C/007/006 Incoming

COPY

PLATEAU MINING CORPORATION

Star Point Mine
P.O. Box 30
847 NW HWY 191
Helper, Utah 84526
Phone (435)472-4737
Fax: (435)472-4782

#3663
R

October 22, 2010

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: Amendment to Discontinue Water Monitoring Plateau Mining Corporation, Star Point Mine, C/007/0006

Dear Mr. Haddock:

Plateau Mining Corporation is herewith submitting three copies of an Amendment to Discontinue Water Monitoring at the Star Point Mine. The C1 and C2 as well at text changes and additions are included.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Dennis N. Ware
Controller and Administrative Manager

Enclosures

Enviro/PermitActions/StarPoint/WaterMonitoringAmendment/CoverLetter

File in:
☐ Confidential
☐ Shelf
☒ Expandable
Date Folder 10252010 C/0070006
See: Incoming For additional

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APPLICATION FOR COAL PERMIT PROCESSING

COPY

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Plateau Mining Corporation

Mine: Star Point Mine **Permit Number:** C/007/0006

Title: Discontinue Water Monitoring

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

Discontinue Water Monitoring at the Star Point Mine

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# _____
☐ 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 N Ware
Print Name

Sign Name, Position, Date, Controller, 10-21-10

Subscribed and sworn to before me this 21st day of October, 2010

Ruanne Leeflang
Notary Public

My commission Expires: 6-30-13, 20__

Attest: State of Utah } ss:
County of Emery

Notary Public
RUANNE LEEFLANG
Commission #579452
My Commission Expires
June 30, 2013
State of Utah

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APPLICATION FOR COAL PERMIT PROCESSING
Detailed Schedule Of Changes to the Mining And Reclamation Plan

COPY

Permittee: Plateau Mining Corporation
Mine: Star Point Mine **Permit Number:** C/007/0006
Title: Discontinue Water Monitoring at the Star Point Mine

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 4, Section 700, Table of Contents, List of Exhibits
☐ Add	☒ Replace	☐ Remove	Volume 4, Section 700, Page 700-1
☒ Add	☐ Replace	☐ Remove	Volume 4, Section 700, Exhibit 728i
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
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Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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TABLE OF CONTENTS - (Continued)
R645-301-700 (HYDROLOGY)

Prime Reference

Map 761a, Reclamation Watersheds and Diversions . . . . . Page 700- 187
Map 761b, Reclamation Watersheds and Diversions . . . . . Page 700- 187
Map 761c, Reclamation Watersheds and Diversions . . . . . Page 700- 187

LIST OF EXHIBITS

Exhibit 722.100a, Field and Laboratory Water Quality Data from Representative Springs Obtained During the 1986 Inventory of Springs . . . . . Page 700- 14
Exhibit 722.100b, USGS Stream Data . . . . . Page 700- 32
Exhibit 724.100a, Water Quality Data Summary . . . . . Page 700- 38
Exhibit 724.200a, Field and Laboratory Methods for the Analysis of Water Quality Samples . . . . . Page 700- 48
Exhibit 728a, Spring Flow Hydrographs . . . . . Page 700- 55
Exhibit 728b, In-mine Well Completion Details, and Approval and Condition for Abandonment of Gentry Ridge Wells . . . . . Page 700- 60
Exhibit 728c, Aquifer Evaluations . . . . . Page 700- 67
Exhibit 728d, Special Water Quality Analyses . . . . . Page 700- 72
Exhibit 728e, Dispersion Calculations . . . . . Page 700- 84
Exhibit 728f, Spring and Ground Water Comparisons . . . . . Page 700- 89
Exhibit 728g, Hydrologic Reports Pertaining to the Abandonment of Equipment Underground . . . . . Page 700- 82
Exhibit 728h, Evaluation of Hydrologic Monitoring at the Star Point Mine . . . . . Page 700- 107
Exhibit 728i, Discontinueance of Hydrologic Monitoring at the Star Point Mine ..... Page 700-1
Exhibit 731.110a, Hydrologic Response to Land Subsidence Cause by Underground Coal Mining, Miller Creek Drainage, Carbon County, Utah . . . . . Page 700- 96
Exhibit 731.122a, Water Rights Mitigation Plan . . . . . Page 700- 100
Exhibit 732.300a, Diversion Ditch and Culvert Peak Flow Calculations . . . . . Page 700- 122
Exhibit 732.300b, Hydrologic Calculation Update . . . . . Page 700- 122
Exhibit 732.300c, Unit Train Hydrology . . . . . Page 700- 122
Exhibit 733.210a, Sedimentation Pond Approval, Documentation and Certification . . . Page 700- 123
Exhibit 742a, Pond 5 Hydrologic Calculations . . . . . Page 700- 147
Exhibit 742b, Ditch No. 14 Hydraulic Calculations . . . . . Page 700- 148

R645-301-700. HYDROLOGY.

Following the water monitoring for the third quarter 2010 an amendment to discontinue hydrologic monitoring at the Star Point Mine was submitted and approved. See Exhibit 728i for further information.

710 thru 713. INTRODUCTION.

The materials and information requested under regulations 711 through 711.500 are included or referred to within the sections referenced. All materials and data requiring certification have been certified in accordance with the requirements of section 712 as appropriate. Individual certification statements can be found on the appropriate drawings where required.

Cyprus Plateau Mining Corporation (CPMC) has eight sedimentation ponds and one treatment facility located within the permit area. All sedimentation ponds or treatment facilities are inspected regularly by a qualified individual assigned by the coal company for appearance of structural weakness and other hazardous conditions.

Other specifics related to the general requirements of these sections are given in the sections referenced therein.

720 thru 721. ENVIRONMENTAL DESCRIPTION.

HYDROLOGIC RESOURCES

Summarized within this section of the application is a description of the surface and ground water hydrology for the mine plan and adjacent area. A description of the mine plan area aquifer systems is presented including a description of separate and distinct aquifer systems; lithology, extent, and thickness of aquifers; aquifer characteristics; hydrologic regimes; piezometric surface; ground water quality; hydrologic balance including aquifer recharge, storage and discharge characteristics; and uses and ownership of ground water.

There are two major strata-bound aquifers in the Eastern Wasatch Plateau. One in the Starpoint Formation, and the other in the North Horn - Price River Formations. These strata-bound aquifers are modified by north-south normal faults which systematically dissect the plateau. These faults act as boundaries, or boundaries and conduits simultaneously and define structurally controlled sub regional hydrologic provinces or domains. Additional information related to geology and faults is given within Section 600.

A more complete description of surface and ground water hydrology is found within Section 722 with water quality issues being discussed in Section 724.

722. CROSS SECTIONS AND MAPS.

Cross sections and maps as required by this regulation are provided in sections R645-301-722.100 through 301-722.500.

Exhibit
728i

EXHIBIT 728i

DISCONTINUEANCE OF HYDROLOGIC MONITORING AT THE STAR POINT MINE.

INTRODUCTION

In 2002 a report summarizing the status of the hydrologic monitoring program at the Star Point Mine was prepared and submitted to the Division. In this report, which was appended to the Mining and Reclamation Plan as Exhibit 728h, data collected under the mine's hydrologic monitoring program through September 2001 was evaluated and the conclusion was:

> "No sustained impacts to groundwater quantity or quality have been detected within the permit area that can be attributed to underground mining. Those impacts that can be potentially attributed to mining within the permit area have since been eliminated and the hydrologic balance of the groundwater system within the permit and adjacent areas has returned to normal."

The 2002 report recommended and the Division agreed that monitoring of surface-water stations 10-1 and ST-1 would continue through Phase II bond release. It was further recommended and the Division agreed that monitoring of Spring 971 would continue until a 1998 complaint filed by Huntington Cattle Association and Huntington Cleveland Irrigation Company is resolved.

Phase II bond release for the Star Point Mine was approved effective in June of 2008 and the 1998 complaint concerning Spring 971 has been resolved therefore, the conditions for discontinuance of water monitoring at the Star Point Mine have been met.

SURFACE-WATER MONITORING

A summary of data collected from stream station 10-1 is provided in Attachment A. No flow has been observed at this station since the cessation of mining operations; hence no water-quality samples have been collected here since the January 2002 report. A plot contained in Attachment A of stream flow at station 10-1 versus the Palmer Hydrologic Drought Index indicates that, with the general exception of the period from late 2004 through early 2006, the area has been in an extended period of drought since late 1999. Furthermore, this plot indicates that periods of no flow at station 10-1 were common during previous periods of drought.

Given the completion of underground mining at the site in February 2002, the lack of observed flow at station 10-1 is not considered to be the result of mining activity. Rather, it is likely caused by one or all of the following factors:

1. General hydrologic conditions in the region due to an extended period of drought and/or
2. The closing and reclamation of the preparation plant thereby eliminating the discharge of process water upstream from station 10-1 and/or
3. The closing of mining operations and the accompanying departure of personnel who could have provided constant observation of streamflow conditions at station 10-1.

In the case of the third factor, it is possible that streamflow has occurred at station 10-1 since May 2002, but this flow went unobserved due to an absence of personnel and the typical short-term duration of streamflow at this ephemeral location.

Data collected from station ST-1 are summarized in Attachment B. A review of these data indicates that the flow at ST-1 has historically been significantly higher than that at 10-1, averaging 81 gallons per minute ("gpm") at ST-1 and 9 gpm at 10-1 during the period of record. This occurs because the watershed and maximum elevation above ST-1 are significantly greater than above 10-1 (watershed areas of 2.9 mi^2 vs. 1.2 mi^2 and maximum elevations of 9883 ft vs. 9520 ft, respectively). With the watershed above ST-1 extending to the top of the Wasatch Plateau, streamflow at this station is generally perennial as compared with the ephemeral conditions at station 10-1.

Water quality data collected at station ST-1 indicates consistent compliance with standards promulgated in R645-301-731.200 and R645-301-751. Furthermore, a Piper diagram of water quality data collected at this location indicates that post-mining water-quality data are consistent with historic data (see Attachment B). Given the quantity and quality of water at ST-1 and its consistency with historical conditions, this water will appropriately support the planned post-mining land uses.

These data indicate that Plateau Mining Corporation "has minimized disturbance to the hydrologic balance in the permit and adjacent areas and prevented material damage to the hydrologic balance outside the permit area." They also indicate that "water quantity and quality are suitable to support approved post-mining land uses and [that] the surface coal mining and reclamation activity has protected or replaced the water rights of other users" (see R645-301-731.224.1). Hence, it is the Plateau Mining Corporations opinion that hydrologic monitoring at stations 10-1 and ST-1 can be discontinued now that Phase II bond release has been achieved.

SPRING 971

On December 6, 2005 Plateau Mining Corporation entered into an agreement with Huntington Cattle Association and Huntington Cleveland Irrigation Company resolving their complaint

concerning Spring 971. A copy of this agreement is included as Attachment C. Since monitoring of this spring was to continue through resolution of this matter, and since the matter has been resolved, it is Plateau Mining Corporations opinion that monitoring of Spring 971 can be discontinued.

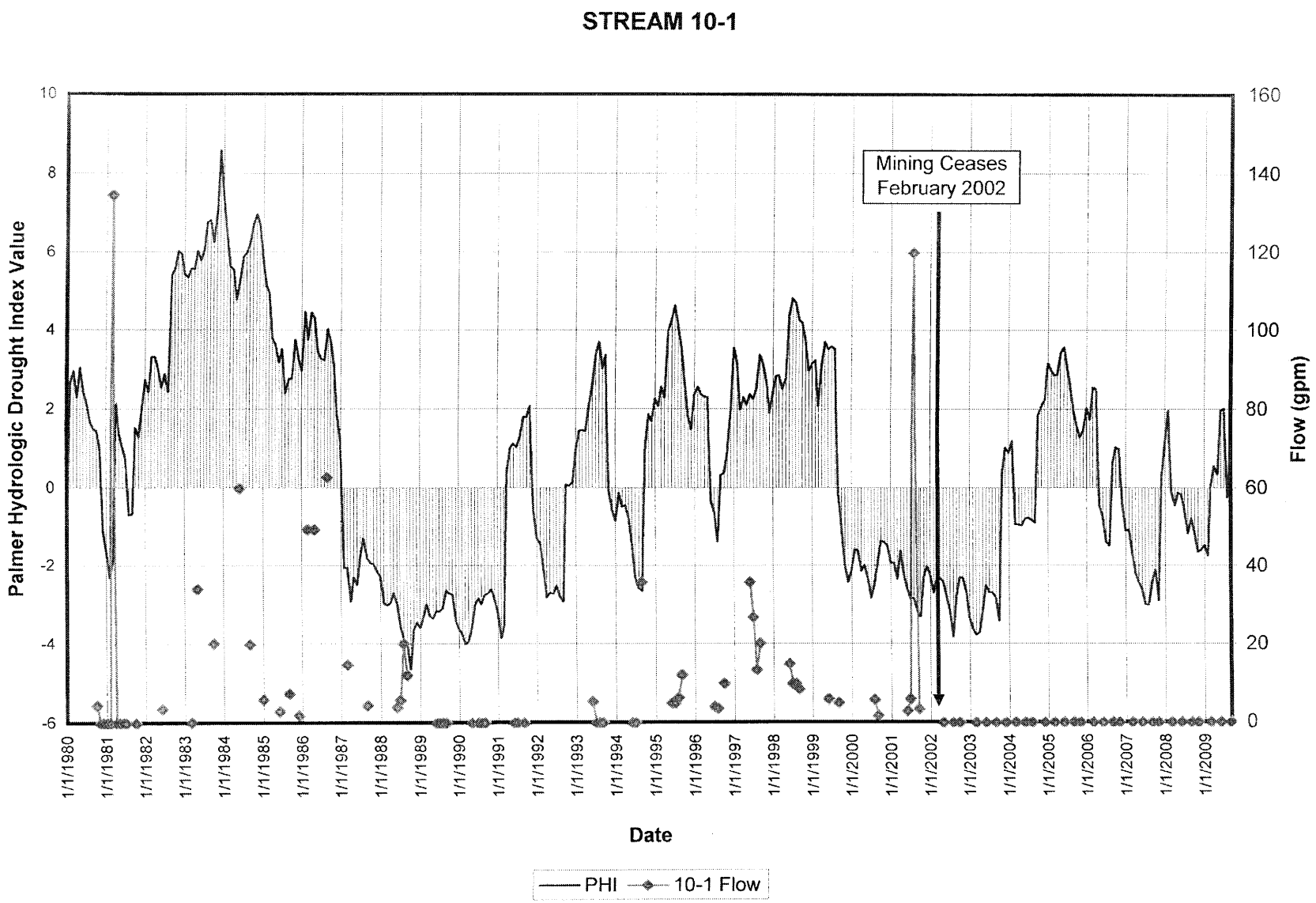
Attachments:

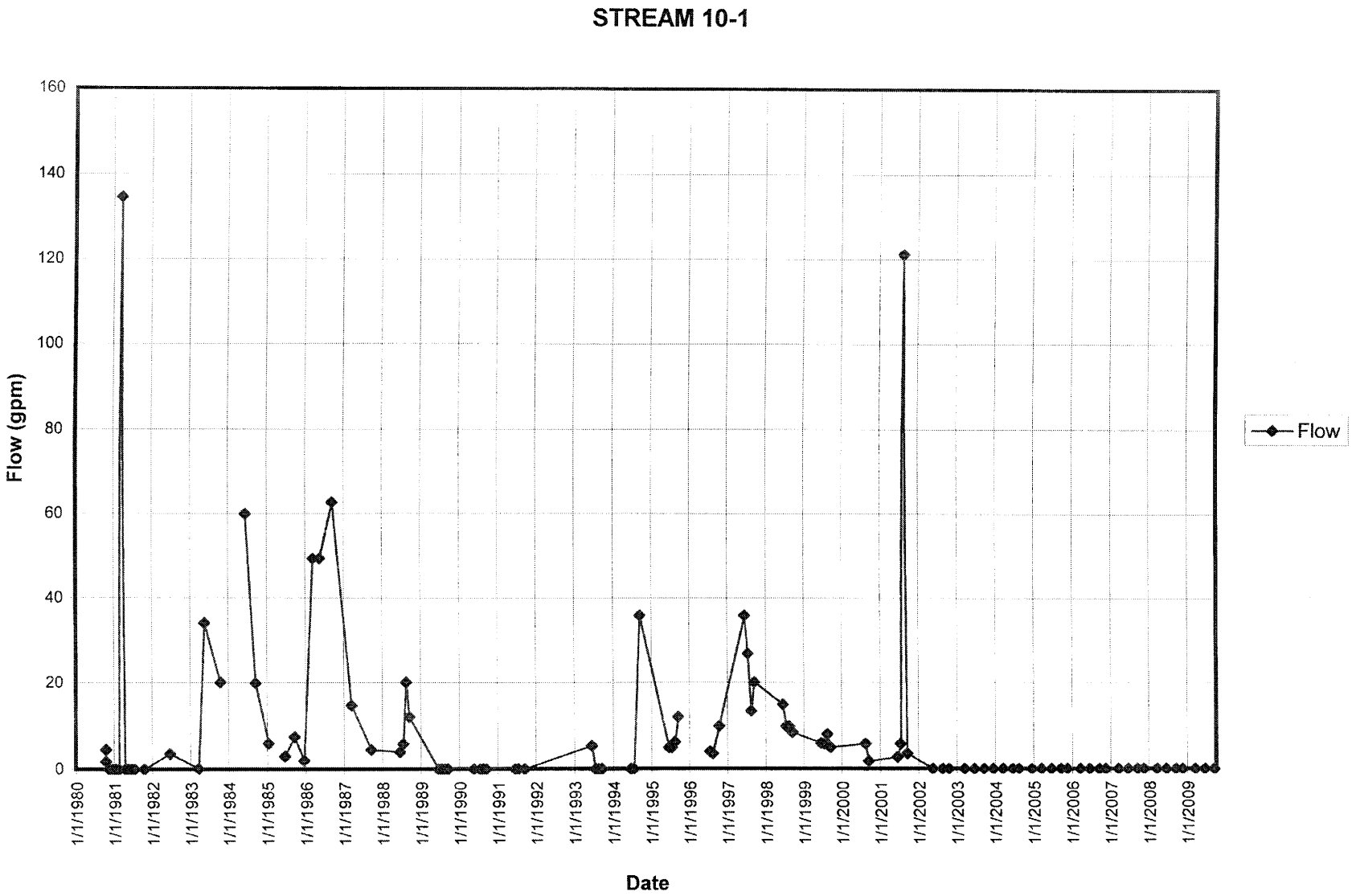
A – Summary of Data Collected From Station 10-1
B – Summary of Data Collected From Station ST-1
C – Agreement to Settle Complaint Regarding Spring 971

Dennis Ware
March 12, 2010
Attachment

ATTACHMENT A

Summary of Data Collected From Station 10-1


STREAM 10-1
Mining Ceases
February 2002
Palmer Hydrologic Drought Index Value
Flow (gpm)
Date
10
8
6
4
2
0
-2
-4
-6
160
140
120
100
80
60
40
20
0
1/1/1980
1/1/1981
1/1/1982
1/1/1983
1/1/1984
1/1/1985
1/1/1986
1/1/1987
1/1/1988
1/1/1989
1/1/1990
1/1/1991
1/1/1992
1/1/1993
1/1/1994
1/1/1995
1/1/1996
1/1/1997
1/1/1998
1/1/1999
1/1/2000
1/1/2001
1/1/2002
1/1/2003
1/1/2004
1/1/2005
1/1/2006
1/1/2007
1/1/2008
1/1/2009
PHI
10-1 Flow


STREAM 10-1
Flow (gpm)
160
140
120
100
80
60
40
20
0
1/1/1980
1/1/1981
1/1/1982
1/1/1983
1/1/1984
1/1/1985
1/1/1986
1/1/1987
1/1/1988
1/1/1989
1/1/1990
1/1/1991
1/1/1992
1/1/1993
1/1/1994
1/1/1995
1/1/1996
1/1/1997
1/1/1998
1/1/1999
1/1/2000
1/1/2001
1/1/2002
1/1/2003
1/1/2004
1/1/2005
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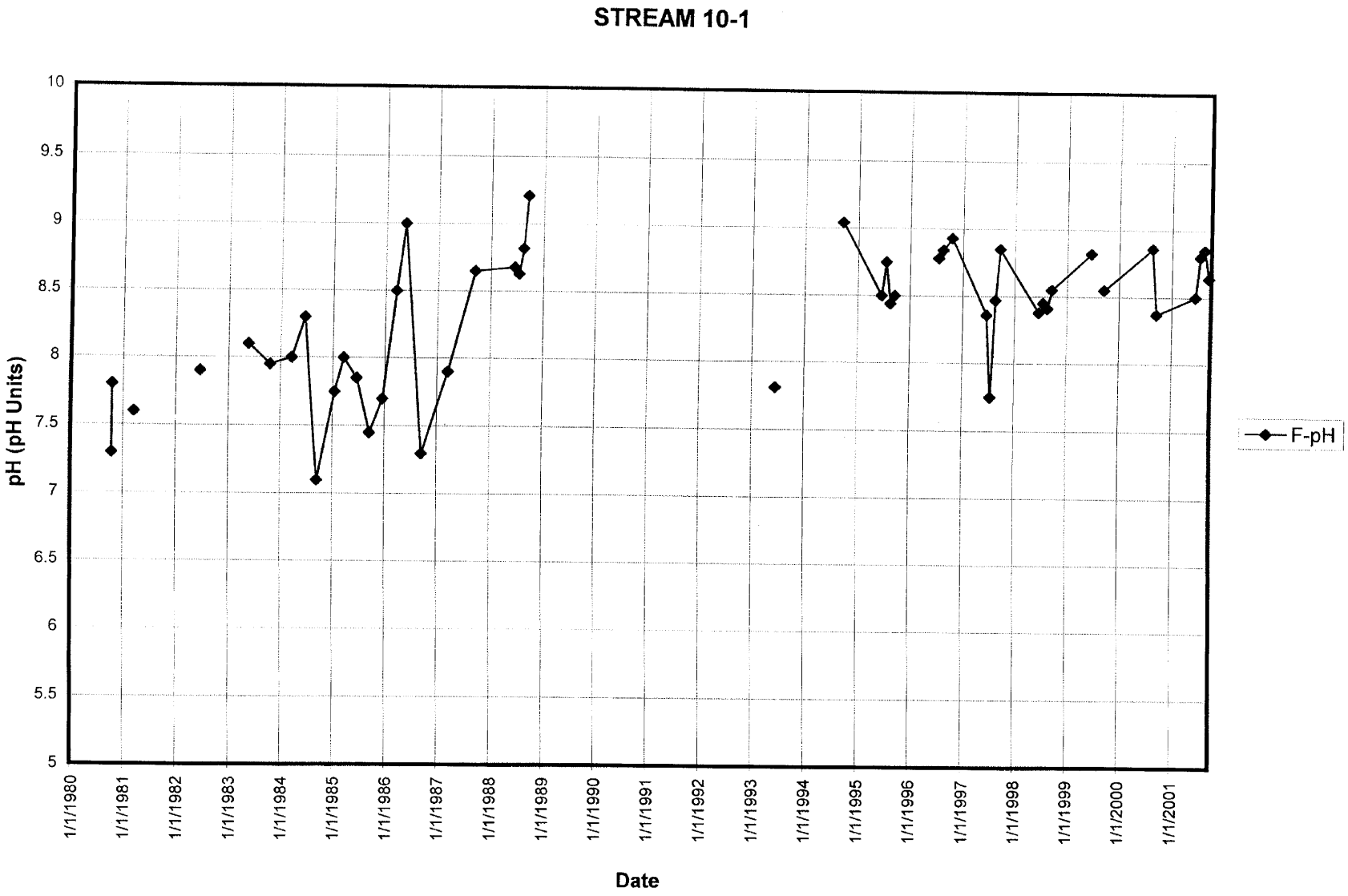
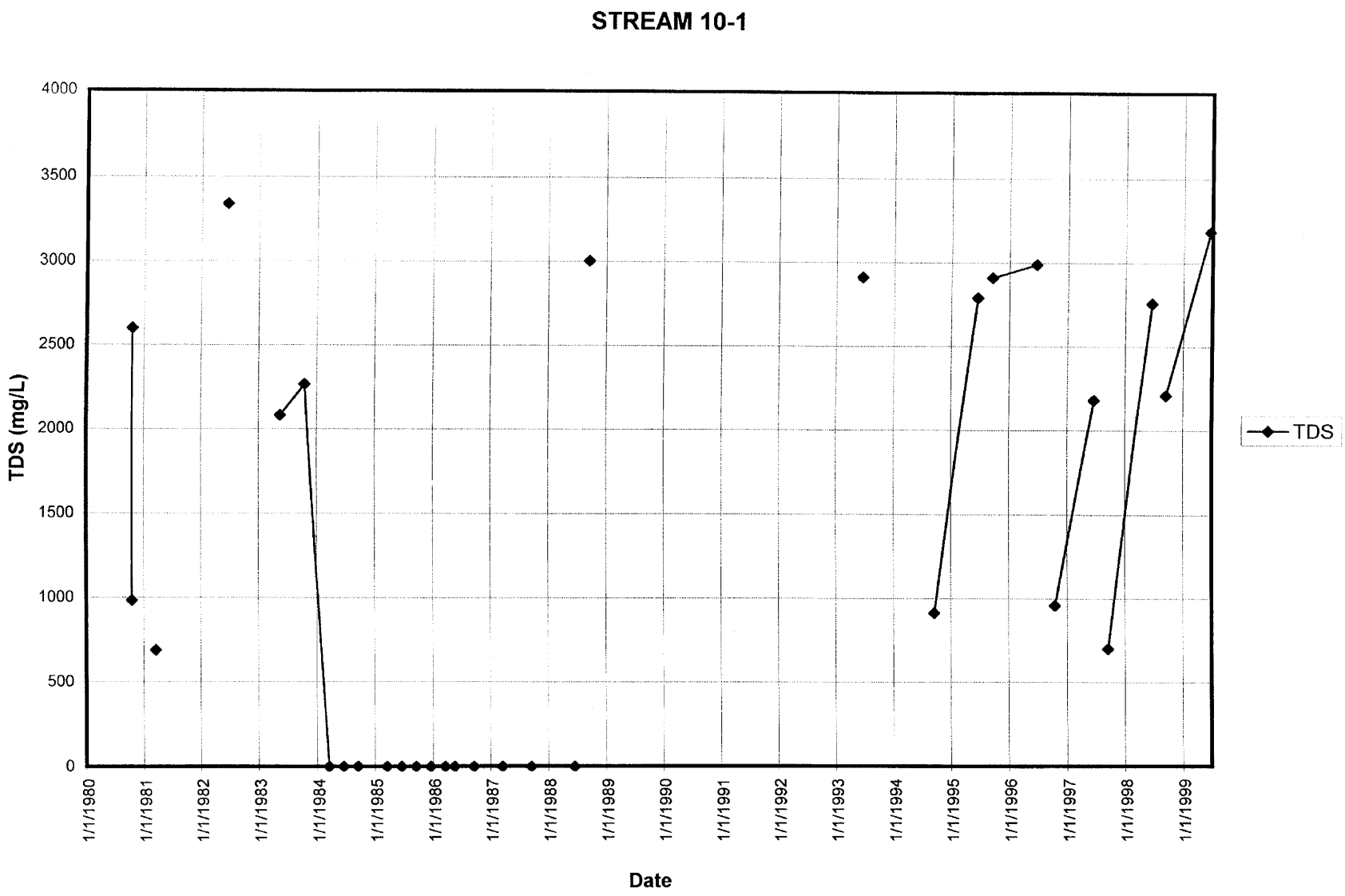
1/1/2007
1/1/2008
1/1/2009
Date
Flow


STREAM 10-1
pH (pH Units)
10
9.5
9
8.5
8
7.5
7
6.5
6
5.5
5
1/1/1980
1/1/1981
1/1/1982
1/1/1983
1/1/1984
1/1/1985
1/1/1986
1/1/1987
1/1/1988
1/1/1989
1/1/1990
1/1/1991
1/1/1992
1/1/1993
1/1/1994
1/1/1995
1/1/1996
1/1/1997
1/1/1998
1/1/1999
1/1/2000
1/1/2001
Date
F-pH


STREAM 10-1
TDS (mg/L)
4000
3500
3000
2500
2000
1500
1000
500
0
1/1/1980
1/1/1981
1/1/1982
1/1/1983
1/1/1984
1/1/1985
1/1/1986
1/1/1987
1/1/1988
1/1/1989
1/1/1990
1/1/1991
1/1/1992
1/1/1993
1/1/1994
1/1/1995
1/1/1996
1/1/1997
1/1/1998
1/1/1999
Date
TDS

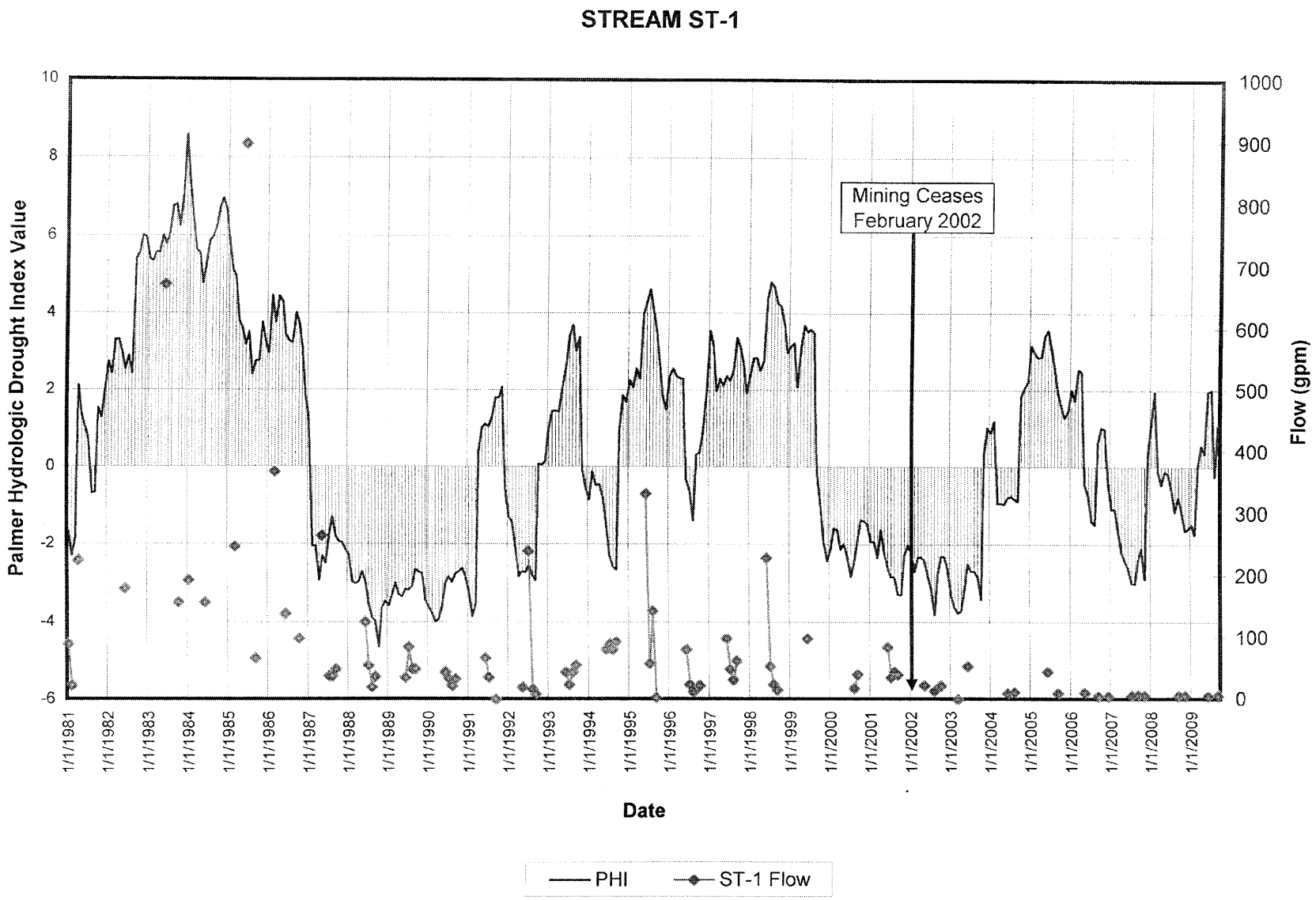
STREAM 10-1

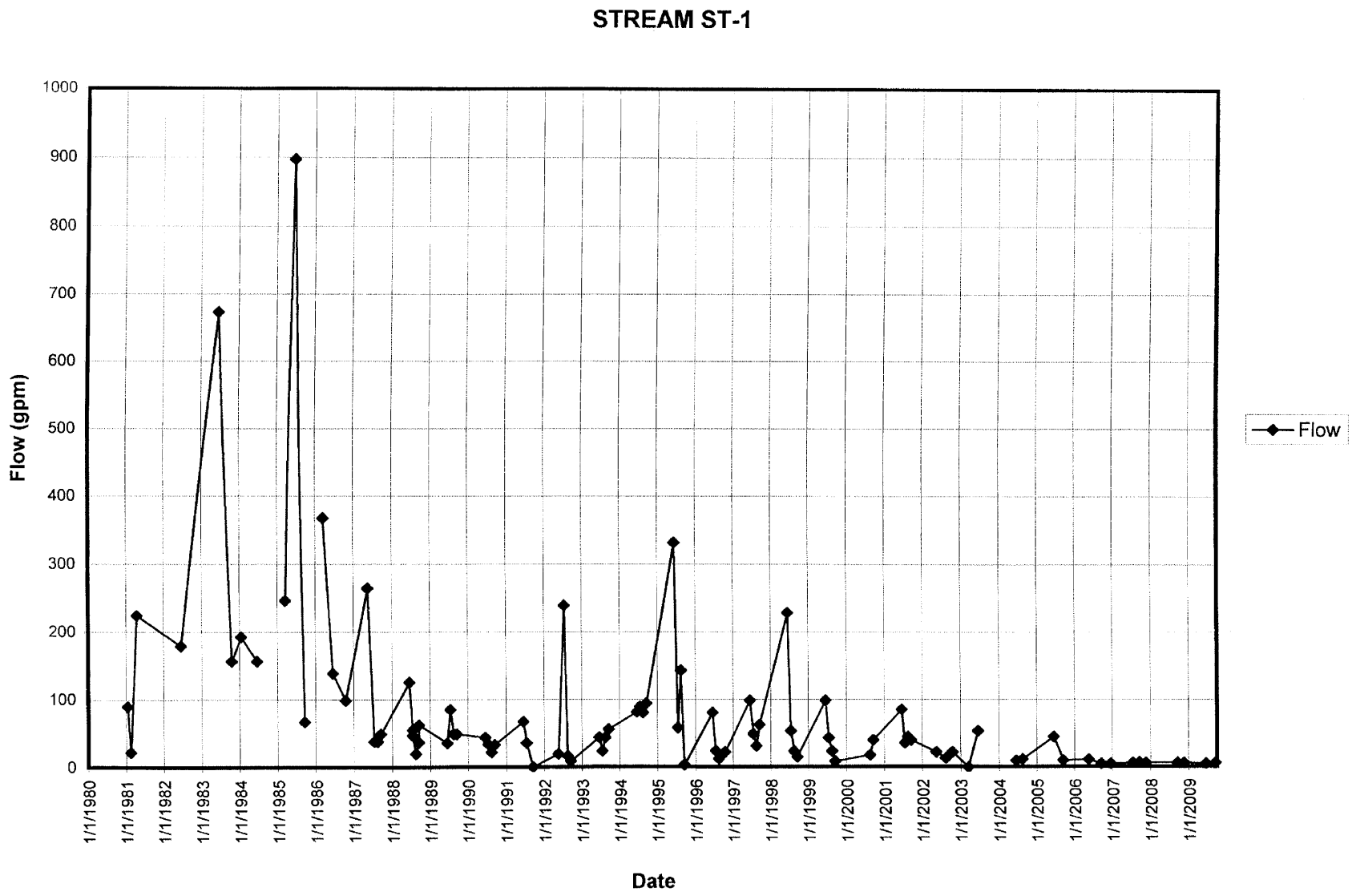
SITE NAME	DATE	TIME	Bicarb mg/l	CO3 mg/l	Cl mg/l	D-Ca mg/l	D-Mg mg/l	D-K mg/l	D-Na mg/l	Wat. Temp Deg. C	Flow GPM	F-pH pH units	Cond(FLD) umhos/cm	SO4 mg/l	T-Anis meq/l	T-Cats meq/l	T-Suspend-S mg/l	TDS mg/l	T-Fe mg/l	Adjusted Fe	T-Mn mg/l	Adjusted Mn
10-1	10/1/1980	1550	261.1		3.2																	
10-1	10/24/1980	1430	336.7		41.0					18	4	7.3	3900	1758			33	2600	0.214	0.214	0.018	0.018
10-1	11/10/1980									3	2	7.8	1500	510			566	965	0.12	0.12	0.011	0.011
10-1	12/30/1980										0											
10-1	1/6/1981										0											
10-1	2/4/1981										0											
10-1	3/25/1981	1240	151.3		76						0											
10-1	4/28/1981	1020								2	135	7.6	970	328			404	689	5.4	5.4	1.13	1.13
10-1	5/28/1981	735									0											
10-1	6/17/1981	1617									0											
10-1	7/31/1981										0											
10-1	10/7/1981	1630									0											
10-1	6/22/1982	1132	360.3		153.4						0											
10-1	3/30/1983	1135								22	4	7.9	5100	2080			354	3340	5.55	5.55	0.203	0.203
10-1	5/12/1983	1550	456		193					3	0.2											
10-1	10/7/1983	1150	360		214					3	34	8.1	2700	1200			108	2083	0.44	0.44	0.03	0.03
10-1	3/30/1984		451		207	276	333	10	153	13	20	7.95	3000	1180			101	2268	0.29	0.29	0.02	0.02
10-1	6/29/1984	1245	266		94	156	164	11	90			8	3600	1650	47.61	48.11	3152	0.11	0.11	0.02	0.02	
10-1	9/29/1984	915	290		23	186	166	13	102	21	60	8.3	2200	900	26.26	25.5	1670	0.51	0.51	0.03	0.03	
10-1	1/11/1985	1316							166		20	7.1	1783	960	25.4	27.76	1783	1.92	1.92	0.1	0.1	
10-1	3/31/1985		235		72	130	120	6	60		6	7.75	3528				2560					
10-1	6/27/1985		355		215	278	344	11	165			8	1680	640	19.22	19.12	1183	0.05	0.05	0.33	0.33	
10-1	9/27/1985		357		185	270	302	10.5	152	8	3	7.85	3750	1800	49.37	49.65	3168	0.38	0.38	0.02	0.02	
10-1	12/31/1985	1150	395		161	264	284	10	138	2	7.5	7.45	3481	1700	46.48	45.28	2962	<0.05	0.025	0.02	0.02	
10-1	3/11/1986		289		32	140	101	10	30	3	2	7.7		1500	42.26	42.85	2751	<0.05	0.025	0.02	0.02	
10-1	5/26/1986	815	281		40	157	158	11	19	6.6	49	8.5	900	540			1047	0.33	0.33	0.04	0.04	
10-1	9/24/1986		121		69	78	57	5	58	10	49	9	1800	838			1554	0.47	0.47	0.01	0.01	
10-1	3/18/1987		301		206	192	185	11	142		63	7.3	910	350			694	0.63	0.63	0.44	0.44	
10-1	9/24/1987		368		207	263	540	9	151	6.1	15	7.9	2600	1000			1894	0.1	0.1	<0.01	0.005	
10-1	6/15/1988	730	354		117	255	326	10	163	10.2	5	8.65	3180	1718			2844	<0.01	0.005	<0.02	0.01	
10-1	7/16/1988	1200								21.8	4	8.68	2270	1702			3046	<0.01	0.005	<0.02	0.01	
10-1	8/20/1988	830								11.4	6	8.63	2950									
10-1	9/30/1988	1030	272	0	236	262	335	10	164	7.5	20	8.82	2150									
10-1	6/7/1989	700									12	9.21	2115	1753	48.86	48.05	4	3006	0.02	0.02	<0.01	0.005
10-1	7/11/1989	1445									0											
10-1	8/22/1989	1830									0											
10-1	9/15/1989	700									0											
10-1	5/30/1990	1600									0											
10-1	7/6/1990	700									0											
10-1	8/30/1990										0											
10-1	9/24/1990										0											
10-1	6/13/1991										0											
10-1	7/16/1991										0											
10-1	9/17/1991										0											
10-1	6/25/1993	1430	440	80	58	222	345	13	186	27.9	5	7.81	3320	1655	46.78	47.91	16	2912	<0.02	0.01	<0.01	0.005
10-1	7/26/1993										0											
10-1	8/18/1993										0											
10-1	9/28/1993										0											
10-1	6/20/1994										0											
10-1	7/20/1994	1130									0											
10-1	9/21/1994	1715	230	30	240	38	36	6	258	13.8	36	9.04	1355	198	16.08	16.36	16	914	0.39	0.39	<0.01	0.005
10-1	6/23/1995	730	321	<2.	310	232	283	10.4	171	9	5	8.5	3310	1410	44.7	42.6	<5	2790	<0.01	0.005	<0.005	0.0025
10-1	7/27/1995	1645								28	5	8.75	3270									
10-1	8/29/1995	645								11	6	8.44	3430									
10-1	9/29/1995	700	350	<2.	220	258	285	9.2	162	6.7	12	8.5	3280	1450	43.7	43.6	16	2910	0.11	0.11	<0.01	0.005
10-1	6/12/1996	1615	255	18	20	255	342	11	194					1630	40.3	49.6	10	2990	0.03	0.03	<0.01	0.005
10-1	7/24/1996	1155																				
10-1	8/19/1996	1845								20	4	8.78	3350									
10-1	10/19/1996	900	268	8	47	134	99.5	7.5	36	19	4	8.84										
10-1	6/18/1997	1735	210	16	244	194	223	12.2	134	3	10	8.93	1306	430	15.9	16.6	<5	960	<0.01	0.005	<0.005	0.0025
10-1	7/31/1997	1110								20	36	8.36	3210	1050	33.4	34.2	10	2180	0.16	0.16	0.01	0.01
10-1	8/13/1997	1930								11	27	7.75	1442									
10-1	9/17/1997		140	<10.	120	84	53	6.8	100	15	13	8.47	2300									
10-1	6/9/1998	1250	359	<5.	318	209	244	9	168	19	20	8.85	1156	330			26	700	0.51	0.51	0.01	0.01
10-1	7/20/1998	1120								16	15	8.38	2440	1374	43.5	38	19	2758	<0.1	0.05	<0.1	0.05
10-1	8/12/1998	820								24	10	8.45	3700									
10-1	9/16/1998	1425	264	<5.	31	168	195	7	147	15	10	8.41	484									
10-1	6/25/1999		103	20	385	178	341	12	199	19	9	8.55	1995	103	7.3	31	17	2208	<0.1	0.05	<0.1	0.05
10-1	7/21/1999	1615								27	6	8.82	3120	1683	48.3	45.9	36	3186	0.1	0.1	<0.1	0.05
10-1	8/16/1999	1135									6											
10-1	9/22/1999	1100	275	15	347	220	280	9	182		8											
10-1	8/29/2000	1340								13	5	8.55	586	1494	45.1	42.2	<5	2868	<0.1	0.05	<0.1	0.05
10-1	9/19/2000	1325	345	<5.	358	197	304	10	192	22	6	8.86	1572									
10-1	6/27/2001	1230	234	10	360.1	190	299	11	204	16	2	8.37	3333	1571	48.5	43.4	<5	3204	<0.1	0.05	<0.1	0.05
10-1	7/25/2001	1650								21	3	8.5	3050	1622	47.7	43.2		3045	<0.1	0.05	<0.05	0.025
10-1	8/23/2001	1825								19	6	8.8	3380									
10-1	9/19/2001	1650	184	12	390.4	196	282	10	190	14	121	8.85	496									
10-1	5/16/2002	1045								18	4	8.64	2200	1549	46.1	41.5	7	2743	<0.1	0.05	<0.05	0.025
10-1	8/6/2002	1520									0											
10-1	10/29/2002	1220									0											
10-1	3/31/2003	1240									0											
10-1	6/4/2003	1100									0											
10-1	9/24/2003	930									0											
10-1	12/1/2003	930									0											
10-1	3/26/2004	1515									0											
10-1	6/23/2004	1750									0											
10-1	8/13/2004	1140									0											
10-1	12/15/2004	30									0											
10-1	3/17/2005	1410									0											
10-1	6/20/2005	1320									0											
10-1	9/21/2005	20									0											
10-1	11/18/2005	1415									0											
10-1	3/29/2006	1247									0											
10-1	6/28/2006	1036									0											
10-1	9/13/2006	1005									0											
10-1	11/21/2006	1203									0											
10-1	3/27/2007	14									0											
10-1	6/22/2007	14									0											
10-1	9/12/2007	1141									0											
10-1	11/15/2007	1206									0											
10-1	3/24/2008	1057									0											
10-1	6/20/2008	50									0											
10-1	9/15/2008	938									0											
10-1	11/24/2008	1301									0											
10-1	3/31/2009	1326									0											
10-1	6/19/2009	1216									0											
10-1	9/29/2009	1312									0											

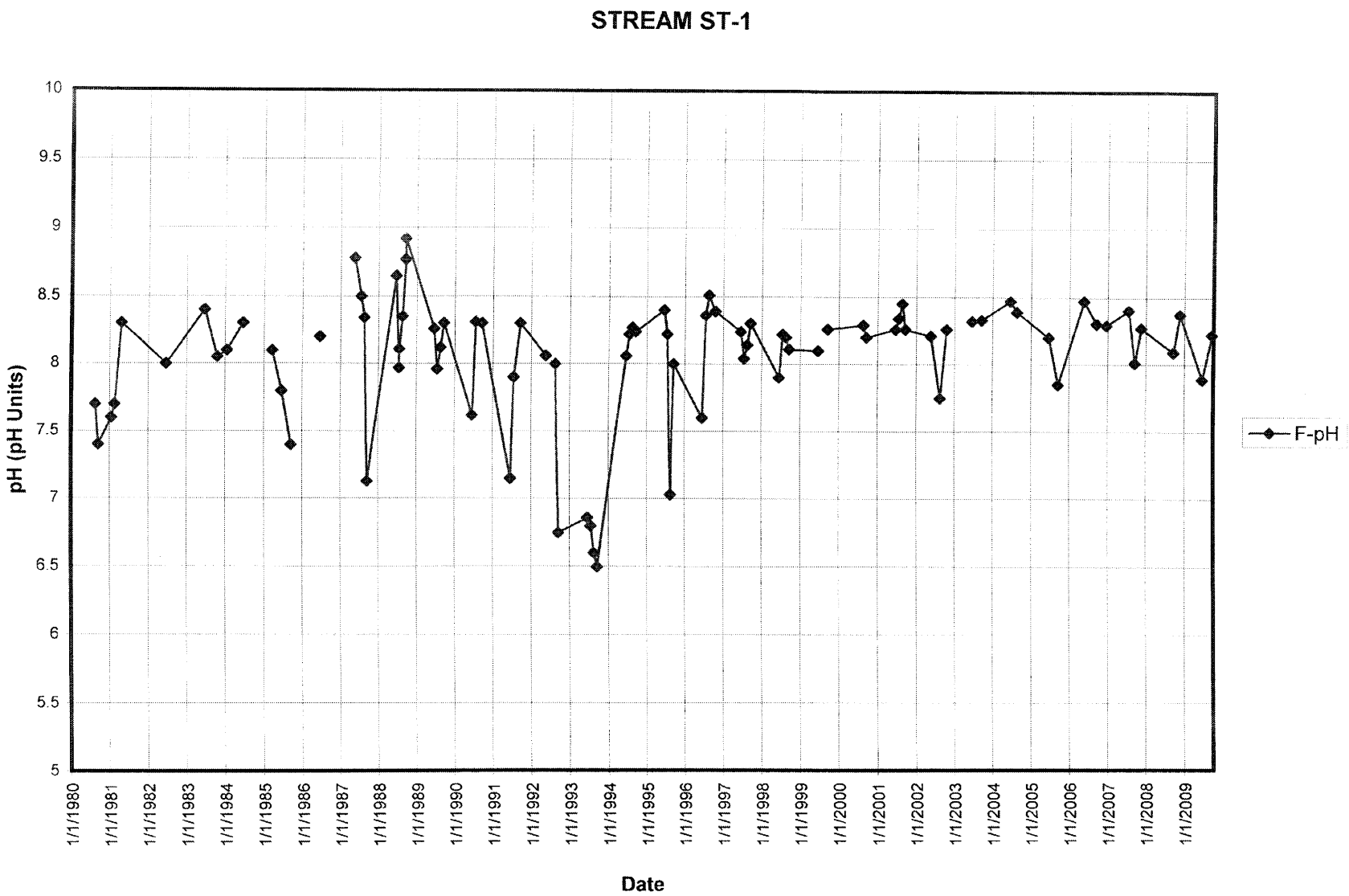
Dennis Ware
March 12, 2010
Attachment

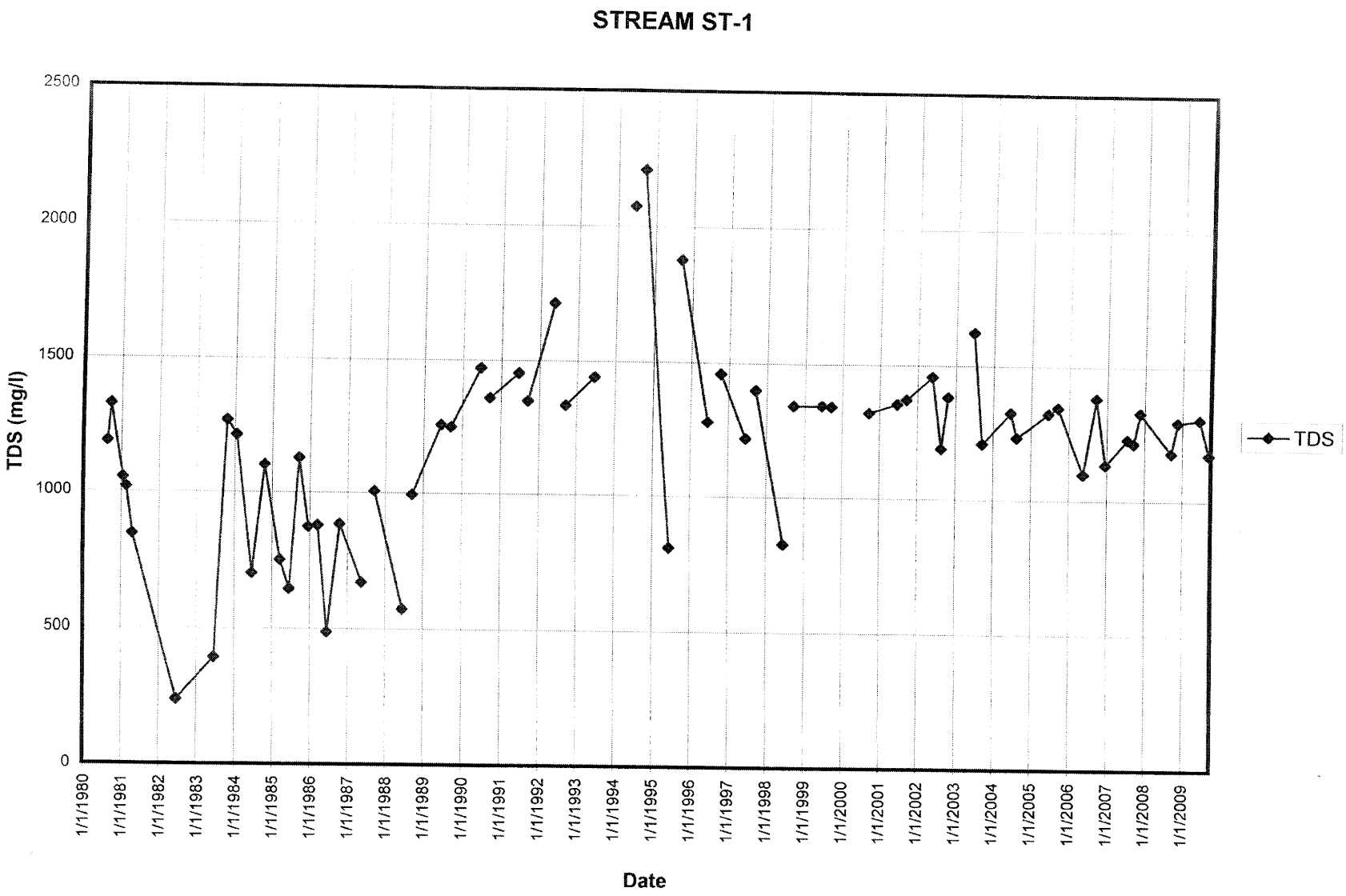
ATTACHMENT B

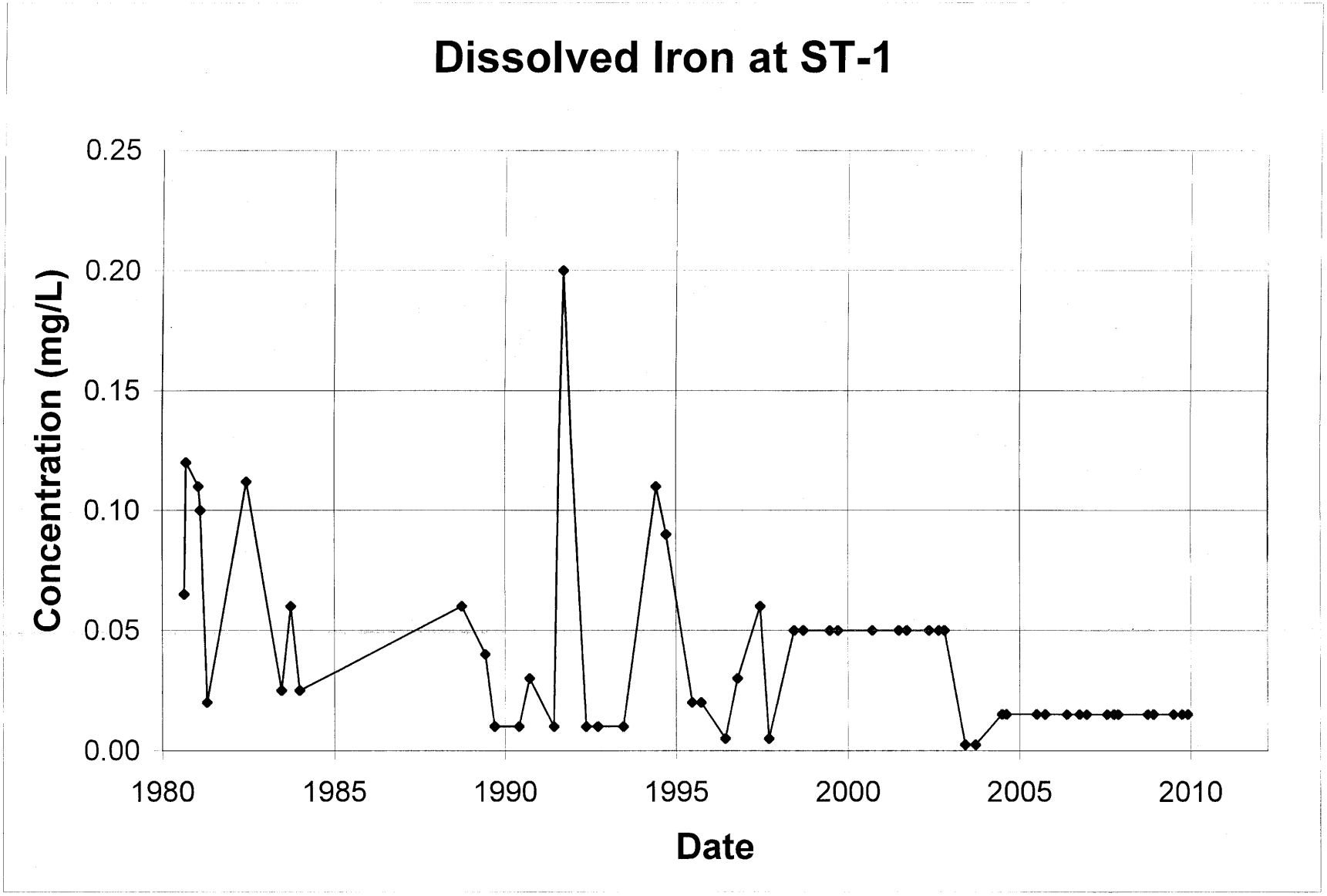
Summary of Data Collected From Station ST-1


STREAM ST-1
Palmer Hydrologic Drought Index Value
Flow (gpm)
Mining Ceases
February 2002
Date
PHI
ST-1 Flow
10
8
6
4
2
0
-2
-4
-6
1000
900
800
700
600
500
400
300
200
100
0
1/1/1981
1/1/1982
1/1/1983
1/1/1984
1/1/1985
1/1/1986
1/1/1987
1/1/1988
1/1/1989
1/1/1990
1/1/1991
1/1/1992
1/1/1993
1/1/1994
1/1/1995
1/1/1996
1/1/1997
1/1/1998
1/1/1999
1/1/2000
1/1/2001
1/1/2002
1/1/2003
1/1/2004
1/1/2005
1/1/2006
1/1/2007
1/1/2008
1/1/2009


STREAM ST-1
Flow (gpm)
1000
900
800
700
600
500
400
300
200
100
0
1/1/1980
1/1/1981
1/1/1982
1/1/1983
1/1/1984
1/1/1985
1/1/1986
1/1/1987
1/1/1988
1/1/1989
1/1/1990
1/1/1991
1/1/1992
1/1/1993
1/1/1994
1/1/1995
1/1/1996
1/1/1997
1/1/1998
1/1/1999
1/1/2000
1/1/2001
1/1/2002
1/1/2003
1/1/2004
1/1/2005
1/1/2006
1/1/2007
1/1/2008
1/1/2009
Date
Flow


STREAM ST-1
pH (pH Units)
10
9.5
9
8.5
8
7.5
7
6.5
6
5.5
5
1/1/1980
1/1/1981
1/1/1982
1/1/1983
1/1/1984
1/1/1985
1/1/1986
1/1/1987
1/1/1988
1/1/1989
1/1/1990
1/1/1991
1/1/1992
1/1/1993
1/1/1994
1/1/1995
1/1/1996
1/1/1997
1/1/1998
1/1/1999
1/1/2000
1/1/2001
1/1/2002
1/1/2003
1/1/2004
1/1/2005
1/1/2006
1/1/2007
1/1/2008
1/1/2009
Date
F-pH

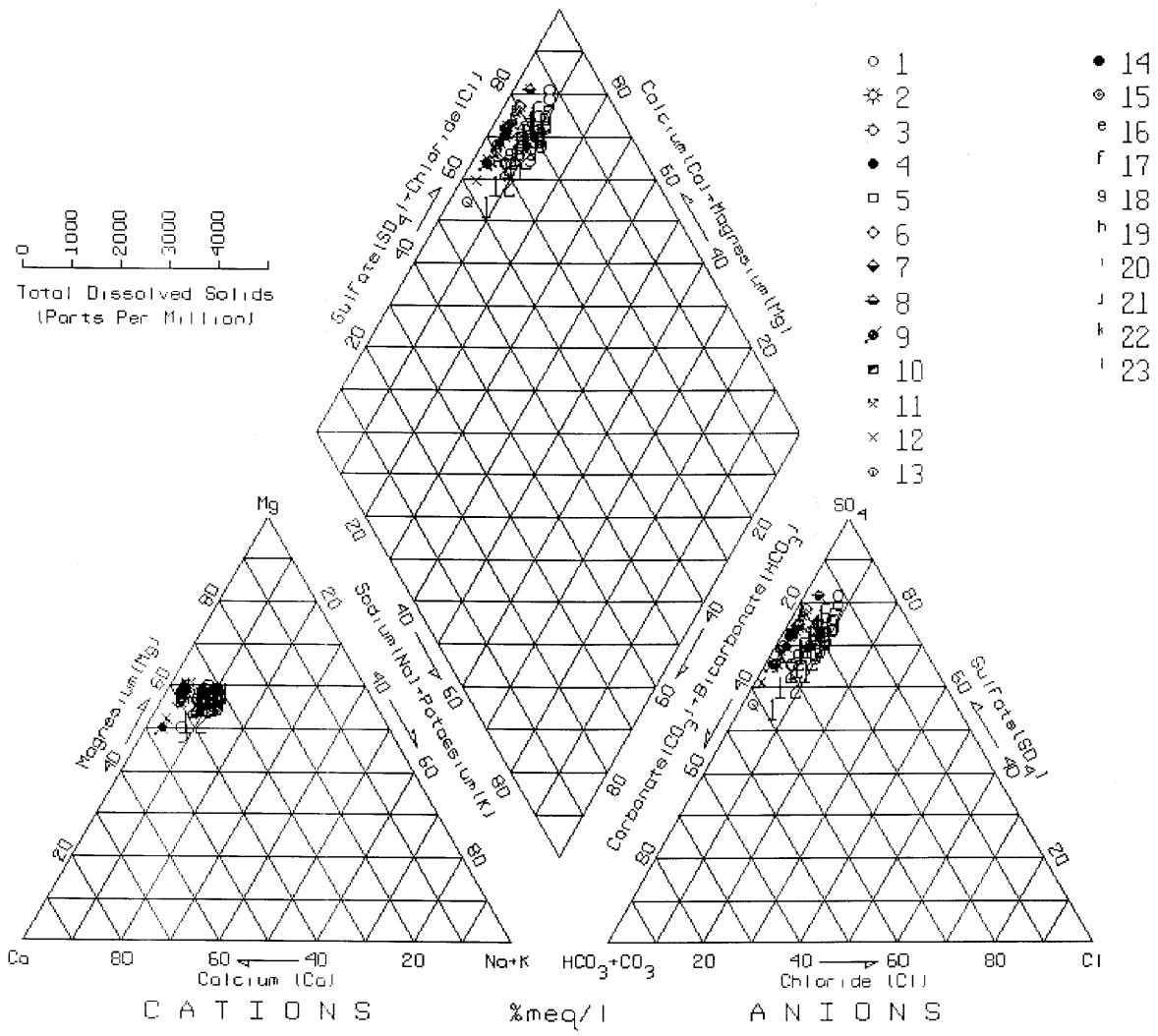

STREAM ST-1
TDS (mg/l)
2500
2000
1500
1000
500
0
1/1/1980
1/1/1981
1/1/1982
1/1/1983
1/1/1984
1/1/1985
1/1/1986
1/1/1987
1/1/1988
1/1/1989
1/1/1990
1/1/1991
1/1/1992
1/1/1993
1/1/1994
1/1/1995
1/1/1996
1/1/1997
1/1/1998
1/1/1999
1/1/2000
1/1/2001
1/1/2002
1/1/2003
1/1/2004
1/1/2005
1/1/2006
1/1/2007
1/1/2008
1/1/2009
Date
TDS


Dissolved Iron at ST-1
Concentration (mg/L)
0.25
0.20
0.15
0.10
0.05
0.00
1980
1985
1990
1995
2000
2005
2010
Date

Star Point Mine
Surface water station ST-1
Dissolved Iron Concentrations

Date	Time	D-Fe (mg/L)	Plotted D-Fe (mg/L)
8/28/1980		0.065	0.065
9/17/1980		0.12	0.12
1/27/1981		0.11	0.11
2/18/1981		0.1	0.1
4/28/1981	1217	0.02	0.02
6/22/1982	1930	0.112	0.112
6/29/1983	100	< .05	0.025
10/4/1983	1138	0.06	0.06
1/6/1984	1020	< .05	0.025
9/30/1988	1400	0.06	0.06
6/8/1989	930	0.04	0.04
9/15/1989	1300	< .02	0.01
6/2/1990	900	< .02	0.01
9/24/1990	1330	0.03	0.03
6/12/1991	1308	< .02	0.01
9/17/1991	1115	0.2	0.2
5/20/1992	1131	< .02	0.01
9/21/1992	1320	< .02	0.01
6/21/1993	1030	< .02	0.01
6/8/1994	1440	0.11	0.11
9/21/1994	1345	0.09	0.09
6/22/1995	1015	0.02	0.02
9/28/1995	1105	0.02	0.02
6/12/1996	1545	< .01	0.005
10/18/1996	1340	0.03	0.03
6/18/1997	1705	0.06	0.06
9/17/1997		< .01	0.005
6/9/1998	1225	< .1	0.05
9/15/1998	1615	< .1	0.05
6/25/1999		< .1	0.05
9/21/1999	1730	< .1	0.05
9/19/2000	1145	< .1	0.05
6/27/2001	1520	< .1	0.05
9/19/2001	1100	< .1	0.05
5/16/2002	930	< .1	0.05
8/28/2002	800	< .1	0.05
10/29/2002	1130	< .1	0.05
6/4/2003	1000	< .005	0.0025
9/24/2003	840	< .005	0.0025
6/29/2004	905	< .03	0.015
8/13/2004	920	< .03	0.015
6/29/2005	1620	< .03	0.015
9/27/2005	1106	< .03	0.015
5/16/2006	1105	< .03	0.015
9/26/2006	925	< .03	0.015
12/13/2006	1037	< .03	0.015
7/16/2007	840	< .03	0.015
9/27/2007	954	< .03	0.015
11/15/2007	1310	< .03	0.015
9/24/2008	959	< .03	0.015
11/25/2008	1405	< .03	0.015
6/29/2009	1507	< .03	0.015
9/30/2009	1113	< .03	0.015
12/1/2009	1339	< .03	0.015

Note: "Plotted" value equals actual value unless undetected.
If not detected, plotted value equals 1/2 detection limit.



PIPER DIAGRAM OF STREAM ST-1

ST-1 PIPER DIAGRAM DATA

Piper Diagram #	Date	Anions				Cations				T-Anis	T-Cats	TDS
		Bicarb mg/l	CO3 mg/l	Cl mg/l	SO4 mg/l	D-Ca mg/l	D-Mg mg/l	D-K mg/l	D-Na mg/l	meq/l	meq/l	mg/l
1	6/21/1984	316	0.5	10	335	102	87	4	9	12.5	12.7	702
2	9/30/1988	300	0	12	484	125	126	6	11	16.5	17.2	996
3	6/8/1989	286	0	14	679	155	146	6	11	20.4	20.4	1258
4	6/2/1990	338	0	16	661	164	152	6	14	21.1	21.4	1472
5	6/12/1991	318	0	18	821	171	164	7	36	24.1	23.8	1454
6	5/20/1992	322	0	18	1021	197	191	8	16	28.4	26.4	1716
7	6/21/1993	324	0	18	815	179	170	7	16	24.1	23.8	1442
8	6/8/1994	305	0	34	1270	236	216	15	16	33.7	30.6	2076
9	6/22/1995	255	1	7	400	123	80.4	5.8	6.5	13.7	13.2	810
10	6/12/1996	298	1	11	670	164	145	9.6	11.8	20.3	20.9	1280
11	6/18/1997	288	1	12	640	167	148	8.4	11.1	19.5	21.2	1220
12	6/9/1998	327	2.5	7	427	117	83	4	7	14.4	13.1	827
13	6/25/1999	395	2.5	11	731	160	151	9	13	22.0	21.2	1344
14	9/19/2000	312	2.5	12	687	143	139	7	12	19.8	19.3	1321
15	6/27/2001	360	2.5	10.4	698	148	138	7	10	20.7	19.4	1355
16	5/16/2002	300	2.5	13	798	177	160	8	12	24.0	22.7	1459
17	6/4/2003	300	2.5	14	877	202	179	7.79	12.7	25.2	25.6	1625
18	6/29/2004	300	2.5	11	697	165	142	6.42	10.9	20.4	0.3	1327
19	6/29/2005	276	2.5	13	757	163	155	6.34	10.9	21.6	21.5	1324
20	5/16/2006	253	2.5	9	517	144	118	5.18	8.0	16.1	17.4	1099
21	7/16/2007	350	2.5	11	541	155	144	6.48	11.7	18.6	20.3	1230
22	9/24/2008	331	2.5	11	580	157	132	6.06	10.9	19.0	19.3	1180
23	6/29/2009	301	2.5	11	692	162	148	6.58	10.2	20.7	20.9	1305

STREAM ST-1

SITE NAME	DATE	TIME	Bicarb mg/l	CO3 mg/l	Cl mg/l	D-Ca mg/l	D-Mg mg/l	D-K mg/l	D-Na mg/l	Wat. Temp Deg. C	Flow GPM	F-pH pH units	Cond(FLD) umhos/cm	SO4 mg/l	T-Anis meq/l	T-Cats meq/l	T-Suspend-S mg/l	TDS mg/l	T-Fe mg/l	T-Mn mg/l	Adjusted Mn
ST-1	8/28/1980				0.13							7.7	1700	29			17	1190	0.185	0.028	0.028
ST-1	9/17/1980				11.4							7.4	1900	640			29	1330	0.24	0.016	0.016
ST-1	1/27/1981				14.6																
ST-1	2/18/1981				25.7					-2	90	7.6	1550	690			3	1054	0.24	0.012	0.012
ST-1	4/28/1981	1217	353.8		16					-1	22	7.7	1500	54			2	1020	0.25	0.03	0.03
ST-1	6/22/1982	1930	250		2.9					9	224	8.3	850	420			8	845	0.24	0.02	0.02
ST-1	6/29/1983	100	263	<1.	6					11	180	8	370	27			28	240	0.25	0.002	0.002
ST-1	10/4/1983	1138	366		12					17	673	8.4	775	135			34	394	0.16	0.02	0.02
ST-1	1/6/1984	1020	366		14					8.9	157	8.05	1700	690			11	1270	0.2	0.04	0.04
ST-1	6/21/1984		316		10	102	87	4	9	3.9	193	8.1	1600	660			7	1215	0.12	0.01	0.01
ST-1	10/25/1984		378		10	148	120	6	11	11	157	8.3	1350	335	12.45	12.74		702	0.21	<0.01	0.005
ST-1	3/31/1985		329		11	130	66	4	9					535	17.63	17.89		1104	0.18	<0.01	0.005
ST-1	6/13/1985		311		10	125	71	3.6	8	5	247	8.1	1100	310	12.17	12.45		751	0.3	0.03	0.03
ST-1	9/27/1985		373		12	162	131	7	11		898	7.8	1000	300	11.64	12.43		645	0.3	0.04	0.04
ST-1	12/31/1985	1215	355		36	124	100	5	21	5	67	7.4	1627	650	20	19.58		1130	0.21	0.07	0.07
ST-1	3/28/1986													400	15.17	15.44		874	0.17	0.03	0.03
ST-1	6/12/1986									2	368		1400					879			
ST-1	10/13/1986									12	139	8.2						488			
ST-1	5/23/1987	730								2.5	99		1200					885			
ST-1	7/20/1987	1320								3.8	265	8.78	745					670			
ST-1	8/12/1987	1125								11	38	8.5	1110								
ST-1	9/22/1987									12	38	8.34	1150								
ST-1	6/1/1988	1515								12.9	49	7.13	1600					1008			
ST-1	7/5/1988	1250								7	126	8.65	492					574			
ST-1	7/15/1988	1320								17.2	55	7.97	980								
ST-1	8/13/1988	1445								18.8	47	8.11	1100								
ST-1	9/7/1988	1315								17.5	20	8.35	1000								
ST-1	9/30/1988	1400	300	0	12	125	126	6	11	16.5	37	8.77	1090								
ST-1	6/8/1989	930	266	0	14	155	146	6	11	11.2	63	8.92	1000	484	16.5	17.22	18	995	0.59	0.04	0.04
ST-1	7/3/1989	1235								9	36	8.26	1500	679	20.37	20.36	<2	1258	0.33	0.00003	0.00003
ST-1	8/22/1989	1645								16	85	7.96	1670								
ST-1	9/15/1989	1300	312	0	10	158	153	6	11	14	49	8.12	1540								
ST-1	6/2/1990	900	338	0	16	164	152	6	14	12	49	8.3	1570	665	20.49	21.09	2	1250	0.33	0.03	0.03
ST-1	7/4/1990	1230								7	44	7.62	1730	661	21.09	21.44	12	1472	0.41	0.04	0.04
ST-1	8/22/1990									15	34	8.31	1710								
ST-1	9/24/1990	1330	365	0	16	160	140	6	11		22										
ST-1	6/12/1991	1308	318	0	18	171	164	7	36	11	34	8.3	1400	698	22.41	21.12	10	1360	0.63	0.04	0.04
ST-1	7/16/1991									13	67	7.15	1870	821	24.1	23.76	<2	1454	0.35	0.03	0.03
ST-1	9/17/1991	1115	344	8	16	162	145	6	12	18	36	7.9	1640								
ST-1	5/20/1992	1131	322	0	18	197	191	8	16	10	0.4	8.3	1650	704	22.27	20.67		1350	0.31	0.03	0.03
ST-1	7/16/1992									10.9	20	8.06	1	1021	28.38	26.42	12	1716	0.11		
ST-1	8/26/1992										240										
ST-1	9/21/1992	1320	298	12	14	171	155	7	13	11.6	17	8	1755								
ST-1	6/21/1993	1030	324	0	18	179	170	7	16	12.8	9	6.75	1660	741	22.15	22.01	46	1336	1		
ST-1	7/27/1993			0						10.2	44	6.86	1760	815	24.1	23.78	18	1442	0.19	0.02	0.02
ST-1	8/18/1993									10.7	24	6.8	1700								
ST-1	9/28/1993									11.1	44	6.6	1720								
ST-1	6/8/1994	1440	305		34	236	216	15	16	6.8	56	6.5	2390								
ST-1	7/20/1994	915								12.3	82	8.06	2400	1270	33.72	30.61	10	2076	0.19	0.02	0.02
ST-1	8/31/1994	1356								12.1	90	8.22	1056								
ST-1	9/21/1994	1345	290	0	15	247	206	20	15	16.2	81	8.27	2380								
ST-1	6/22/1995	1015	255	<2.	7	123	80.4	5.8	6.5	15.8	94	8.24	2310	1300	33.52	30.42	6	2210	0.15	<0.01	0.005
ST-1	7/27/1995	1415								6	332	8.4	1050	400	13.7	13.2	6	810	0.12	0.007	0.007
ST-1	8/23/1995	1830								18	58	8.22	2070								
ST-1	9/28/1995	1105	323	<2.	14	223	209	17.3	16.7	12	144	7.03	1460								
ST-1	6/12/1996	1545	298	<2.	11	164	145	9.6	11.8	8.9	4	8	1360	1030	28.5	29.5	14	1880	0.26	0.023	0.023
ST-1	7/23/1996	1410								11	81	7.6	1735	670	20.3	20.9	6	1280	0.23	0.023	0.023
ST-1	8/19/1996	1610								18	24	8.36	1430								
ST-1	10/18/1996	1340	375	<2.	15	194	175	11.3	15.4	16	12	8.51	1471								
ST-1	6/18/1997	1705	288	<2.	12	167	148	8.4	11.1	6	22	8.39	1940	780	24.3	25	12	1460	0.16	0.023	0.023
ST-1	7/31/1997	1100								14	99	8.24	1723	640	19.5	21.2	<5	1220	0.2	0.019	0.019
ST-1	8/13/1997	1700								12	49	8.04	1809								
ST-1	9/17/1997		310	<10.	26	190	170	11	15	13	31	8.14	1789								
ST-1	6/9/1998	1225	327	<5.	7	117	83	4	7	12	63	8.3	1760	1100			13	1400	0.61	0.041	0.041
ST-1	7/20/1998	1105								8	229	7.9	875	427	14.4	13.1	10	827	0.1	<0.1	0.05
ST-1	8/11/1998	1505								17	54	8.22	1790								
ST-1	9/15/1998	1815	387	<5.	15	165	157	7	11	22	24	8.2	1316								
ST-1	6/25/1999		395	<5.	11	160	151	9	13	18	15	8.11	1445	829	24	21.8	11	1343	0.05	<0.1	0.05
ST-1	7/8/1999	1310								10	99	8.1	1346	731	22	21.2	18	1344	0.2	<0.1	0.05
ST-1	8/17/1999	1000									44										
ST-1	9/21/1999	1730			10	149	141	8	12		24										
ST-1	8/29/2000	1220								9	9	8.26	1026	714	21.5	19.8	56	1341	0.9		
ST-1	9/19/2000	1145	312	<5.	12	143	139	7	12	15	18	8.29	1191								<0.1
ST-1	6/27/2001	1520	360	<5.	10.4	148	138	7	10	12	40	8.2	1545	687	19.8	19.3	<5	1321	0.05	<0.1	0.05
ST-1	7/30/2001	1005								11	85	8.26	1176	698	20.7	19.4	6	1355	0.2	<0.05	0.025
ST-1	8/23/2001									12	36	8.34	1123								
ST-1	9/19/2001	1100	395	<5.	10.3	165	150	7	11	16	45	8.45	1427								
ST-1	5/16/2002	930		<5.	13	177	160	8	12	9	40	8.26	1247	733.5	22.1	21.2	5	1372	0.1	<0.05	0.025
ST-1	8/28/2002	800		<5.	10	139	131	6	13	13	22	8.21	1620	798	24	22.7	<5.	1459	0.2	<0.05	
ST-1	10/29/2002	1130		<5.	13	170	143	7	13	12	13	7.75	1414	531	19.7	18.4	<5.	1191	0.1	<0.05	
ST-1	3/31/2003	1240								7	22	8.26	1601	717	22.4	21	<5.	1383	<0.10	<0.05	
ST-1	6/4/2003	1000		<5.	14	202	179	7.79	12.7		0										
ST-1	9/24/2003			<5.	12	162	142	6.41	11.2	10	54	8.32	1437	877	25.2	25.6	6	1625	0.2	0.014	
ST-1	6/29/2004	905		<5.	11	165	142	6.42	10.9	8		8.33	1199	638	21.2	20.4	<5.	1210	0.104	0.020	
ST-1	8/13/2004	920		<5.	13	163	141	6.72	11.6	12	10	8.47	1652	697	20.4	0.3	14	1327	0.4	0.025	
ST-1	6/29/2005	1620	276		13	163	155	6.34	10.9	13	12	8.39	1464	644	20.7	20.4	5	1234	0.2		
ST-1	9/27/2005	1106	342		13	171	153	6.84	12.4	15	45	8.2	1530	757	21.6	21.5	11	1324	0.21		
ST-1	5/16/2006	1105	253		9	144	118	5.18	8.0	10	10	7.85	1585	700	21.8	21.8	<5.	1347	0.31		
ST-1	9/26/2006	925	312		11	167	153	6.37	9.7	9	11	8.47	1332	517	16.1	17.4	19	1099	0.63	0.014	
ST-1	12/13/2006	1037	322		9	154	126	4.95	12.2	4	5	8.3	841	717	21.5	21.6	6	1383	0.22	0.029	
ST-1	7/16/2007	840	350		11	155	144	6.46	11.7	3	5	8.29	976	541	18	18.7	10	1135	0.16	0.015	
ST-1	9/27/2007	954	361		12	166	142	6.32	11.7	15	6	8.4	1651	541	18.6	20.3	14	1230	0.46	0.021	
ST-1	11/15/2007	1310	351		12	172	155	6.67	11.7	5	7	8.01	951	572	19.5	20.6	13	1215	0.19	0.032	
ST-1	9/24/2008	959	331		11	157	132	6.05	10.9	4.3	6	8.27	1012	641	20.7	22	13	1330	0.14	0.015	
ST-1	11/25/2008	1405	337		11	162	145	6.46	10.5	7.2	6	8.09	1561	580	19	19.3	12	1180	0.32	0.030	
ST-1	6/29/2009	1507	301		11	162	148	6.58	10.2	5	6	8.37	1803	650	20.6	20.6	41	1295	1.15	0.037	
ST-1	9/30/2009	1113	336		14	147	134	7.73	10.8	17.4	5	7.89	1511	692	20.7	20.9	47	1305	1	0.029	
										7.4	6	8.22	1512	544	18.5	19.03	57	1173	1.9	0.060	

Dennis Ware
March 12, 2010
Attachment

ATTACHMENT C

Agreement to Settle Complaint Regarding Spring 971

SETTLEMENT AND RELEASE

THIS SETTLEMENT AND RELEASE AGREEMENT is made and entered into this 6th day of December, 2005 (the "Agreement"), by and between **PLATEAU MINING CORPORATION**, a Delaware corporation ("Plateau"), **HUNTINGTON CATTLE ASSOCIATION,** an agricultural cooperative association formed pursuant to Utah law (the "Association") and the **HUNTINGTON-CLEVELAND IRRIGATION COMPANY,** a mutual irrigation corporation formed pursuant to Utah law (the "Irrigation Company").

WITNESSETH:

A. The United States of America owns certain lands located in Township 15 South, Range 7 East, Section 12 in Carbon County, Utah, the public and private use of which lands is administered by the USFS (the "Property"); and

B. Pursuant to USFS Grazing Permits (the "Permits"), the Association maintains Cattle Grazing Allotment No. 103 over certain lands within the Property and lands adjoining the Property (the "Allotment"); and

C. Included in the Permits is the obligation of the Association to maintain, the Star Point Spring a/k/a Spring 971 (the "Spring"), which is located on Gentry Mountain in the SE ¼, S ½ of Section 12, T15S, R7E; and

D. The water rights associated with the Spring are owned by the United States of America and administered by the USFS; and

E. Pursuant to that certain Utah Department of Oil, Gas and Minerals Permit No. ACT/007/006, Plateau conducted underground coal mining operations beneath the Spring and surrounding vicinity during 1986 and 1987; and

F. In a letter dated August 19, 1998, addressed to the Utah Division of Oil, Gas and Mining ("DOGM"), the Association and the Irrigation Company have alleged, among other things, that Plateau's underground mining operations caused the disappearance of all water flow from the Spring; and

G. DOGM has treated the allegations of the Association and the Irrigation Company as a citizen complaint pursuant to Chapter 10, Title 40 of the Utah Code Annotated (the "Citizen Complaint"); and

H. Plateau has denied that its mining operations, or any other act or omission of Plateau, caused the disappearance of any or all water flow from the Spring, has alleged that the same may be the result of natural conditions and/or consistent with historical flows and/or was caused by the failure of the Association and/or the Irrigation Company to fully and adequately maintain the Spring, and accordingly, has denied and does hereby

deny any wrongdoing or liability in connection with the reduction of any or all water flow from the Spring; and

I. Plateau, the Association and the Irrigation Company desire to enter into this Agreement setting forth the terms and conditions of their settlement.

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants, obligations, and agreements contained herein, the receipt and sufficiency of which is hereby acknowledged, Plateau, the Association and the Irrigation Company:

1. ***Settlement.*** The Association and the Irrigation Company (together, the "Releasors") hereby agree to settle, fully and finally, any and all existing and future claims which have been or hereafter may be made or asserted by them against Plateau in connection with the disappearance or alteration of water flow from the Spring in accordance with the terms and conditions of this Agreement. As consideration for the releases and covenants given by the Releasors in accordance with this Agreement, Plateau agrees to pay a total of sum of $10,000.00 to mitigate the past, current and future loss or alteration of water flow to or from the Spring. The check will be made out to the Huntington Cattle Association in the amount of $10,000.00. These funds shall be spent by the Releasors in the manner and at such time as they deem appropriate to mitigate or otherwise address flow at the Spring. The parties recognize these efforts may or may not be successful.

2. ***Releasors' Covenants.*** As consideration for the payment by Plateau of the $10,000.00 pursuant to Paragraph 1 above:

(a) The Releasors hereby release, acquit, and forever discharge Plateau and its current or former affiliates, and each of their shareholders, officers, directors and employees, from any and all obligations, actions, causes of action, claims, demands, judgments, liabilities, losses, costs, damages, penalties, expenses, and without limiting the foregoing, any and all claims or causes of action whatsoever existing in Releasors, either directly or indirectly, on account of or in anywise growing out of or connected with any and all known and unknown causes of action, claims, claims for relief, damages, demands, penalties, losses, liabilities, costs, or expenses of whatever character resulting or to result from the disappearance or alteration of water flow from the Spring, for which the Releasors have or hereafter may claim that Plateau is legally liable in damages, fines, penalties or other relief (collectively, the "Claims"), which Claims are expressly disputed and denied by Plateau.

(b) The Releasors hereby covenant to withdraw the Citizen Complaint with prejudice, and further covenant not to sue or bring any action (whether at law or in equity) or any other arbitral or administrative proceeding against Plateau for any injury or damage sustained, alleged to have been sustained, or in the future alleged to be sustained by them due to or in anywise growing out of or connected directly or indirectly with the disappearance or alteration of water flow from the Spring. Plateaus' payment of the sum of $10,000.00 as provided herein constitutes the full and final satisfaction of all Claims; and, accordingly, the foregoing covenant shall be in full force and effect even in the event that any future effort is unsuccessful in establishing or re-establishing flow from the Spring.

3. *Mutual Covenant of Confidentiality.* Plateau, the Association and the Irrigation Company each regard the existence of this Agreement and all of the terms and conditions hereof to be confidential. Accordingly, each party shall maintain the existence of this Agreement, and each and every term and condition hereof, confidential; and except as required by order of a court or agency of competent jurisdiction, no party shall disclose the same to any third party without the prior written consent of the other party. The obligations of this Paragraph 3 shall be perpetual.

4. *Representations and Warranties.* In entering into this Agreement, each party understands and agrees, and specifically represents and warrants, that it has been fully advised and represented by legal counsel, hydrologists, or other consultants of its own selection and is fully familiar with all of the circumstances surrounding this Agreement and its terms and conditions; that in executing this Agreement, such party does so relying wholly upon its own judgment and advice of counsel; and that such party has been in no manner influenced in entering into this Agreement by any representation or statement whatsoever regarding the matters set forth herein, or any other matter, made by any other party, person, individual, or corporation, or any agent, employee, or servant thereof, who are hereby released, or by an persons representing any of them, or by any attorney employed by any of them.

5. *Compromise of Doubtful and Disputed Claims.* Releasors understand and acknowledge that this is a settlement and compromise of doubtful and disputed claims, and that Plateau's payment of the $10,000.00 is not and shall not constitute evidence of, or be construed as, any admission or acknowledgment of liability or responsibility whatsoever on the part of Plateau, who expressly denies all liability and responsibility for the disappearance or alteration of any or all water flow from the Spring.

7 *Entire Agreement.* This Agreement contains the entire agreement between the parties hereto. The terms and conditions hereof are contractual and not merely recitals. Each party further declares that this entire Agreement has been carefully read by it; that the contents thereof are fully known and understood: that the same is signed as the free and voluntary act of such party; and that it is the express intention of the Association and the Irrigation Company to waive, release, and discharge any and all claims or causes of action of whatsoever character against Plateau and to be fully and legally bound hereby.

8. *Miscellaneous.*

(a). The Association, the Irrigation Company and Plateau each hereby acknowledge and represent that they are entering into this Agreement on behalf of themselves and their respective members, constituents, shareholders, and affiliated and related entities, and the agents, servants, employees, directors, officers, representatives, successors and assigns of any of them, and that each such entity or person shall be bound hereunder as fully as if each had executed an original of this Agreement. Except as set forth in this Paragraph 8(a), this Agreement is not made for the benefit of any person, firm, corporation, agency or other entity not a party hereto, and nothing in this Agreement shall be construed to give any person, firm, corporation, agency or other entity, other than the parties hereto and their respective successors and permitted assigns,

any right, remedy or claim under or in respect of this Agreement or any term, condition, provision, or obligation hereof.

(b). This Agreement shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective successors and permitted assigns. This Agreement may not be assigned or transferred in whole or in part by the Association or the Irrigation Company, and any attempt to assign or transfer this Agreement or any part hereof in violation of this Paragraph 8(a) shall render such attempted assignment or transfer void and of no effect.

(c). The terms and conditions of this Agreement shall be interpreted in accordance with the construed pursuant to the laws of the State of Utah without regard to the choice of law rules thereof.

(d). The unenforceability or invalidity of any provision of this Agreement shall not affect the enforceability or validity of the balance of this Agreement.

(e). All headings of this Agreement are inserted for convenience of reference only, and are not be considered a part of this Agreement, and shall in no way affect the interpretation of any of the provisions of this Agreement.

(f). This Agreement and the language contained herein have been arrived at by the mutual negotiation of the parties. Accordingly, no provision hereof shall be construed against one party or in favor of another party merely by reason of draftsmanship.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

PLATEAU MINING CORPORATION
A Delaware corporation

By: _____

Title: Controller + Admin. Mgr.

HUNTINGTON CATTLE ASSOCIATION, a Utah agricultural Cooperative association

By: _____

Title: President

HUNTINGTON-CLEVELAND IRRIGATION COMPANY, a Utah mutual irrigation corporation

By: _____

Title: _____

FOUNDATION COAL CORPORATION
999 CORPORATE BLVD.
LINTHICUM HEIGHTS, MD 21090

As payment agent for and on behalf of its affiliates:

DECEMBER 19, 2005

000008R80010000154 -000700000016-0021381210
HUNTINGTON CATTLE ASSOCIATION
P O BOX 448
HUNTINGTON, UT 84528

VENDOR NO: 41752A
CHECK DATE: 12/19/05
CHECK NUMBER: 0101268598
CHECK AMOUNT: $10,000.00

PAGE: 1 OF 1

Invoice Date	Invoice Number	Purchase Order	Company	Gross Amount	Discount Amount	Net Amount
12-06-05	HCA1205		PLATEAU MINING CORP	$10,000.00	$0.00	$10,000.00
	Per SETTLEMENT AND RELEASE dated December 6,			$0.00	$0.00	$0.00
				$0.00	$0.00	$0.00
	TOTAL			$10,000.00	$0.00	$10,000.00

T PLEASE FOLD ON PERFORATION AND DETACH HERE. T THIS CHECK IS PRINTED ON A BLUE BACKGROUND

FOUNDATION COAL CORPORATION
999 CORPORATE BLVD.
LINTHICUM HEIGHTS, MD 21090

NO. 0101268598
DECEMBER 19, 2005

Pay To The Order Of HUNTINGTON CATTLE ASSOCIATION
P O BOX 448
HUNTINGTON, UT 84528

70-2302/719
VOID AFTER 180 DAYS

********$10,000.00***

Amount TEN THOUSAND DOLLARS AND 00/100

LASALLE BANK N.A.
CHICAGO, ILLINOIS 60603

AUTHORIZED SIGNATURE