

January 22, 2014

Permit Supervisor, Utah Coal Regulatory Program
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, UT 84114-5801

Re: Clean Copy Submittal of Revision to Gordon Creek Permit, Chapter 2, Task ID#4497
Gordon Creek 2/7/8, C/007/016, Canyon Fuel Company, LLC

Dear Sirs:

Please find enclosed with this letter clean copies of an amendment to the Gordon Creek Mine Permit to address revision to Chapter 2 (Legal, Financial and Compliance). We have included two copies of the text.

The changes include references to a General Chapter One binder and a change in ownership and control.

If you have questions or need addition information please contact Vicky Miller at (435) 286-4481.

Sincerely yours,



Vicky S. Miller

Encl.

cc: DOGM Correspondence File

RECEIVED
JAN 28 2014
DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Canyon Fuel Company, LLC

Mine: Gordon Creek No. 2/7/8

Permit Number: C/007/016

Title: Clean Copies of Revisions to Gordon Creek Permit, Chapter 2, Task ID# 4497

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

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 wild life 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.

Chris D. Hansen
Print Name

Chris D. Hansen Director Compliance, 1-17-14
Sign Name, Position, Date

Subscribed and sworn to before me this 17th day of JAN, 2014

Kathleen Atwood
Notary Public

My commission Expires 12-02, 2015
Attest: State of Utah) ss
County of Carbon



For Office Use Only: 	Assigned Tracking Number: 	Received by Oil, Gas & Mining <div style="text-align: center; font-size: 1.2em; font-weight: bold; color: blue;">RECEIVED</div> <div style="text-align: center; font-size: 1.2em; font-weight: bold; color: red;">JAN 28 2014</div> <div style="text-align: center; font-weight: bold; color: blue;">DIV. OF OIL, GAS & MINING</div>
---	-----------------------------------	---

Mining and Reclamation Plan
Gordon Creek No. 2/7/8 Mines

CHAPTER 2
LEGAL, FINANCIAL
COMPLIANCE AND
RELATED INFORMATION

10/16/94

INCORPORATED
JAN 28 2014
Div. of Oil, Gas & Mining

TABLE OF CONTENTS

<u>SECTION</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
2.1	Scope	1
2.2	Identification of Interests	1
2.2.1	Permit Applicant	1
2.2.2	Owner of Record of Surface Area and Coal Rights.	2
2.2.3	Holder of Leasehold Interests in Surface Area and of Coal Rights.	3
2.2.4	Purchases of Record Under a Real Estate Contract for Surface Area or Coal.	3
2.2.5	Operator.	4
2.2.6	Resident Agent.	4
2.2.7	Business Designation.	4
2.2.7.1	Officers and Directors of the Applicant and Principal Shareholder of the Applicant	4
2.2.7.2	Names Under Which Applicant and Principal Shareholder Operated U.S. Coal Mines.	5
2.2.7.3	Principals, Officers and Resident Agents.	5
2.2.8	Current, Pending or Previous Coal Mining Permits.	5
2.2.9	Owner of Record of Surface and Subsurface Areas Contiguous to Proposed Permit Area.	5
2.2.10	Mine Name and MSHA Identification.	7
2.2.11	Applicant's Interest in Areas Contiguous to Proposed Permit Area.	7
2.3	Compliance Information	8
2.3.1	Status of Mining Permits or Bonds.	8
2.3.2	Suspension, Revocation or Forfeiture.	8
2.3.3	Compliance Information.	8

2.4	Right of Entry and Operation Information.	9
2.5	Relationship to areas Designated Unsuitable for Mining.	9
2.6	Permit Term Information.	10
2.7	Personal Injury and Property Damage Insurance Information.	11
2.8	Proposed Performance Bond.	11
2.9	Identification of Other Licenses and Permits.	11
2.10	Identification of Location of Public Office for Filing of Application.	12
2.11	Newspaper Advertisement and Proof of Publication.	12

APPENDICES

Appendix 2-1	Coal Mining Permits Approved and Pending
Appendix 2-2	Compliance History
Appendix 2-3	Certificate of Insurance
Appendix 2-4	Reclamation Performance Bond
Appendix 2-5	Other Licenses and Permits
Appendix 2-6	Public Notice for Permit Revision

INCORPORATED
JAN 28 2014
Div. of Oil, Gas & Mining

CHAPTER 2
LEGAL, FINANCIAL, COMPLIANCE, AND RELATED INFORMATION

2.1 Scope.

The scope of the legal, financial, compliance and related information chapter of this mining and reclamation plan is to describe the status of the owner of the Canyon Fuel Company, LLC (hereinafter any reference to "Mountain Coal" or "Mountain Coal Company" should be read to mean "Canyon Fuel Company, LLC") Gordon Creek No. 2, 7 and 8 Mines, including the new federal coal lease, and to document its right to mine the property. Sections within this chapter cover the following major topics; identification of interests, right of entry and operation information, other license and permits, location of public office for filing applications, and newspaper publication.

2.2 Identification of Interests.

For additional information pertaining to this section refer to the General Chapter 1 binder.

2.2.1 Permit Applicant.

The permit applicant, name and address, including telephone number:

Canyon Fuel Company, LLC
Principal Address:
225 North 5th Street, Suite 900
Grand Junction, CO 81501
Utah Address:
597 South State Road 24
Salina, UT 84654
Phone Number (435) 286-4880

INCORPORATED
JAN 28 2014
Div. of Oil, Gas & Mining

Since the mines are permanently closed, no further abandoned mine land reclamation fees are paid for this property.

2.2.2 Owner of Record of Surface Area and Coal Rights.

Every legal or equitable owner of record of the areas to be affected by surface operations and facilities and every legal or equitable owner of record of the coal to be mined (including contiguous areas):

(a) Surface

- (i) Carbon County
Courthouse Bldg.
Price, Utah 84501
- (ii) Helper Associates
178 South Main Street
Helper, Utah 84526
- (iii) Novell A. and Catherine P. Jewkes
730 No. 4th East
Price, Utah 84501
- (iv) Jacob Family Ranch, LLC
914 East 300 North
Orem, Utah 84097
- (v) Eldred E. Peirce, Jr.
Rt. 1, Box 143
Price, Utah 84501
- (vi) Wasatch Coal Co.
1322 Chandler Drive
Salt Lake City, Utah 84103

INCORPORATED

JAN 28 2014

Div. of Oil, Gas & Mining

(b) Coal

- (i) United States of America
Bureau of Land Management
Price River Resource Area
P.O. Box AB
Price, Utah 84501
- (ii) Wasatch Coal Co.
1322 Chandler Drive
Salt Lake City, Utah 84103
- (iii) Helen Marakis
165 East 1st South
Price, Utah 84501

2.2.3 Holders of Leasehold Interests in Surface Area and of Coal Rights.

The holder of record of leasehold interests in areas to be affected by surface operations of facilities and the holders of record of any leasehold interest in the coal to be mined is shown below:

(a) Leasehold interest in surface:

Jacob Family Ranch LLC
914 East 300 North
Orem, Utah 84097

INCORPORATED

JAN 28 2014

Div. of Oil, Gas & Mining

(b) Leasehold interest in coal: Canyon Fuel Company, LLC

2.2.4 Purchases of Record Under a Real Estate Contract for Surface Area or Coal.

Any purchaser of record under a real estate contract of the area to be affected by surface operations and facilities and any

purchaser of record under a real estate contract of the coal to be mined:

None.

2.2.5 Operator.

The operator, if the operator is a person different from the applicant, including his or her telephone number: The operator is the same as the applicant.

2.2.6 Resident Agent.

The resident agent of the applicant who will accept service of process, including his or her telephone number:

The Corporation Trust Company
1209 Orange Street

Wilmington, Delaware 19801

Telephone Number: 1-(800)441-9820

2.2.7 Business Designation.

A statement of whether the applicant is a corporation; partnership, single proprietorship, association or other business entity: The applicant is a Delaware LLC.

2.2.7.1 Officers and Directors of the Applicant and Principle Shareholder of Applicant.

The names and addresses of every officer, partner, director, or other person performing a function similar to a director of the applicant refer to General Chapter 1.

INCORPORATED

JAN 28 2014

Div. of Oil, Gas & Mining

2.2.7.2 Names Under Which Applicant and Principal Shareholder Operated U.S. Coal Mines.

Names under which the applicant, partner, or principal shareholder previously operated underground or surface coal mining operations in the United States within the five years preceding the date of application:

None

2.2.7.3 Principals, Officers and Resident Agents.

For information pertaining to this section refer to General Chapter 1 binder.

2.2.8 Current, Pending or Previous Coal Mining Permits.

A statement of any current or previous coal mining permits in the United States held by the Applicant subsequent to 1970 and by any person identified in paragraph 2.2.7.3 of this section and of any pending permit application to conduct underground or surface coal mining activities in the United States. The information shall be listed by permit or application number and identify the division for each of those coal mining operations: For additional information pertaining to this section refer to the General Chapter 1 binder.

See Appendix 2-1 - Coal Mining Permits- Approved and Pending.

2.2.9 Owner of Record of Surface and Subsurface Areas Contiguous to Proposed Permit Area.

The names and addresses of the owners of record of all surface and subsurface areas contiguous to any part of the proposed permit area:

(a) Contiguous Surface

- (i) Carbon County
Courthouse Bldg.
Price, Utah 84501
- (ii) Helper Associates
178 South Main Street
Helper, Utah 84526
- (iii) Movel I A. and Cathrine P. Jewkes

730 No. 4th East

Price, Utah 84501
- (iv) Calvin K. Jacob and Sons
734 North 4th East
Price, Utah 84501
- (v) Eldred E. Peirce, Jr.
Rt. 1, Box 143
Price, Utah 84501
- (vi) Wasatch Coal Co.
1322 Chandler Drive
Salt Lake City, Utah 84103

(b) Contiguous Subsurface

- (i) United States of America
Bureau of Land Management
Price River Resource Area
P.O. Box AB
Price, Utah 84501

(ii) Wasatch Coal Co.
1322 Chandler Drive
Salt Lake City, Utah 84103

(iii) Helen Marakis
165 East 1st South
Price, Utah 84501

2.2.10 Mine Name and MSHA Identification.

The name of the proposed mine and the Mine Safety and Health Administration identification number for the mine and all section:

(a) Mine Name

Canyon Fuel Company, LLC
Gordon Creek No.2, 7 and 8 Mines

(b) MSHA Identification Number

No. 2 42-00125
No. 7 42-01814
No. 8 42-01968

2.2.11 Applicant's Interest in Areas Contiguous to Proposed Permit Area.

A statement of all lands, interests in lands, options or pending bids on interests held or made by the applicant for lands which are contiguous to the area to be covered by the permit:

None.

2.3 Compliance Information.

2.3.1 Status of Mining Permits or Bonds.

A statement of whether the applicant, any subsidiary, affiliate or person controlled by or under common control has had any federal or state mining permits suspended or revoked in the last five years or has forfeited a mining bond or security deposit:

(a) Permits Suspended or Revoked

None

(b) Bond or Security Forfeited

None.

2.3.2 Suspension, Revocation or Forfeiture.

Each application shall describe all proceedings identified under 2.3.1 and the status of any suspension, revocation or forfeiture proceedings:

None.

2.3.3 Compliance Information.

A list of all notices or violation received by the applicant in the past 3 years for violations pertaining to air or water environmental protection:

See Appendix 2-2 - Compliance History and General Chapter 1, Table 1-2.

2.4 Right of Entry and Operation Information.

A description of the documents upon which the applicant bases its legal right to enter and begin underground coal activities in the permit area and whether the rights are the subject of pending litigation. For underground activities where operations involve the surface mining of coal, evidence of the right to surface mine must be provided:

(a) Documents Establishing Rights

See Tables 4-1 and 4-2 for all required leases, easements and rights to access.

(b) Pending Litigation

None.

(c) Surface Mining Rights

None.

2.5 Relationship to areas Designated Unsuitable for Mining.

The relationship of the permit area to possible areas designated as being unsuitable for mining, whether an exemption is claimed under the regulations, and whether surface operations will be conducted within 300 feet of occupied dwellings;

(a) Areas Designated Unsuitable for Mining.

The proposed permit area is not within an area designated unsuitable for the surface effects of underground coal mine activities under the R645 regulations. Neither is the proposed permit area under study for designation in an administrative

proceeding initiated under those parts. Mining would not affect renewable resource lands and would not result in substantial loss of food, fiber, or water supply. The permit area contains no prime farmland or merchandisable timber. Mining would not affect natural hazard lands and thereby endanger life and property. In addition, the permit area includes no cemeteries, no national trails, no wild and scenic rivers, no wilderness or wilderness study areas, and no sufficient harvestable forest cover.

(b) Exemption

The applicant does not claim exemption.

(c) Dwellings

There are no occupied dwellings within 5 miles of the proposed permit areas.

2.6 Permit Term Information.

The number of surface acres to be affected and the horizontal and vertical extent of the workings:

(a) Surface Acres Affected

The number of surface acres disturbed by the operation is 20.3 acres. In addition, some 2286.05 acres of the permit area has some potential to be affected by underground mining. There are no plans for additional surface disturbance for this operation. Mining is completed at this operation.

(b) Horizontal Extent of Underground Workings

All 2286.05 acres of the permit area may be affected by underground development.

(c) 2.6.3 Vertical Extent of Workings

The work performed within the permit area will remain within the Castle Gate "A" seam. The Castle Gate "A" seam is the only economically minable seam in the area.

(d) Permit Term

This permit will be for the term of the previous permit - starting on August 28, 1994 through August 28, 1999. The permit is expected to be renewed at 5 year intervals until final bond release.

2.7 Personal Injury and Property Damage Insurance Information.

A certificate of liability insurance is located in General Chapter 1, Appendix 1-2.

2.8 Proposed Performance Bond.

A performance bond in the name of Canyon Fuel Company, LLC is included.

See Appendix 2-4

2.9 Identification of Other Licenses and Permits.

A list of all other licenses and permits under applicable state and federal law needed by the applicant to conduct underground coal mining activities:

See Appendix 2-5 - Other Licenses and Permits.

2.10 Identification of Location of Public Office for Filing of Application.

Canyon Fuel Company, LLC will simultaneously file a complete copy of this permit application for public inspection with:

- (a) Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

2.11 Newspaper Advertisement and Proof of Publication.

On the date of the filing of the permit application with the Division of Oil, Gas and Mining, the applicant will also file an advertisement in the Sun-Advocate, a local newspaper with circulation in Carbon County sufficient to cover the locality of the applicants operations. This advertisement will be run as required. A copy of the proposed advertisement is attached.

See Appendix 2-6