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Hiawatha Coal Company

P.O. Box 1202
Huntington, UT 84528

(435) 637-1778
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Coal Program
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

October 7, 2002

To Whom It May Concern,

Re: Application to Change the Existing Mining and Reclamation Plan, Post Mining Land Use Change, Hiawatha Complex, C/007/011.

Marking
@ 10/7/02
New Amendment
AH02C

OK

Enclosed are four copies of an amendment to change the post mining land use to allow Phillips Petroleum to install some gas wells.

If you have any questions, please call Mark at (435) 687-2450.

Sincerely,

E. Finley
Elliot Finley
President

MR
Enclosure(s)

RECEIVED

OCT 10 2002

DIVISION OF
OIL, GAS AND MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: HIAWATHA COAL CO.

Mine: HIAWATHA COMPLEX

Permit Number: ACT/007/011

Title: Post Mining Land Use Change

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

To allow Phillips Petroleum to add gas wells and access roads within our permit area.

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.

Elliot Finley
Print Name

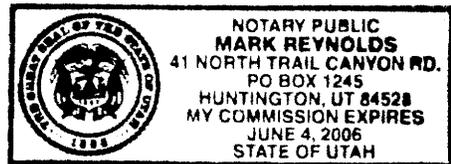
Elliot Finley, Pres., 10-07-02
Sign Name, Position, Date

Subscribed and sworn to before me this 07 day of Oct., 2002

Mark Reynolds
Notary Public

My commission Expires:

Attest: State of Ut at 6-4, 2002 } ss:
County of Emery



For Office Use Only:

Assigned Tracking Number:

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OCT 10 2002

DIVISION OF
OIL, GAS AND MINING

