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CYPRUS
Plateau Mining

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ACT/007/006 #2
Copy From
93A

Mr. Lowell Braxton
Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Mr. Braxton,

Re: Application For Permit Change - Incidental Boundary Change - Lease UTU-64263

Cyprus Plateau Mining Corporation would like to ask for an Incidental Boundary Change to add 60 acres on the west side of Federal Coal Lease U-13097 as shown on Map 112.500b, Coal Ownership Map attached. This lease modification will be to Federal Coal Lease UTU-64263 and is being processed by the BLM with review by the Manti-La Sal National Forest Service. This letter and attached documentation serve as the application for permit change.

Regulation R645-303-220 allows for permit changes. Regulations R645-303-222 through R645-303-224.300 allow for incidental boundary changes as permit amendments if the area meets the following criteria:

1- The incidental boundary change area is less than 15% of the surface or subsurface disturbed area.
2- The incidental boundary change area is in the same cumulative impact area as defined in the Cumulative Hydrologic Impact Assessment area.
3- The incidental boundary change area is in the same hydrologic basin authorized by the current permit.

In all three cases, the proposed incidental boundary change (IBC) area meets the test:

1- The area of the proposed change is 27.5 acres; the total mined area to date including surface disturbance is 3,695 acres (3522 mine workings + 173 surface disturbance). The proposed change area equals 0.74% of the total disturbed area. Even when added to previous incidental boundary changes totaling 76.59 acres, the total disturbed acreage is 104.09 acres or 2.82% of the total disturbed acres (104.09/3,695).

2- A new Cumulative Hydrologic Impact Assessment has not been made for the addition of the UTU-64263 lease, however, the proposed IBC is within the previous CHIA prepared for our 1987 permit renewal.

Figure 2 from the 1987 CHIA has been copied and the proposed IBC has been plotted in relationship to the CHIA boundary. As can be seen, the IBC is well within the CHIA boundary.

Figure 4 from the 1987 CHIA has been copied and the ground water surface elevations plotted based on the results from four new monitoring wells constructed in the mine. As can be seen, the water surface in the horst (the minable area) between the Bear Canyon Graben and the Trail Canyon Fault is oriented to the southeast just as the CHIA water surface predicted. The new water surface elevations have been colored on the map for clarity. The water surface elevation from our recent 1992 permit renewal application has been plotted on Figure 4 east of the Bear Canyon Graben. As can be seen, the new elevations in the horst match very closely with the elevations east of the Bear Canyon Graben. Even though the CHIA water surface elevations do not match ours, it is significant that the general orientation is the same, to the southeast. The CHIA needs to be updated with the latest information.

3- Figure 5 from the 1987 CHIA has been copied and the IBC area added. As can be seen on the enclosed copy, the IBC area is well within sub-drainage 6 of the Gentry Ridge Basin as identified in the CHIA. The IBC area therefore is in the same hydrologic basin authorized by the CHIA, and the current permit.

As can be seen on Figure 5, there has been underground mining in sub-drainage 6 of the Gentry Ridge Basin. The mining area has been plotted and is colored for clarity. Significant mining has occurred east of the colored area but is not shown as it is of no importance to this submittal. Mining for the IBC will therefore be in the same hydrologic basin as contained in the 1987 CHIA.

Map 116.100c, Mine Plan Wattis Seam, from our MRP has been revised to show the IBC area and the proposed mining layout and timing. Maps 112.500a, Surface Ownership and 112.500b, Coal Ownership have also been revised to show the Incidental Boundary Change area, and addition to Lease UTU-64263.

At this time, we have only shown the IBC on the above mentioned maps. Upon approval of this change, we will make appropriate changes to all applicable maps.

When approval is received from the BLM on the lease modification the appropriate changes will be made to MRP section R645-114.100, Right-Of-Entry information.

Eight copies of the above mentioned maps and figures are enclosed for your use, if you need more let me know.

This Incidental Boundary Change will allow mining of approximately 864,000 tons of coal which otherwise will be bypassed and can not be mined by any other mining company.

The large fault on the west side of the current lease and the IBC will likely be the boundary of mining. We have previously committed in our permit to drilling ahead of mining at the west side to identify the fault and large water sources. This effort is to identify water that may be significant and to allow us to avoid said water. We will continue this process for this Incidental Boundary Change area.

Our ground and surface water monitoring plan covers springs and the Wild Cattle Hollow stream adjacent to the change area. No additions the monitoring plan are necessary for this action.

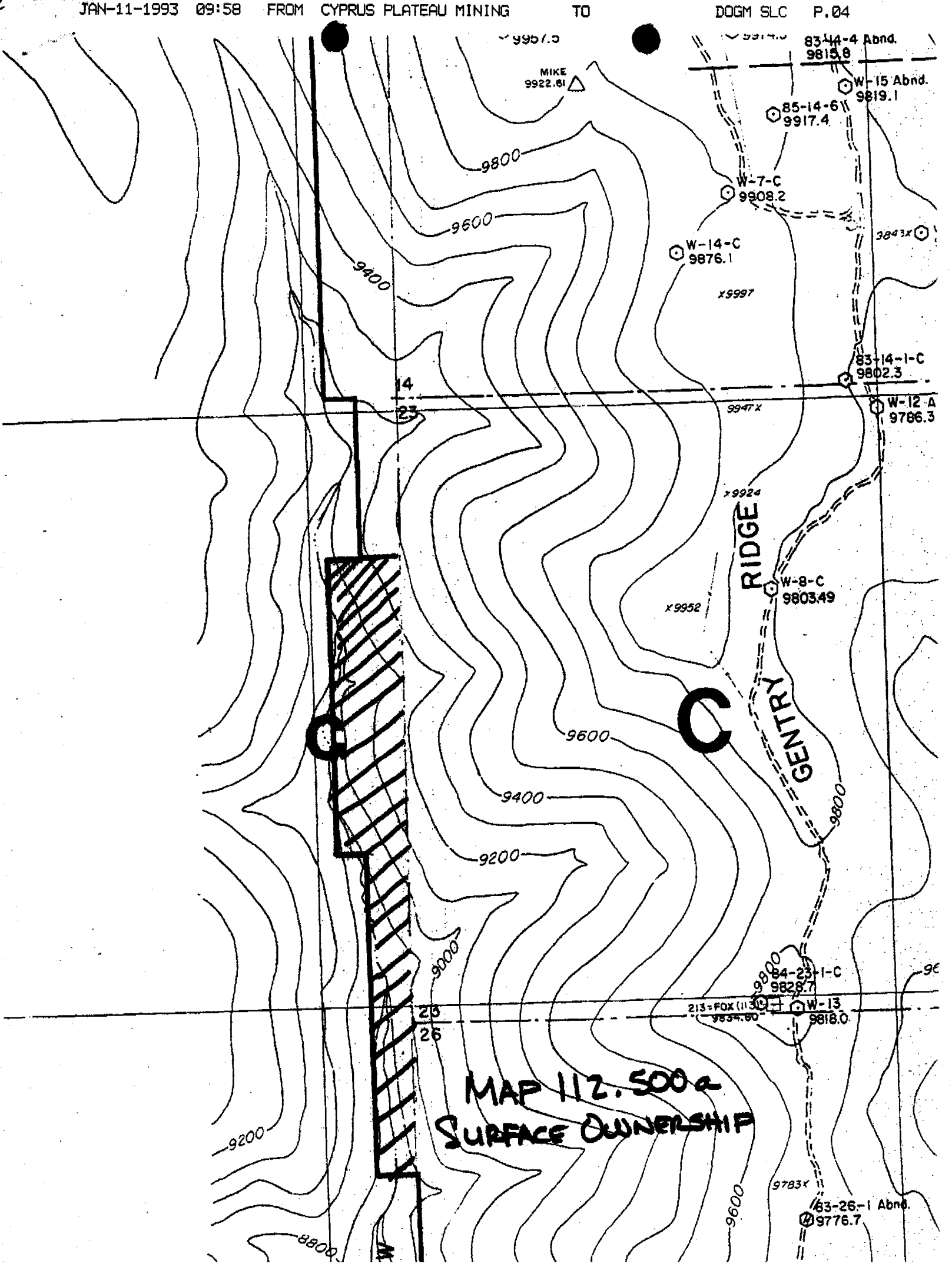
The mine layout has been made considering the Wild Cattle Hollow stream; an angle of draw of 22 degrees was used to position the mine workings to avoid subsidence damage to the stream.

All other conditions of the permit will be binding on this addition.

Respectfully,

Ben Grimes
Sr. Environmental Engineer

Enclosures
File: ENV 4-15
Chrono: BG930102


MIKE
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W-14-C
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83-14-1-C
9802.3
W-12 A
9786.3
x9924
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W-13
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14
23
26
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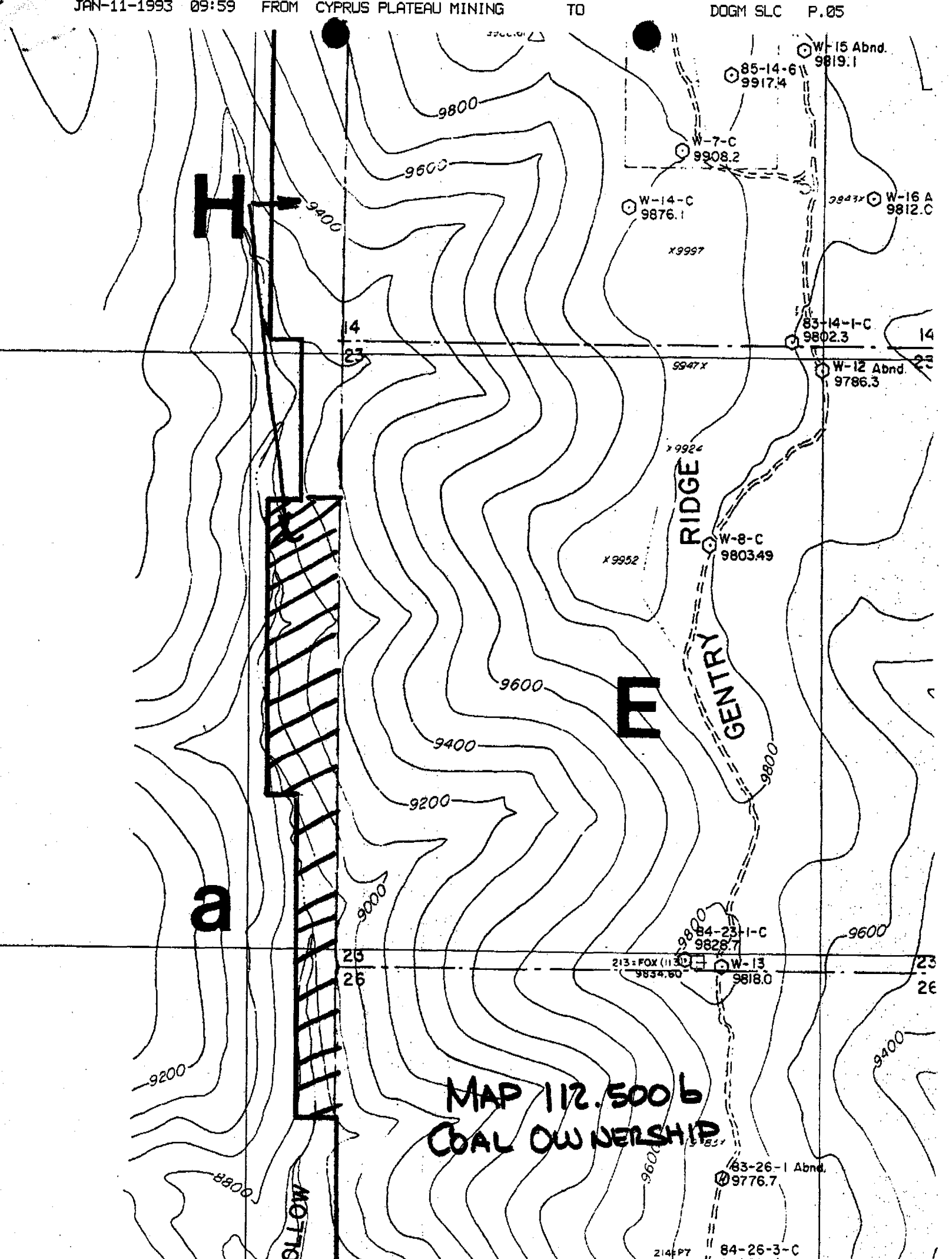
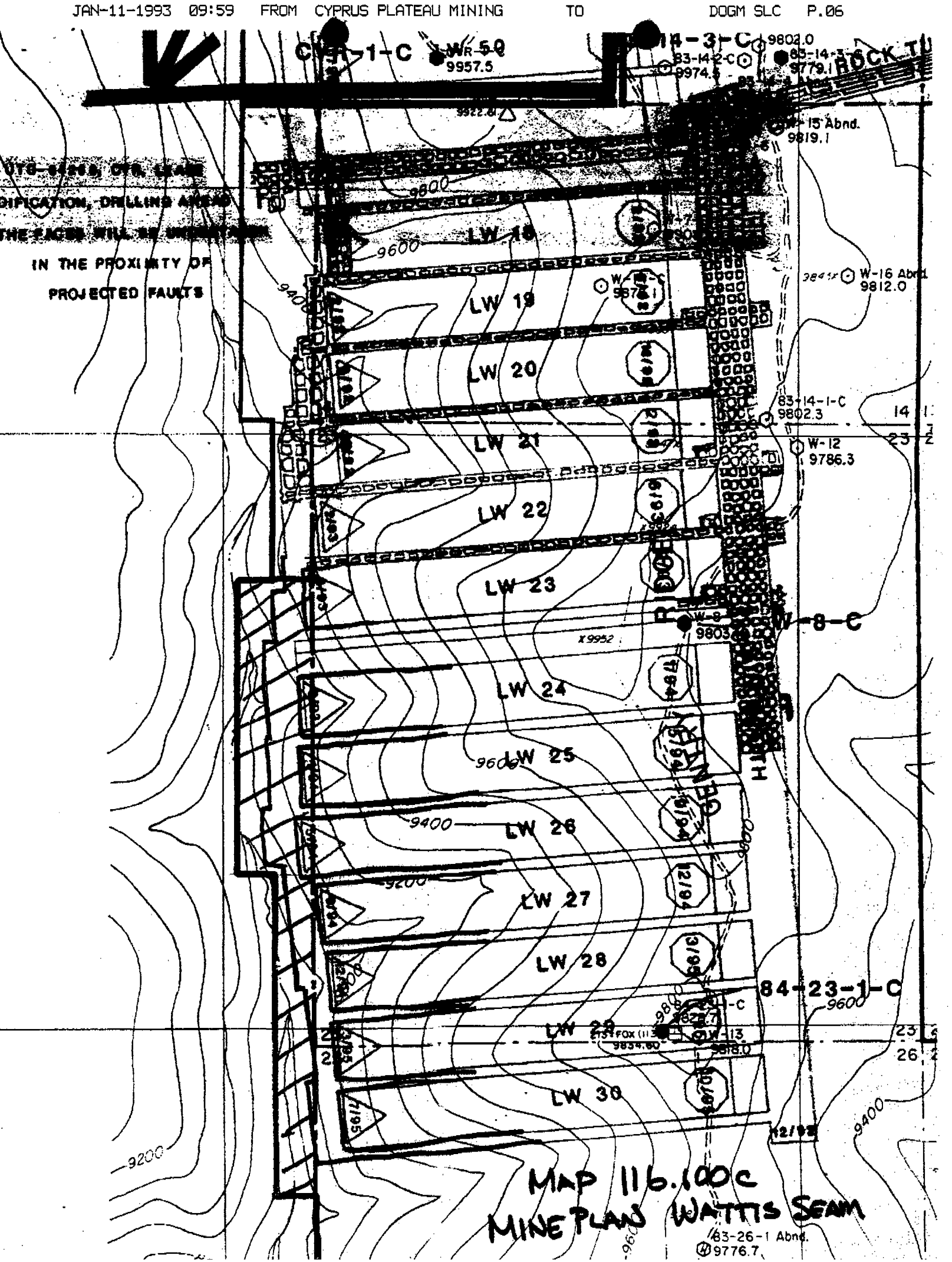
MAP 112.500a
SURFACE OWNERSHIP



MAP 112.500b
COAL OWNERSHIP



MAP 116.100C
MINE PLAN WATTIS SEAM

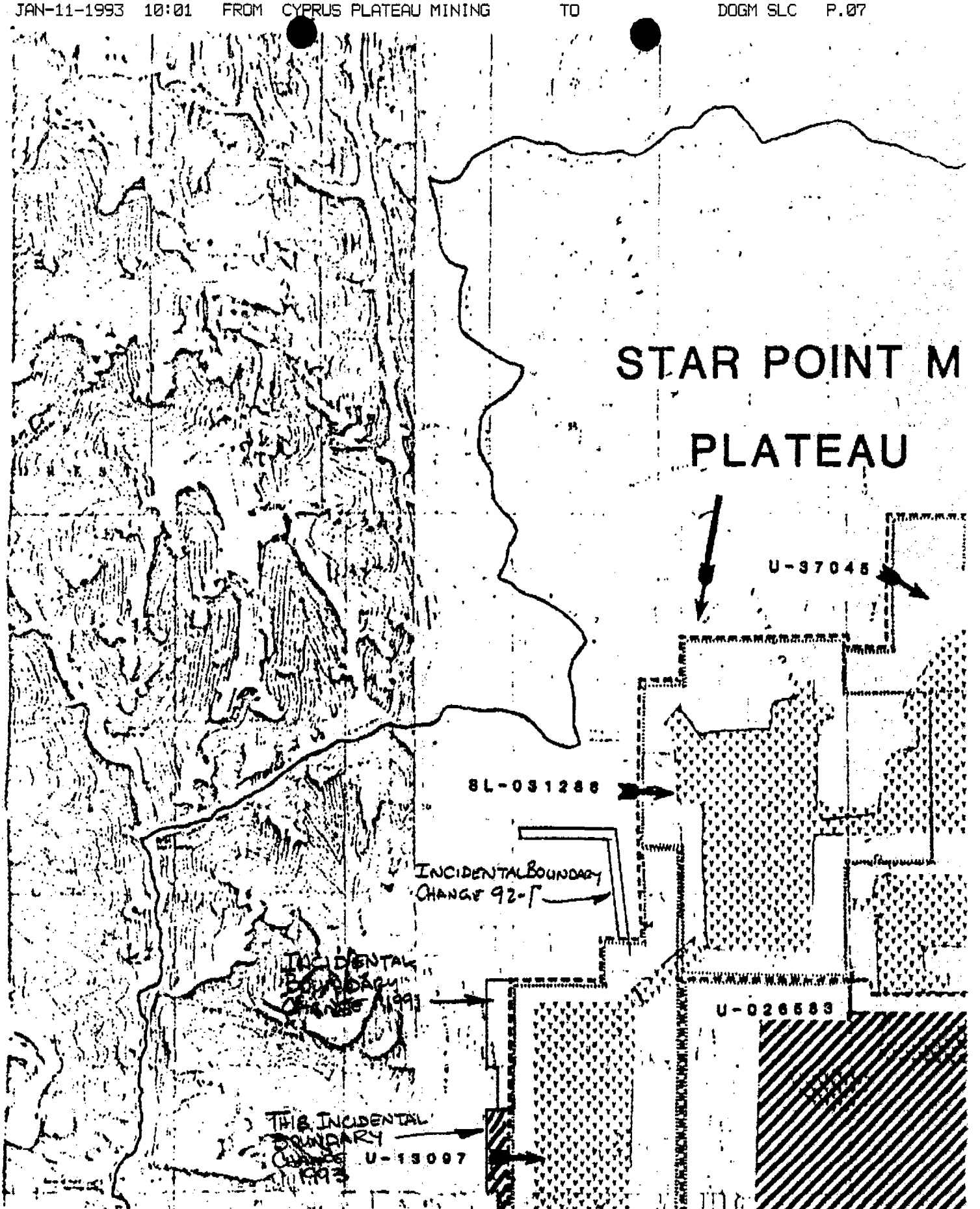


FIGURE 2. CIA AND MINING MAP

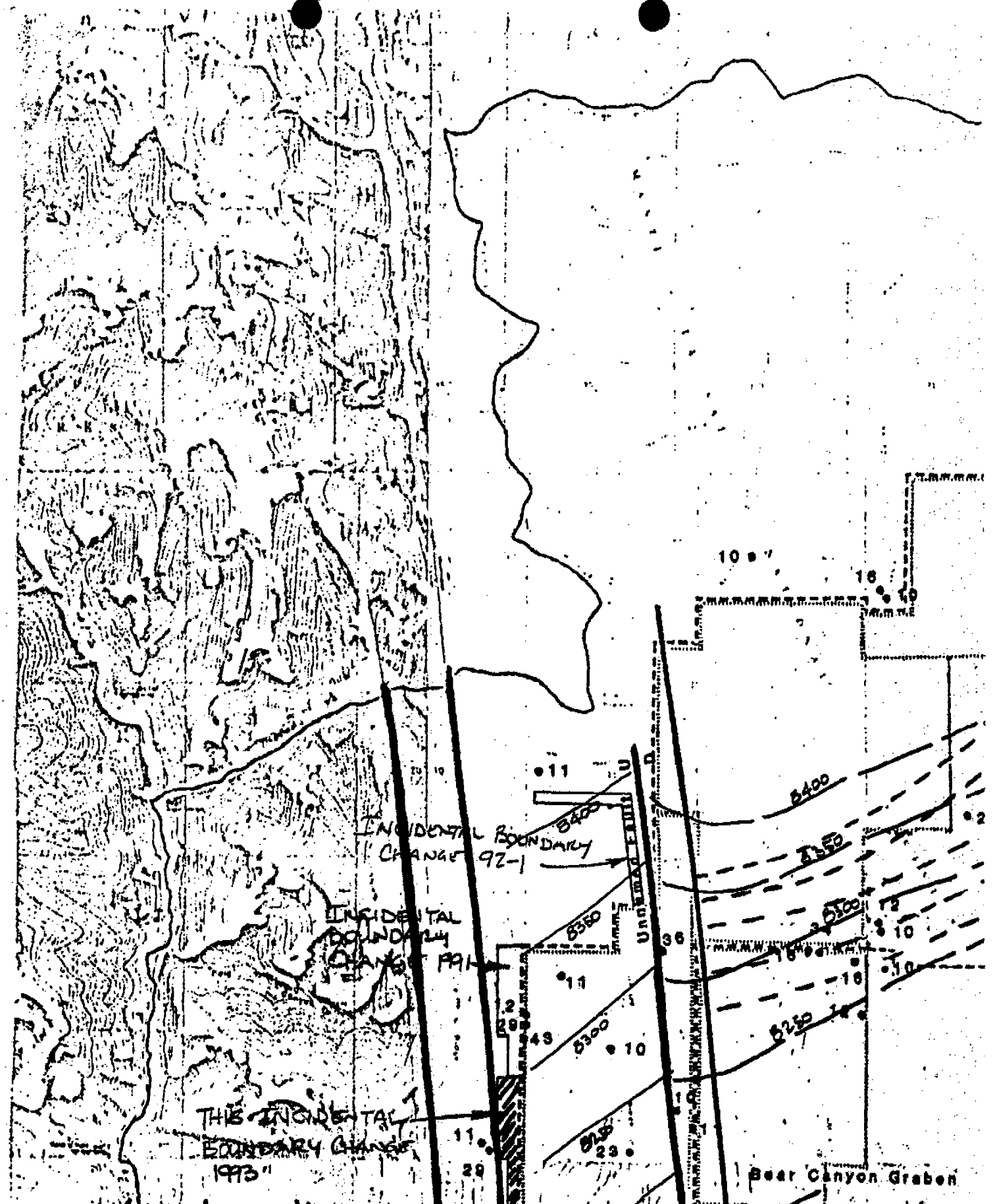


FIGURE 4 - MAJOR HYDROLOGIC RELATIONSHIPS AND LOCATION OF COAL PROCESSING WASTE

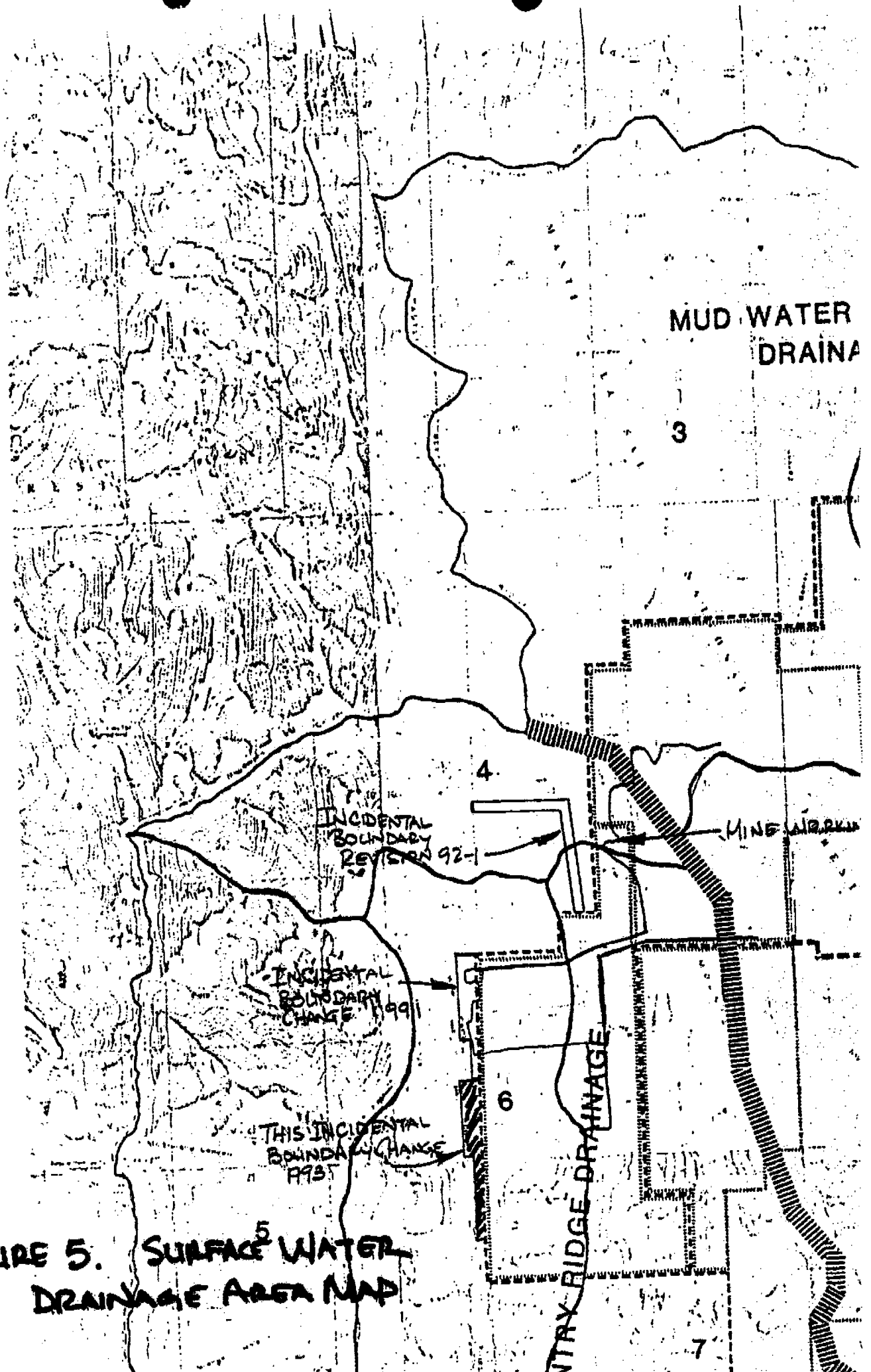


FIGURE 5. SURFACE WATER DRAINAGE AREA MAP