

**Castle Gate Holding Company**

Castle Gate Mine  
 P.O. Box 30  
 847 NW HWY 191  
 Helper, UT 84526  
 Phone (435) 472-4737  
 Fax (435) 472-4782

January 16, 2006

Ms. Pamela Grubaugh-Littig  
 Utah Division of Oil, Gas and Mining  
 1594 West North Temple, Suite 1210  
 P.O. Box 145801  
 Salt Lake City, Utah 84114-5801

*Henry OK*  
*0007/0004*  
*#2423*

RE: Castle Gate: Confidential, Castle Gate Coal Holding, Castle Gate Mine, Permit C/007/004 and Project #2259

Dear Ms. Grubaugh-Littig:

On May 18, 2005 the Permittee submitted a Confidential Information Amendment to move confidential information from the MRP to a separate Confidential Binder.

On August 12, 2005 the Permittee received the Divisions Technical Analysis concerning the Confidential Permit Amendment. This T/A indicated that there were additional Confidential Information that the Division would like to have moved to the Confidential Binder. The specific documents that the Division has requested to be moved to the Confidential Binder are: Vol. V, Ch. 10, Appendices 10C and 10D and Vol. IV, Ch. 5, Appendices 5A through F.

Jerriann Ernstsens of the Division requested (verbally) that the Permittee submit the requested changes in the form of a separate permit change rather than a revision of the original permit change; this will necessitate that the MRP be updated according to the first Confidential Information Amendment before updating the MRP with this second Confidential Information Amendment. In keeping with the Divisions request the Permittee herewith submits the requested permit change to relocate additional confidential information to the Confidential Permit Binder.

This amendment includes the C1 and C2 forms and associated additions and replacements.

As a result of this amendment, Confidential Information will only exist in the MRP at the Division SLO and the Permittee's office, all other copies of the MRP will not contain the confidential information. The Permittee has herewith submitted two (2) complete copies of the amendment (one

Mine # C/007/0004  
 File Incoming  
 Record # 0001  
 Doc. Date 1-16-06  
 Recd. Date 1-26-06

**RECEIVED** 1  
**JAN 26 2006**  
 DIV. OF OIL, GAS & MINING

for the Division SLO and one for the Permittee) and four (4) copies with the confidential information excluded.

If the Division has any questions or needs additional information, please do not hesitate to contact me at (435) 472-4737.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis N. Ware". The signature is fluid and cursive, with a large initial "D" and "W".

Dennis N. Ware  
Controller and Administrative Manager

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change  New Permit  Renewal  Exploration  Bond Release  Transfer

Permittee: Castle Gate Holding Company  
 Mine: Castle Gate Mine Permit Number: C/007/004  
 Title: Confidential Information Amendment 2

Description, Include reason for application and timing required to implement:  
Confidential Permit Information, Second Amendment, Response to T/A, Project #2259

**Instructions:** If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- |   |   |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?                                     |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?<br>Explain: _____  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)                                |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities?  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures?  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities?   |

**Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you.** (These numbers include a copy for the Price Field Office)

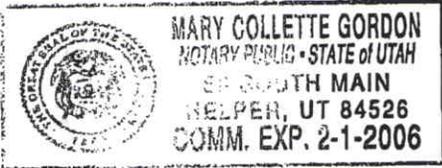
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations herein.

Dennis N Ware \_\_\_\_\_  
 Print Name

[Signature] \_\_\_\_\_  
 Sign Name, Position, Date

Subscribed and sworn to before me this 17 day of January, 2006  
Mary Collette Gordon  
 Notary Public

My commission Expires: 2-1, 2006  
 Attest: State of Utah ) ss:  
 County of Carbon



<p><b>For Office Use Only:</b></p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas &amp; Mining</p> <p style="font-size: 24px; color: red; font-weight: bold;">RECEIVED</p> <p style="font-size: 24px; color: black; font-weight: bold;">JAN 26 2006</p> <p style="color: red; font-weight: bold;">DIV. OF OIL, GAS &amp; MINING</p>
------------------------------------	----------------------------------	---

# APPLICATION FOR COAL PERMIT PROCESSING

## Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Castle Gate Holding Company

Mine: Castle Gate Mine

Permit Number: C/007/004

Title: Confidential Information Amendment 2

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

### DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

Add     Replace     Remove

Volume V, Chapter 10, remove Appendices 10-C and 10-D (replace these two appendices with the two inclosed pages indicating that these appendices were moved to the Confidential Permit Information Binder)

Add     Replace     Remove

Volume IV, Chapter 5, remove Appendices 5-A through 5-F (replace these six appendices with six inclosed pages indicating that these appendices were moved to the Confidential Permit Information Binder)

Add     Replace     Remove

Confidential Permit Information Binder, (replace Table of Contents with the inclosed Table of Contents) This action only applies to the Division SLO and the Permittee

Confidential Permit Information Binder, (place the enclosed cover pages in front of the appropriate appendices removed from volumes V and IV above and place in the Confidential Permit Information Binder in the order that they appear in the new Table of Contents) This action only applies to the Division SLO and the Permittee

Add     Replace     Remove

RECEIVED

JAN 26 2006

DIV. OF OIL, GAS & MINING