

0045

C/007/011 Incoming  
cc: Priscilla  
Angela

Q

## Hiawatha Coal Company

P.O. Box 1202  
Huntington, UT 84528

(435) 637-1778  
FAX (435) 637-1378

**Darren Haddock**  
2008

November 18,

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

Re: Ownership and Control Update, Hiawatha Coal Company,  
Hiawatha Mine, C/007/011.

Enclosed are 5 copies of an amendment to update the ownership and control information found in Chapter 1 of the Hiawatha MRP

If you have any questions, please call me at (435) 687-5238.

Thank You,

*Nate Finley*  
Nate Finley,  
Vice President

MR/NF

RECEIVED

NOV 19 2008

DIV. OF OIL, GAS & 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:** Hiawatha MRP Chapter 1 Update

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

To Update Chapter 1 with the correct information.

**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><i>Explain:</i> _____                                   |
| <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.

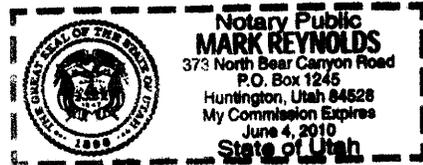
N Finley  
Print Name

N Finley V.P. 11-18-08  
Sign Name, Position, Date

Subscribed and sworn to before me this 18 day of Nov, 2008

Mark Reynolds  
Notary Public

My commission Expires: \_\_\_\_\_  
Attest: State of \_\_\_\_\_ } ss:  
County of Emery }



<b>For Office Use Only:</b>	<b>Assigned Tracking Number:</b>	<b>Received by Oil, Gas &amp; Mining</b>  <div style="font-size: 2em; font-weight: bold; margin: 10px 0;">RECEIVED</div> <div style="font-size: 1.5em; font-weight: bold; margin: 5px 0;">NOV 19 2008</div> <div style="font-weight: bold; margin: 5px 0;">DIV. OF OIL, GAS &amp; MINING</div>
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**R645-301-100 GENERAL CONTENTS**

**R645-301-112 IDENTIFICATION OF INTERESTS**

**112.100 A STATEMENT AS TO WHETHER THE APPLICANT IS A CORPORATION, PARTNERSHIP, SINGLE PROPRIETORSHIP, ASSOCIATION, OR OTHER BUSINESS ENTITY:**

Hiawatha Coal Company, Inc. (HCCI) is a corporation, incorporated in the state of Utah.

**112.200 NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF THE APPLICANT, THE OPERATOR (IF DIFFERENT FROM THE APPLICANT) AND THE APPLICANT'S RESIDENT AGENT WHO WILL ACCEPT SERVICE OF PROCESS:**

**Applicant:** Hiawatha Coal Company, Inc.  
~~3212 South State St.~~  
~~Salt Lake City, Ut 84115~~  
5550 West Bear Canyon Road,  
Huntington, UT 84528  
Telephone No. (435) ~~637-1778~~-687-5777

**Resident Agent:** Elliot Finley  
~~3212 South State Street~~  
~~Salt Lake City, UT 84115~~  
5550 West Bear Canyon Road,  
Huntington, UT 84528  
(435) ~~637-1778~~-687-5777

**112.300 FOR APPLICANTS OTHER THAN SINGLE PROPRIETORSHIPS:**

**112.310 NAME AND ADDRESS OF EACH OFFICER, PARTNER, PRINCIPAL, PRINCIPAL SHAREHOLDER, AND DIRECTOR OR OTHER PERSON PERFORMING A FUNCTION SIMILAR TO A DIRECTOR:**

ANR Company is the fee area and lease holder of land within the permit area. ANR Company has subleased all fee and federal coal rights to ~~C. W. Mining Company (DBA Co Op Mining Company)~~ for inclusion in the Bear Canyon LMU. ~~HCCI holds the right to mine all fee and federal coal under the direction of C. W. Mining Company in accordance with the LMU.~~ Hiawatha Coal Company.

**Officers authorized to act on behalf of HCCI are:**

Elliot Finley                      President                      (06/30/97)  
~~3212 South State Street~~  
~~Salt Lake City, UT 84115 (435) 637-1778~~  
5550 West Bear Canyon Road, Huntington, UT 84528

Nathaniel Finley                  Vice President                  (06/30/97)  
~~3500 South West Temple~~  
~~Salt Lake City, UT 84115 (801) 263-3339~~

~~Colleen Gustafson~~ Nathaniel Finley Secretary/Treasurer      (06/30/97)  
~~3212 South State Street~~

~~Salt Lake City UT 84115 (801) 484-6988~~  
5550 West Bear Canyon Road, Huntington, UT 84528

**Corporate Office Address:** Hiawatha Coal Company  
~~3212 S. State St.~~  
~~Salt Lake City, Utah 84115~~  
5550 West Bear Canyon Road,  
Huntington, UT 84528

**Officers authorized to act on behalf of ANR Company, Inc. are:**

J. O. Kingston                      President    (06/30/97)  
3212 S. State St.  
Salt Lake City, UT 84115 (801) 484-6988

L. A. Miller                      Vice President    (06/30/97)  
3212 S. State St.  
Salt Lake City, UT 84115 (801) 484-6988

Lori V. Wright                      Secretary/Treasurer    (06/30/97)  
3212 S. State St.  
Salt Lake City, UT 84115 (801) 484-6988

**Corporate Office Address:** ANR Company, Inc.  
3212 S. State St.  
Salt Lake City, Utah 84115

~~**Officers/Individuals authorized to act on behalf of C. W. Mining Co. are:**~~

~~B. W. Stoddard                      President    (01/01/76)~~  
~~P.O. Box 300~~  
~~Huntington, UT 84528~~

~~J. A. Gustafson                      Vice President    (01/01/78)~~  
~~1815 S. 1100 W.~~  
~~Woods Cross, UT 84115~~

~~D. J. Sanders                      Secretary/Treasurer    (06/17/93)~~  
~~53 West Angelo Ave.~~  
~~Salt Lake City, UT 84115~~

~~Wendell Owen                      Resident Agent    (01/01/76)~~  
~~P.O. Box 1245~~  
~~Huntington Ut, 84528 (435) 687-2450~~

112.320 ALL NAMES UNDER WHICH THE APPLICANT, PARTNER, OR PRINCIPAL SHAREHOLDER OPERATES OR PREVIOUSLY OPERATED A COAL MINE AND RECLAMATION OPERATION IN THE UNITED STATES WITHIN THE 5 YEARS PRECEDING THE DATE OF APPLICATION:

None

**112.400 PENDING, CURRENT AND PREVIOUS COAL MINING AND RECLAMATION OPERATION PERMIT APPLICATIONS:**

Table I-1 shows the mining permits held by ~~U. S. Fuel Company. These permits have all been assigned to and are being transferred to HCCI.~~ Hiawatha Coal Company.

**112.500 THE NAME AND ADDRESS OF EACH LEGAL OR EQUITABLE OWNER OF RECORD OF THE SURFACE AND MINERAL PROPERTY TO BE MINED, EACH HOLDER OF RECORD OF ANY LEASEHOLD INTEREST IN THE PROPERTY TO BE MINED, AND ANY PURCHASER OF RECORD UNDER A REAL ESTATE CONTRACT FOR THE PROPERTY TO BE MINED:**

Surface and subsurface ownership can be referenced on Exhibits IV-1 and IV-2. Appendix I-1 lists the ownership of surface, coal and mineral rights in the permit area. The area is broken into five categories based on ownership and lease status. Refer to the legend and summary on page 8 of Appendix I-1 for acreage involved.