

0003

C/007/004 Incoming
JK #2956

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

May 6, 2006

Mr. Daron Haddock
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

RE: Division Order to Address Ownership and Control Information, Castle Gate Holding Company, Castle Gate Mine, Permit C/007/0004-DO08A, Taxk ID #2956

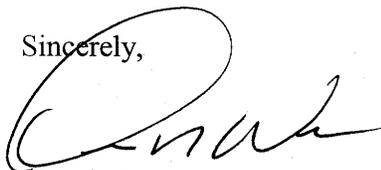
Dear Mr. Haddock:

On April 22, 2008 the Division sent a letter to the Permittee indicating that Ownership and Control Information is not Confidential and requiring that the Permittee revise the MRP to include the Ownership and Control Information in the MRP rather than the Confidential Binder.

This amendment includes the C1 and C2 forms and associated additions and replacements required to update the MRP per the Divisions Order.

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

Sincerely,



Dennis N. Ware
Controller and Administrative Manager

RECEIVED

MAY 19 2008

DIV. OF OIL, GAS & MINING

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 3

Description, Include reason for application and timing required to implement:

Confidential Permit Information, Response to Division C/007/0004-DO08A, Task ID #2956

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

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# DO08A
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?

Explain: _____

- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes 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 M Warr
Print Name

Leslie Tallero, Controller, 05-13-08
Sign Name, Position, Date

Subscribed and sworn to before me this 13th day of May, 2008

Leslie Tallero
Notary Public



LESLIE TALLERO
NOTARY PUBLIC-STATE OF UTAH
206 1st AVENUE
HELPER, UTAH 84526
COMM. EXP. 03-29-2011

My commission Expires: 3-29, 2011
Attest: State of Utah } ss:
County of Carbon

For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining <div style="text-align: center; font-weight: bold; font-size: 1.2em;">MAY 19 2008</div>
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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 3

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

<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> 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
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Confidential Permit Information Binder, (remove Ownership and Control Information) This action only applies to the Division SLO and the Permittee
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume I, Chapter 2, Appendices 2-3 (remove the three pages following the cover page and replace with the inclosed 10 pages of Ownership and Control Information) This action applies to all copies of the MRP
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Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

All additions, replacements and removals on the C2 apply to the Division SLO and the Permittee. Only the third (last) item will apply to the remaining MRP copy holders.

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MAY 19 2008

DIV. OF OIL, GAS & MINING

CONFIDENTIAL PERMIT INFORMATION

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(From Volume V, Chapter 10, Appendix 10-D)

WILDLIFE HABITAT INVENTORY
(From Volume V, Chapter 10, Exhibit 10-1)

WALKER REPORT
(From Volume IV, Chapter 5, Appendix 5-A)

HARPER SISSON
(From Volume IV, Chapter 5, Appendix 5-B)

ARCHAEOLOGICAL RESEARCH CORP. REPORT (6/15/79)
(From Volume IV, Chapter 5, Appendix 5-C)

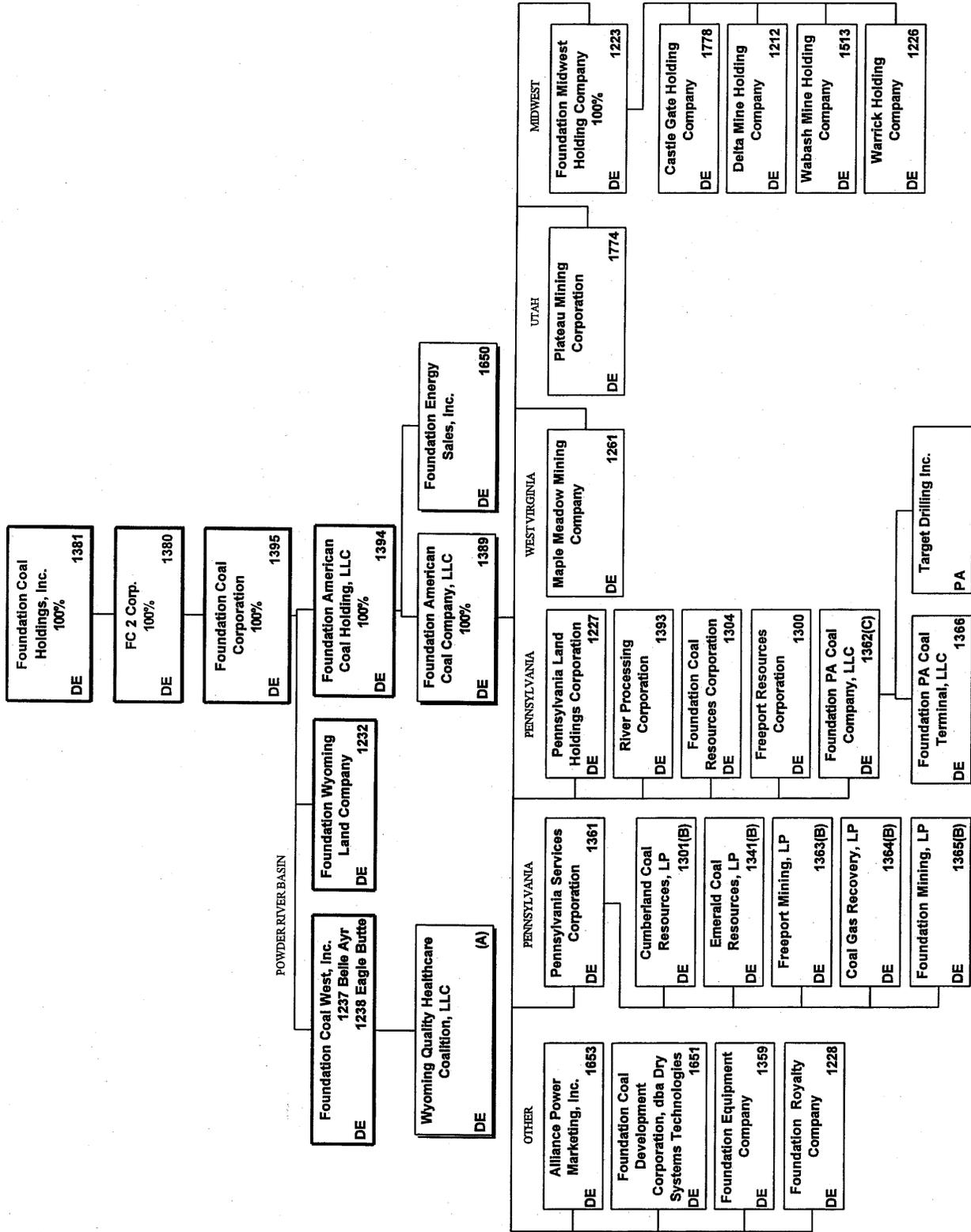
ARCHAEOLOGICAL RESEARCH CORP. REPORT (10/22/79)
(From Volume IV, Chapter 5, Appendix 5-D)

SARGENT REPORT
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**UTAH ARCHAEOLOGICAL RESEARCH CORP. CRANDALL
CANYON REPORT**
(From Volume IV, Chapter 5, Appendix 5-F)

**Deleted: AVS AND OWNERSHIP
CONTROL**
... (From Volume I, Chapter 2,
Appendix 2-3)

FOUNDATION COAL HOLDINGS, INC. - Summary of Organization
Non-West Virginia Operations



(A) 33.3% owned by Foundation Coal West, Inc.
 (B) 1% owned by Pennsylvania Services Corporation, General Partner
 (C) 99% limited partner of the Pennsylvania LPs designated by (B) above; 49% owner of Target Drilling Inc.

FOUNDATION COAL HOLDINGS, INC. - #1381
(formerly FC 1 Corp.; name changed to Foundation Coal Holdings, Inc. 8/10/04)

Principal Operating Office: 999 Corporate Blvd.
Linthicum Heights, MD 21090

Incorporation:
State Delaware
Date July 19, 2004
Existence Perpetual

Annual Stockholders' Meeting:
Date At such time as determined by the Board
Location At such place as determined by the Board

Resident Agent in State of Incorporation: The Corporation Trust Company
1209 Orange Street, Wilmington, DE 19801

Date Qualified to Do Business In: Maryland (10/20/04)

Capital Stock:
Authorized 100,000,000 common - \$0.01 par value
10,000,000 preferred - \$0.01 par value
Issued 46,583,670 common* (includes 1,422,558 treasury)
Outstanding 45,161,112 common*
Ownership Publicly traded

Principal Activity: Holding company of all U. S. coal properties previously owned by RAG Coal International AG.

IRS Identification Number: 42-1638663

Officers:	Name:	Date Elected:
Chief Executive Officer	James F. Roberts	Aug. 16, 2004
President and Chief Operating Officer	Kurt D. Kost	Jan. 1, 2008
Senior Vice President and Chief Financial Officer	Frank J. Wood	Aug. 16, 2004
Senior Vice President, Operations	James J. Bryja	June 18, 2007
Senior Vice President and Chief Information Officer	James A. Olsen	Dec. 13, 2007
Senior Vice President, Sales and Marketing	A. Scott Pack, Jr.	May 18, 2006
Senior Vice President, Safety and Human Resources	Michael R. Peelish	Aug. 16, 2004
Senior Vice President, General Counsel, and Secretary	Greg A. Walker	Aug. 16, 2004
Vice President and Corporate Controller	James L. Anderson, Jr.	Sept. 13, 2007/Dec. 15, 2004
Vice President, Investor and Media Relations	Todd C. Allen	Sept. 17, 2007
Treasurer	Gary G. Pearson	Aug. 16, 2004
Assistant Secretary	Edythe C. Katz	Oct. 7, 2004

* as of March 26, 2008

FOUNDATION COAL HOLDINGS, INC. - #1381
(formerly FC 1 Corporation; name changed to Foundation Coal Holdings, Inc. 8/10/04)

	Name:	Date Elected:
Directors:		
Chairman	James F. Roberts	Aug. 17, 2004/Apr. 1, 2006
Lead Independent Director	Joel Richards, III	Mar. 8, 2005/Apr. 1, 2006
	William J. Crowley, Jr.	Dec. 1, 2004
	David I. Foley	Aug. 17, 2004
	P. Michael Giftos	Dec. 7, 2005
	Alex T. Krueger	Aug. 17, 2004
	Robert C. Scharp	Dec. 7, 2005
	Thomas V. Shockley, III	Apr. 1, 2006
Audit Committee:		
Chairman	William J. Crowley, Jr.	Dec. 1, 2004
	P. Michael Giftos	Dec. 7, 2005
	Robert C. Scharp	Dec. 7, 2005
	Thomas V. Shockley	Apr. 1, 2006
Compensation Committee:		
Chairman	David I. Foley	Oct. 26, 2005/Feb. 7, 2006
	Alex T. Krueger	Jan. 1, 2008
	Joel Richards III	Mar. 8, 2005
	Thomas V. Shockley, III	Apr. 15, 2007
Nominating and Corporate Governance Committee:		
Chairman	Joel Richards III	Mar. 8, 2005/Dec. 7, 2005
	William J. Crowley, Jr.	Dec. 1, 2004
	P. Michael Giftos	Dec. 7, 2005
	Robert C. Scharp	Apr. 1, 2006

FC 2 CORP. - #1380**Principal Operating Office:**

999 Corporate Blvd
Linthicum Heights, MD 21090

Incorporation:

State Delaware
Date July 19, 2004
Existence Perpetual

Annual Stockholders' Meeting:

Date In July at such day and time as the Board may determine
Location At such place as the Board may determine

Resident Agent in State of Incorporation:

The Corporation Trust Company
1209 Orange Street, Wilmington, DE 19801

Date Qualified to Do Business In:

Maryland (10/1/04)

Capital Stock:

Authorized 100 - \$0.01 par value
Outstanding 100
Ownership Foundation Coal Holdings, Inc.

Principal Activity:

Acquisition vehicle in connection with acquisition of North American operations of RAG Coal International AG and related financing; intermediate holding company.

IRS Identification Number:

42-1638665

Officers:

	Name:	Date Elected:
President and Chief Executive Officer	James F. Roberts	July 30, 2004
Senior Vice President and Chief Financial Officer	Frank J. Wood	July 30, 2004
Senior Vice President, General Counsel and Secretary	Greg A. Walker	July 30, 2004
Corporate Controller	James L. Anderson, Jr.	Nov. 23, 2004
Assistant Secretary	Edythe C. Katz	Sept. 23, 2004

Directors:

James F. Roberts	July 30, 2004
Frank J. Wood	July 30, 2004

FOUNDATION COAL CORPORATION - #1395
(Incorporated as American Coal Holding Corp.; name changed to American Coal Acquisition Corp. 4/30/04; name changed to Foundation Coal Corporation 6/24/04)

Principal Operating Office: 999 Corporate Blvd.
Linthicum Heights, MD 21090

Formation:
State Delaware
Date April 23, 2004
Existence Perpetual

Annual Stockholders' Meeting:
Date In April at day and time as Board may determine
Location At such place as the Board may determine

Resident Agent in State of Incorporation: The Corporation Trust Company
1209 Orange Street, Wilmington, DE 19801

Date Qualified to Do Business In: Colorado (11/18/04), Maryland (10/1/04)

Capital Stock:
Authorized 100 - \$0.01 par value
Outstanding 100
Ownership FC2 Corp.

Principal Activity: Intermediate holding company employing the corporate staff providing shared services to affiliated entities.

IRS Identification Number: 26-0085077

Officers:	Name:	Date Elected:
Chief Executive Officer	James F. Roberts	July 30, 2004
President and Chief Operating Officer	Kurt D. Kost	Jan. 1, 2008
Senior Vice President and Chief Financial Officer	Frank J. Wood	July 30, 2004
Senior Vice President, Operations	James J. Bryja	June 18, 2007
Senior Vice President,, Center of Excellence and Chief Information Officer	James A. Olsen	Oct. 1, 2007/Dec. 1, 2007
Senior Vice President, Sales and Marketing	A. Scott Pack, Jr.	May 30, 2006
Senior Vice President, Safety and Human Resources	Michael R. Peelish	July 30, 2004
Senior Vice President, General Counsel and Secretary	Greg A. Walker	July 30, 2004
Vice President and Corporate Controller	James L. Anderson, Jr.	July 20, 2007/ Nov. 23, 2004
Vice President, General Equipment Management	Kendall L. Benedict	Nov. 16, 2006
Vice President, Operations	W. John Borla	Mar. 25, 2008
Vice President, Business Process Support	Gary M. Buchan	Oct. 1, 2007
Vice President, Land and Gas Assets	Samuel L. Cario	Dec. 1, 2007
Vice President, Benefits	Michael A. Ciuchta	Nov. 16, 2006
Vice President, Process Management	Richard A. Edwards	Nov. 16, 2006
Vice President, Safety and Health	John M. Gallick	Nov. 16, 2006
Vice President, Environmental	Johnnie W. Greene	Nov. 16, 2006

FOUNDATION COAL CORPORATION - #1395
(Incorporated as American Coal Holding Corp.; name changed to American Coal Acquisition Corp. 4/30/04; name changed to Foundation Coal Corporation 6/24/04)

	Name:	Date Elected:
Vice President, Information Technology	William F. Groom	Jan. 3, 2006
Vice President, Human Resources	William H. McClure	Nov. 16, 2006
Vice President, Business Development	Brian L. Miller	Jan. 1, 2007
Vice President, Planning and Engineering	R. Michael Mishra	Dec. 1, 2007
Vice President, Materials Management	L. Brice Richmond	Nov. 16, 2006
Vice President, Government and Community Affairs	Jonathan B. Wood	Jan. 3, 2006
Treasurer	Gary G. Pearson	July 27, 2004
Assistant Secretary	Edythe C. Katz	Sept. 23, 2004
Directors:		
	James L. Anderson, Jr.	Nov. 30, 2004
	James F. Roberts	July 30, 2004
	Frank J. Wood	July 30, 2004
Audit Committee:		
Chairman	Frank J. Wood	Dec. 1, 2004
	James L. Anderson, Jr.	Dec. 1, 2004

NOTE: Registered in Pennsylvania for income tax purposes only.

FOUNDATION AMERICAN COAL HOLDING, LLC - #1394
 (Formerly Ruhrkohle-Stinnes Corporation; name change to Ruhr-American Coal Corporation 10/1/75;
 name change to RAG American Coal Corporation 12/22/98; name change to
 RAG American Coal Holding, Inc. 6/18/99; stock sale to Foundation Coal Corporation 7/30/04;
 Name change to Foundation Coal Holding, Inc. 7/30/04; name change to Foundation American Coal
 Holding, Inc. 8/9/04; Converted to Foundation American Coal Holding, LLC 8/19/05)

Principal Operating Office: 999 Corporate Blvd.
 Linthicum Heights, MD 21090

Formation:
 State Delaware
 Date October 31, 1974 (original date of incorporation stands)
 Existence Perpetual

Annual Members' Meeting:
 Date In August or at such other time as designated by the Member.
 Location Not specified

Resident Agent in State of Incorporation: The Corporation Trust Company
 1209 Orange Street, Wilmington, DE 19801

Date Qualified to Do Business In: Colorado (8/23/05), Maryland (8/23/05)

Ownership: Foundation Coal Corporation – 100%

Principal Activity: Intermediate holding company for all U.S. affiliates

IRS Identification Number: 13-2793319

	Name:	Date Elected:
Officers:		
President and Chief Executive Officer	James F. Roberts	Mar. 1, 1999
Senior Vice President and Chief Financial Officer	Frank J. Wood	Mar. 2, 2004
Secretary	Greg A. Walker	Aug. 24, 1999
Controller	James L. Anderson, Jr.	May 1, 2005
Treasurer	Gary G. Pearson	Mar. 27, 2001
Assistant Secretary	Sharon J. Fetherhuff	May 1, 2005
Directors:		
	James F. Roberts	Mar. 1, 1999
	Frank J. Wood	July 30, 2004

October 8, 2007

FOUNDATION AMERICAN COAL COMPANY, LLC - #1389

(converted to a limited liability company from the corporation RAG American Coal Company 3/10/04;
formerly RAG American Coal Company LLC; name changed to Foundation American Coal Company, LLC 7/30/04)

Principal Operating Office: 999 Corporate Blvd.
Linthicum Heights, MD 21090

Formation:
State Delaware
Date June 18, 1999
Existence Perpetual

Annual Members' Meeting:
Date In March or at such other time as designated by the Member
Location Not specified

Resident Agent in State of Incorporation: The Corporation Trust Company
1209 Orange Street, Wilmington, Delaware 19801

Date Qualified to Do Business In:

Ownership: Foundation American Coal Holding, LLC – 100%

Principal Activity: Holding company for the former Cyprus Amax entities

IRS Identification Number: 54-1947356

	Name:	Date Elected:
Officers:		
President and Chief Executive Officer	James F. Roberts	June 24, 1999
Vice President	Frank J. Wood	June 30, 1999
Secretary	Greg A. Walker	June 30, 1999
Controller	James L. Anderson, Jr.	May 1, 2005
Treasurer	Gary G. Pearson	Mar. 27, 2001
Assistant Secretary	Sharon J. Fetherhuff	May 1, 2005
Directors:		
	James F. Roberts	June 18, 1999
	Frank J. Wood	July 30, 2004

December 1, 2007

FOUNDATION MIDWEST HOLDING COMPANY - #1223
(Formerly Cyprus Amax Midwest Holding Company; name change to RAG Midwest Holding Company 6/30/99;
name change to Foundation Midwest Holding Company 7/30/04)

Principal Operating Office: 999 Corporate Blvd.
Linthicum Heights, MD 21090

Incorporation:
State Delaware
Date April 2, 1998
Existence Perpetual

Annual Stockholders' Meeting:
Date First Thursday in April at 10:15 a.m.
Location Principal office unless otherwise designated by the Board

Resident Agent in State of Incorporation: The Corporation Trust Company
1209 Orange Street, Wilmington, DE 19801

Date Qualified to Do Business In:

Capital Stock:
Authorized 1,000 shares - \$1.00 par value
Outstanding 100 shares
Ownership Foundation American Coal Company, LLC

Principal Activity: Holding company for reclaimed or idle mines in Illinois,
Indiana, and Utah.

IRS Identification Number: 84-1456626

	Name:	Date Elected:
Officers:		
President	James J. Bryja	Dec. 1, 2007
Vice President	Frank J. Wood	Apr. 2, 1998
Secretary	Greg A. Walker	June 30, 1999
Controller	James L. Anderson, Jr.	May 1, 2005
Treasurer	Gary G. Pearson	Mar. 27, 2001
Assistant Secretary	Sharon J. Fetherhuff	Jan. 1, 2000
Assistant Secretary	William M. Hartzler	Jan. 1, 2000
Directors:		
	James F. Roberts	June 30, 1999
	Frank J. Wood	June 30, 1999

CASTLE GATE HOLDING COMPANY - #1778**(Assets transferred from Amax Coal Company-FEIN 84-1324803-on 5/31/98)****Principal Operating Office:**999 Corporate Blvd.
Linthicum Heights, MD 21090**Incorporation:**

State

Delaware

Date

April 2, 1998

Existence

Perpetual

Annual Stockholders' Meeting:

Date

First Thursday in April at 9:45 a.m.

Location

Principal office unless otherwise designated by the Board

Resident Agent in State of Incorporation:

The Corporation Trust Company

1209 Orange Street, Wilmington, DE 19801

Date Qualified to Do Business In:

Utah (4/20/98)

Capital Stock:

Authorized

1,000 shares - \$1.00 par value

Outstanding

100 shares

Ownership

Foundation Midwest Holding Company

Principal Activity:Holds permits and has certain payment obligations associated
with the reclaimed Castle Gate mine in Utah.**IRS Identification Number:**

84-1456620

	Name:	Date Elected:
Officers:		
President	James J. Bryja	Dec. 1, 2007
Vice President	Frank J. Wood	Apr. 2, 1998
Secretary	Greg A. Walker	June 30, 1999
Controller	James L. Anderson, Jr.	May 1, 2005
Treasurer	Gary G. Pearson	Mar. 27, 2001
Assistant Secretary	Sharon J. Fetherhuff	Jan. 1, 2000
Assistant Secretary	William M. Hartzler	Jan. 1, 2000
Directors:		
	James F. Roberts	June 30, 1999
	Frank J. Wood	June 30, 1999

Note: Holds SMCRA permits