being transferred is shown on Castle Gate Coal Company's Permit Map No. CG-8601-12-1/1.

The permit also includes property including the following areas for which responsibility is not being transferred:

Township 12 South, Range 9 East, SLBM  
Section 36, portion.

Township 12 South, Range 10 East, SLBM  
Section 31, portion.

Township 13 South, Range 9 East, SLBM  
Section 1, portion.

Township 13 South, Range 10 East, SLBM  
Section 6, portion; Section 10, portion; Section 16, portion. The project area is shown on the following U.S. Geological Survey 7.5-minute maps:

Standardville, Kyune, Matt's Summit, Helper and Deadman Canyon.

Pertinent comments are solicited from anyone affected by this proposal. Such comments should be filed within the next thirty (30) days with:

State of Utah  
Department of Natural Resources  
Division of Oil, Gas & Mining  
355 West North Temple  
III Triad, Suite 350  
Salt Lake City, Utah 84108.

Published in the Sun Advocate February 14, 1986.