

Incoming
0070012
3855
R

WELLINGTON INDUSTRIES LLC

42 North University Avenue, Suite 201
P.O. Box J
Provo, Utah 84603

CC: Jim

June 6, 2011

Darren Haddock, Jim Smith
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 8411-5801

Subject: Application for transfer of DOGM Permit No. C/007/0012.

Dear Mr. Haddock and Mr. Smith,

I visited with Darren this past Wednesday for direction in our request for a transfer of the above described DOGM permit from Nevada Electric Investment Company (NEICO) to Wellington Industries LLC and as directed at that time the following attached information is now submitted:

1. Form DOGM-C1, APPLICATION FOR COAL PERMIT PROCESSING.
2. A draft Public Notice and map of the area. We anticipate publishing this notice as soon as we receive your approval to do so.
3. A copy of our contract with Nevada Electric Investment Company. This is submitted only to meet your requirements to document that we have legitimate right of entry and permanent exchange. *We request that this document be kept confidential and not allowed for public view.*

Darren explained to me that all the requirements for the transfer of this permit can be met and the permit will be approved but not valid until the required bond is posted and notice given to your office. We anticipate submitting documentation of bonding after all of the other requirements for this permit are met and other required permits are also transferred to us. We appreciate your working with us on this detail of the transfer. We will also submit revised owner and operator information as needed at that time.

I was also instructed to work with Jim Smith for now since Darren is on vacation at this time. Thanks for your help with this. If you need more information or have further questions, please contact me.

Sincerely,



Richard E. Mainord, Partner 435 650-1218 rmainord@emerytelcom.net

RECEIVED

JUN 06 2011

DIV. OF OIL, GAS & MINING

File in:

- Confidential
- Shelf
- Expandable

Date Folder 060611 C/0070012

Incoming See Confidential

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Wellington Industries, LLC

Mine: Wellington Preparation Plant

Permit Number:

No. C/007/0012

Title: _____

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

Wellington Industries, LLC is in the process of purchasing the property from NEICO by July 25, 2011, contingent upon permit transfer.

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

- | | | | | | |
|-------------------------------------|-------------------------------------|-----|-------------------------------------|----|---|
| <input type="checkbox"/> | <input checked="" 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"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> | <input checked="" 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"/> | <input checked="" 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"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | 6. Does the application require or include public notice publication? . |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> | <input checked="" 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"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 10. Is the application submitted as a result of other laws or regulations or policies?
<i>Explain:</i> _____ |
| <input type="checkbox"/> | <input checked="" 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"/> | <input checked="" 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"/> | <input checked="" 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"/> | <input checked="" 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"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> | <input checked="" 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"/> | <input checked="" 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"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> | <input checked="" 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"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No | 24. Does the application include confidential information and is it clearly marked and separated in the plan? |

Please attach three (3) review copies of the application. If the mine is on or adjacent to Forest Service land please submit four (4) 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.

Richard Mainord Partner 6-6-11 Richard Mainord
 Print Name Position Date Signature (Right-click above choose certify then have notary sign below)

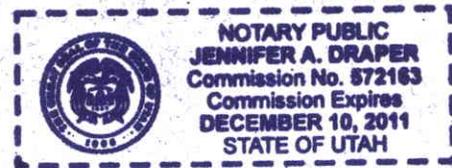
Subscribed and sworn to before me this 6th day of June, 2011

Notary Public: Jennifer A. Draper state of Utah.

My commission Expires: 12/10/2011

Commission Number: 572163 } ss:

Address: 1020 E Main St
 City: Salt Lake City State: UT Zip: 84043



For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining

RECEIVED

JUN 06 2011

DIV. OF OIL, GAS & MINING

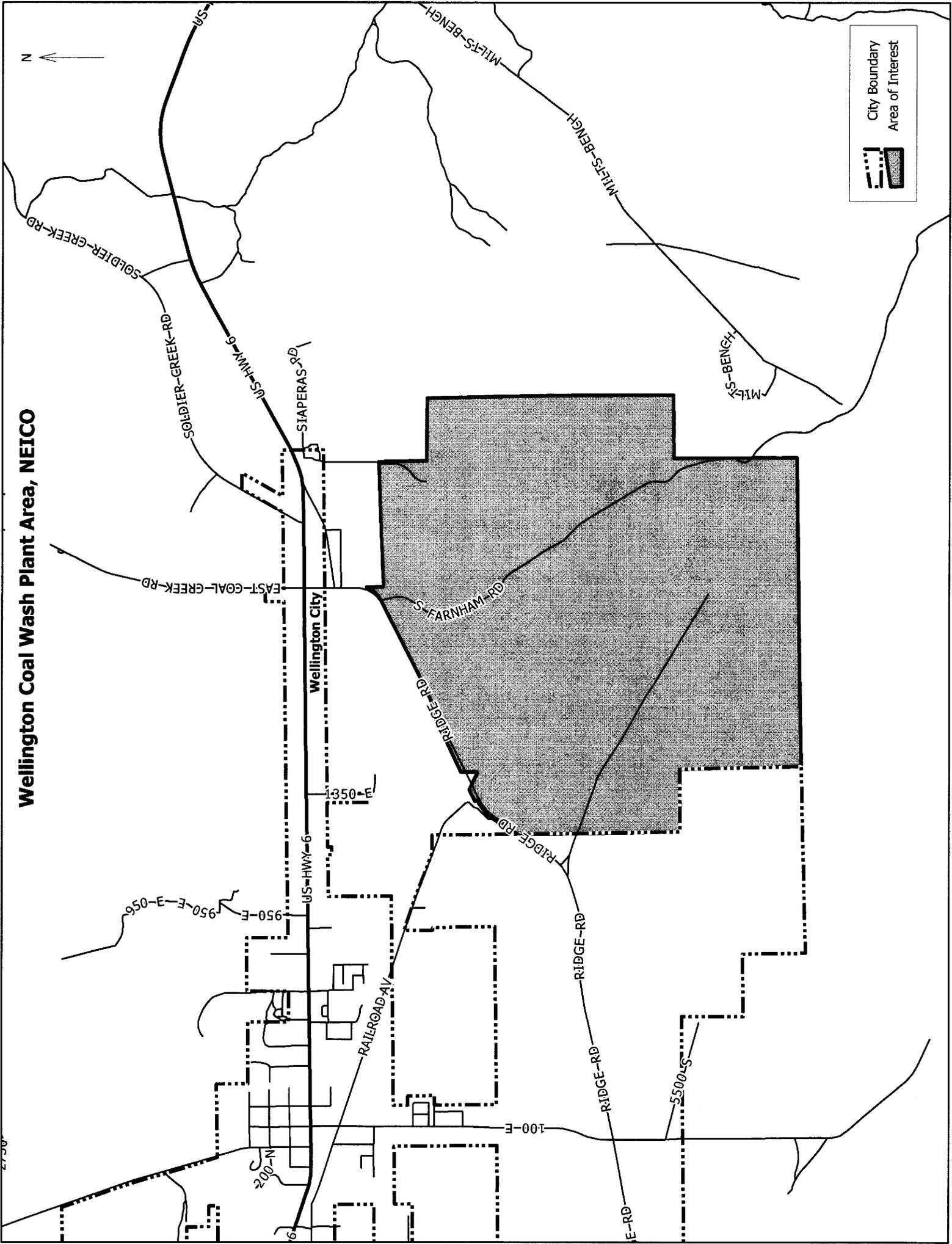
Public Notice

Wellington Industries LLC having an office located at 42 North University Avenue, Suite 20-1 in Provo Utah 84603 has filed with the Utah State Department of Oil, Gas, and Mining an application for the transfer of the Non-Federal Permit No. C/007/0012 for approximately 1535 acres of land located 1/2 mile South of Highway 6 at Ridge Road in Wellington, Utah. The application transfers to Wellington Industries all of the interest allowed by the DOGM permit to the surface estate held by Nevada Electric Investment Company (NEICO). The permit area is located in Carbon County, Utah and a map of the area is attached below.

Copies of this application is available for review at the Division of Oil, Gas and Mining at 1594 West North Temple, Suite 1210, Salt Lake City, Utah. Comments, objections or requests for informal conference on the application should be submitted within 30 days to: Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, P.O. Box 145801, Salt Lake City, Utah 84114-5801.

Published in the Sun Advocate on _____.

Wellington Coal Wash Plant Area, NEICO



City Boundary
Area of Interest

0 100 200 350