

## PERMIT CHANGE TRACKING FORM

<b>DATE RECEIVED</b>	7/2/93	<b>PERMIT NUMBER</b>	ACT/007/022				
Title of Proposal: <b>DELETION OF JENSEN PROPERTY</b>		<b>PERMIT CHANGE #</b>	93A				
Description:	<b>PERMITTEE</b>		MOUNTAIN COAL				
	<b>MINE NAME</b>		C.V. SPUR				
<input type="checkbox"/> <b>15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION</b>		<b>DATE DUE</b>	<b>DATE DONE</b>	<b>RESULT</b>			
				<input type="checkbox"/> ACCEPTED	<input checked="" type="checkbox"/> REJECTED		
<input type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee.				<b>Permit Change Classification</b>			
<input type="checkbox"/> Request additional review copies prior to Division/Other Agency review.				<input type="checkbox"/> Significant Permit Revision			
<input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.)				<input checked="" type="checkbox"/> Permit Amendment			
<input type="checkbox"/> Notice of request to modify proposed permit change prior to approval.				<input type="checkbox"/> Incidental Boundary Change			
<b>REVIEW TRACKING</b>		<b>INITIAL REVIEW</b>		<b>MODIFIED REVIEW</b>		<b>FINAL REVIEW AND FINDINGS</b>	
<b>DOGM REVIEWER</b>		<b>DUE</b>	<b>DONE</b>	<b>DUE</b>	<b>DONE</b>	<b>DUE</b>	<b>DONE</b>
<input type="checkbox"/> Administrative _____							
<input type="checkbox"/> Biology <u>BM</u>		7/23	7/09				
<input type="checkbox"/> Engineering _____							
<input type="checkbox"/> Geology _____							
<input type="checkbox"/> Soils _____							
<input type="checkbox"/> Hydrology <u>KW</u>		8/1	7/9				
<input type="checkbox"/> Bonding _____							
<input type="checkbox"/> AVS Check _____							
<b>COORDINATED REVIEWS</b>		<b>DUE</b>	<b>DONE</b>	<b>DUE</b>	<b>DONE</b>	<b>DUE</b>	<b>DONE</b>
<input type="checkbox"/> OSMRE							
<input type="checkbox"/> US Forest Service							
<input type="checkbox"/> Bureau of Land Management							
<input type="checkbox"/> US Fish and Wildlife Service							
<input type="checkbox"/> US National Parks Service							
<input type="checkbox"/> UT Environmental Quality							
<input type="checkbox"/> UT Water Resources							
<input type="checkbox"/> UT Water Rights							
<input type="checkbox"/> UT Wildlife Resources							
<input type="checkbox"/> UT State History							
<input type="checkbox"/> Other							
<input type="checkbox"/> Public Notice/Comment/Hearing Complete (If the permit change is a Significant Revision)				<input type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied.			
<input type="checkbox"/> Copies of permit change marked and ready for MRP.				<input checked="" type="checkbox"/> Notice of <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Denial to Permittee.		7/20/93	
<input type="checkbox"/> Special Conditions/Stipulations written for approval.				<input type="checkbox"/> Copy of Approved Permit Change to File.			
<input type="checkbox"/> TA and CHIA modified as required.				<input type="checkbox"/> Copy of Approved Permit Change to Permittee.			
<input type="checkbox"/> Permit Change Approval Form ready for approval.				<input type="checkbox"/> Copies to Other Agencies and Price Field Office.			



## PERMIT AMENDMENT APPROVAL

Title: <b>DELETION OF JENSEN PROPERTY</b>	PERMIT NUMBER: <b>ACT/007/022</b>
Description:	PERMIT CHANGE #: <b>93A</b>
	MINE: <b>C.V. SPUR MINE</b>
	PERMITTEE: <b>MOUNTAIN COAL</b>

<b>WRITTEN FINDINGS FOR PERMIT APPLICATION APPROVAL</b>	<b>YES, NO or N/A</b>
1. The application is complete and accurate and the applicant has complied with all the requirements of the State Program.	
2. The proposed permit area is not within an area under study or administrative proceedings under a petition, filed pursuant to R645-103-400 or 30 CFR 769, to have an area designated as unsuitable for coal mining and reclamation operations, unless:  A. The applicant has demonstrated that before January 4, 1977, substantial legal and financial commitments were made in relation to the operation covered by the permit application, or  B. The applicant has demonstrated that the proposed permit area is not within an area designated as unsuitable for mining pursuant to R645-103-300 and R645-103-400 or 30 CFR 769 or subject to the prohibitions or limitations of R645-103-230.	
3. For coal mining and reclamation operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Division the documentation required under R645-301-114.200.	
4. The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.	
5. The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et.seq.).	
6. The Division has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places. This finding may be supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Division has determined that no additional protection measures are necessary.	
7. The Applicant has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application.	
8. The Applicant has demonstrated that any existing structure will comply with the applicable performance standards of R645-301 and R645-302.	
9. The Applicant has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870.	
10. The Applicant has satisfied the applicable requirements of R645-302.	
11. The Applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural postmining land use, in accordance with the requirements of R645-301-353.400.	

<b>SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT AMENDMENT APPROVAL</b>	<b>YES</b>	<b>NO</b>
1. Are there any variances associated with this permit amendment approval? If yes, attach.		
2. Are there any special conditions associated with this permit amendment approval? If yes, attach.		
3. Are there any stipulations associated with this permit amendment approval? If yes, attach.		

**The Division hereby grants approval for Permit Amendment to the Existing Permit by incorporation of the proposed changes described herein and effective the date signed below. All other terms and conditions of the Existing Permit shall be maintained and in effect except as superseded by this Permit Amendment.**

Signed \_\_\_\_\_  
**Director, Division of Oil, Gas and Mining**
\_\_\_\_\_  
**EFFECTIVE DATE**

# APPLICATION FOR PERMIT CHANGE

Title of Change: *Deletion of Jensen Property from C.V. Spur Permit.*

Permit Number: *ACT1 0071022*

Mine: *C. V. SPUR*

Permittee: *Mountain Coal Co.*

Description, include reason for change and timing required to implement:

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 1. Change in the size of the Permit Area? <u>5.42</u> acres <input type="checkbox"/> increase <input checked="" type="checkbox"/> decrease.    |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 2. Change in the size of the Disturbed Area? <u>5.42</u> acres <input type="checkbox"/> increase <input checked="" type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 4. Will permit change include operations in hydrologic basins other than currently approved?   |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 6. Does permit change require or include public notice publication?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 7. Permit change as a result of a Violation? Violation #   |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 8. Permit change as a result of a Division Order? D.O.#  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 9. Permit change as a result of other laws or regulations? Explain:  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 10. Does permit change require or include ownership, control, right-of-entry, or compliance information?                                       |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 11. Does the permit change affect the surface landowner or change the post mining land use?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 12. Does permit change require or include collection and reporting of any baseline information?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?                                      |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 14. Does permit change require or include soil removal, storage or placement?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 15. Does permit change require or include vegetation monitoring, removal or revegetation activities?   |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 16. Does permit change require or include construction, modification, or removal of surface facilities?  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 17. Does permit change require or include water monitoring, sediment or drainage control measures?   |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 18. Does permit change require or include certified designs, maps, or calculations?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 19. Does permit change require or include underground design or mine sequence and timing?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 20. Does permit change require or include subsidence control or monitoring?  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?                                 |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area?       |

Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

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.

Received by Oil, Gas & Mining

*Don V. Lutz*  
 Signed - Name Position - Date  
*for Kathleen A. Welt*

Subscribed and sworn to before me this 20th day of September 1993.

*Barbara Fausett*  
 Notary Public

My Commission Expires: 11/11/97, 1997  
 Attest: STATE OF Utah  
 COUNTY OF Carbon

**NOTARY PUBLIC**  
**BARBARA FAUSETT**  
 First Federal Bank  
 P.O. Box 825 - 308 E. Main  
 Price, Utah 84905  
 My Commission Expires 11/11/97  
**STATE OF UTAH**



## PERMIT CHANGE CHRONOLOGY

Title of Proposal: *DELETION OF TENSEN PROPERTY*

PERMIT NUMBER: *ACT/007/022*

Description: *Proposed Amendment to Delete 5.42 Acres of Private-Owned Property from C.V. Spur Permit.*

PERMIT CHANGE #:

PERMITTEE: *Mountain Coal Co.*

MINE NAME: *C.V. SPUR*

DATE

DOCUMENT ALL ACTIVITIES ASSOCIATED WITH THIS PERMIT CHANGE

Sent  Recv'd.

Initial Application for Permit Change Received from Permittee

Sent  Recv'd.

SAMPLE COPY



# BLACKHAWK ENGINEERING, CO.

Rt. 1, Box 146-H5 - Helper, Utah 84526 - Telephone (801) 637-2422

June 24, 1993

Pamela Grubaugh-Littig  
Permit Supervisor  
Utah Division of Oil, Gas & Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

RECEIVED

JUL 02 1993

DIVISION OF  
OIL GAS & MINING

RECEIVED

JUL 16 1993

DIVISION OF  
OIL GAS & MINING

Re: Mountain Coal Company  
Proposed Amendment  
Deletion of Jensen Property  
C.V. Spur Permit  
ACT/007/022  
Carbon County, Utah

Dear Ms. Littig:

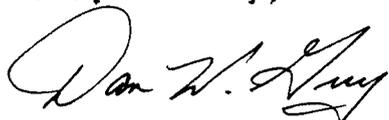
Enclosed are 3 copies of a proposed deletion of the Kevin and Lois Jensen property from the C.V. Spur Permit. The property was sold to the Jensens in 1985, and the land ownership portion of the permit (Chapter 4) has previously been updated to reflect the current status (Also see Plate 4-1); however, due to an oversight, the warranty deed was not added to the plan, and Plate 3-2 was not updated to reflect the change. The warranty deed is included as a new Figure 4-2, and should be added to Chapter 4. A revised Plate 3-2 is also enclosed, and should replace the existing Plate 3-2 upon approval.

The area of deletion is approximately 5.42 acres. Drainage from this site has previously passed under the railroad and gone into Pond No.5. This situation will be corrected on the ground, and drainage will be as shown on the revised Plate 3-2. No changes in the pond sizing should be required, since this area was originally included in the sizing calculations. The area will now drain to the east along with other natural drainage and by-pass the property.

Page 2  
Proposed Amendment  
Deletion of Jensen Property

If you have any questions, or need any further information,  
please let me know.

Respectfully,

A handwritten signature in cursive script, appearing to read "Dan W. Guy".

Dan W. Guy  
President

cc: Bill Malencik - DOGM  
Kathy Welt - MCC  
File

WARRANTY DEED

THIS INDENTURE, made and entered into this 7<sup>th</sup> day of June, 1985, by and between Atlantic Richfield Company, a Delaware corporation, acting through its Division, Anaconda Minerals Company, P. O. Box 5300, Denver, Colorado 80217, Grantor, and Keven Ray and Lois Wall Jensen of Cleveland, Utah, Grantee.

## WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby convey and warrant unto the said Grantee, and to the heirs, successors and assigns of said Grantee forever the following described property (the "Property") together with any and all improvements thereon situated in the County of Carbon, State of Utah, Section 11, Township 15 South, Range 10 East, Salt Lake Base and Meridian, to wit:

Beginning at a point 227.59 feet North and 269.61 feet East of the Southwest corner of Section 11, Township 15 South, Range 10 East, Salt Lake Base and Meridian; thence N45°39'45"E 69.47 feet, thence N58°29'30"E 372.17 feet, thence S68°31'00"E 516.41 feet, thence South 280.99 feet more or less to the South boundary of said Section 11, thence S89°58'22"W along South boundary of said Section 11 342.25 feet, thence N49°17'10"W 225.38 feet, thence N76°30'50"W 343.93 feet more or less to the point of beginning. Containing 5.42 acres, situated in Carbon County, Utah.

Excepting and reserving, however, unto the Grantor, its successors and assigns, all ores and minerals, including gas and oil and other hydrocarbon substances, beneath the surface of the Property, together with the right to explore or prospect for and mine and extract the same by whatsoever method or methods Grantor may desire including, without limitation, the surface mining method; however, in the event Grantor, its successors or assigns, exercises the right to enter upon and occupy as much of the surface as may be necessary, useful or convenient to said exploration, prospecting or extraction of said minerals, then Grantor, its successors or assigns shall pay reasonable and just compensation to the owner of the surface of the Property for damages caused the land or the improvements thereon in consequence of the exercise of any of such rights.

FIGURE 4-2 (Continued)

Subject to any and all roadways, rights-of-way and easements whatsoever heretofore granted or now existing upon the Property, and subject to any and all encumbrances whether of record or not, including but not limited to reservations and exceptions contained in any United States Patent or Patents or in any deeds of record conveying the Property, and subject to all taxes, assessments or other charges.

This Deed is made upon the express covenants, which covenants shall run with the land, that Grantee, its successors and assigns shall erect and maintain a privacy fence surrounding the Property in order to conceal the Property from unsightliness and, further, that the Property shall at all times be kept tidy.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

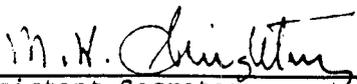
TO HAVE AND TO HOLD, all and singular, the Property, together with any and all appurtenances thereto, belonging unto the said Grantee, and to the heirs, successors and assigns of said Grantee forever.

It is understood that the Property and any improvements thereon which may be conveyed hereby are conveyed without representation or guarantee of any kind as to their habitability, condition or suitability for any purpose. Grantee takes the Property, and all improvements thereon and appurtenances thereto as is and without warranty of any kind excepting only Grantor's warranty of title.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed by its authorized representative as of the day and year first above written.

ATLANTIC RICHFIELD COMPANY

Attest:

  
Assistant Secretary  
Atlantic Richfield Company

By   
Senior Vice President  
Anaconda Minerals Company, A  
Division of Atlantic Richfield  
Company

FIGURE 4-2 (Continued)

STATE OF COLORADO )  
 ) ss.  
COUNTY OF DENVER )

On this 30th day of May in the year 1985, before me  
Adelheid S. Langston, a Notary Public for the  
State of Colorado, personally appeared Ben L. Odom,  
known to me to be the Senior Vice President of Anaconda Minerals  
Company, a Division of Atlantic Richfield Company, the corporation  
that executed the within instrument and acknowledged to me that such  
corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
official seal the day and year in this certificate first above  
written.

Adelheid S. Langston  
Notary Public

Address: \_\_\_\_\_

My Commission expires \_\_\_\_\_, 19\_\_.

ADELHEID S. LANGSTON  
555 Seventeenth Street  
Denver, Colorado 80202  
Commission Expires Feb. 13, 1988.



# BLACKHAWK ENGINEERING, CO.

Rt. 1, Box 146-H5 - Helper, Utah 84526 - Telephone (801) 637-2422

June 24, 1993

Pamela Grubaugh-Littig  
Permit Supervisor  
Utah Division of Oil, Gas & Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

RECEIVED

JUL 02 1993

DIVISION OF  
OIL GAS & MINING

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DIVISION OF  
OIL GAS & MINING

Re: Mountain Coal Company  
Proposed Amendment  
Deletion of Jensen Property  
C.V. Spur Permit  
ACT/007/022  
Carbon County, Utah

Dear Ms. Littig:

Enclosed are 3 copies of a proposed deletion of the Kevin and Lois Jensen property from the C.V. Spur Permit. The property was sold to the Jensens in 1985, and the land ownership portion of the permit (Chapter 4) has previously been updated to reflect the current status (Also see Plate 4-1); however, due to an oversight, the warranty deed was not added to the plan, and Plate 3-2 was not updated to reflect the change. The warranty deed is included as a new Figure 4-2, and should be added to Chapter 4. A revised Plate 3-2 is also enclosed, and should replace the existing Plate 3-2 upon approval.

The area of deletion is approximately 5.42 acres. Drainage from this site has previously passed under the railroad and gone into Pond No.5. This situation will be corrected on the ground, and drainage will be as shown on the revised Plate 3-2. No changes in the pond sizing should be required, since this area was originally included in the sizing calculations. The area will now drain to the east along with other natural drainage and by-pass the property.

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Deletion of Jensen Property

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cc: Bill Malencik - DOGM  
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Excepting and reserving, however, unto the Grantor, its successors and assigns, all ores and minerals, including gas and oil and other hydrocarbon substances, beneath the surface of the Property, together with the right to explore or prospect for and mine and extract the same by whatsoever method or methods Grantor may desire including, without limitation, the surface mining method; however, in the event Grantor, its successors or assigns, exercises the right to enter upon and occupy as much of the surface as may be necessary, useful or convenient to said exploration, prospecting or extraction of said minerals, then Grantor, its successors or assigns shall pay reasonable and just compensation to the owner of the surface of the Property for damages caused the land or the improvements thereon in consequence of the exercise of any of such rights.

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IN WITNESS WHEREOF, Grantor has caused these presents to be executed by its authorized representative as of the day and year first above written.

ATLANTIC RICHFIELD COMPANY

Attest:

M. H. Dinsley  
Assistant Secretary  
Atlantic Richfield Company

By D. L. Odom  
Senior Vice President  
Anaconda Minerals Company, A  
Division of Atlantic Richfield  
Company

FIGURE 4-2 (Continued)

STATE OF COLORADO )  
 ) ss.  
COUNTY OF DENVER )

On this 30th day of May in the year 1985, before me  
Adelheid S. Langston, a Notary Public for the  
State of Colorado, personally appeared Ben L. Odom,  
known to me to be the Senior Vice President of Anaconda Minerals  
Company, a Division of Atlantic Richfield Company, the corporation  
that executed the within instrument and acknowledged to me that such  
corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
official seal the day and year in this certificate first above  
written.

Adelheid S. Langston  
Notary Public

Address: \_\_\_\_\_

My Commission expires \_\_\_\_\_, 19\_\_.

ADELHEID S. LANGSTON  
555 Seventeenth Street  
Denver, Colorado 80202  
Commission Expires Feb. 13, 1988.



# BLACKHAWK ENGINEERING, CO.

Rt. 1, Box 146-H5 - Helper, Utah 84526 - Telephone (801) 637-2422

June 24, 1993

Pamela Grubaugh-Littig  
Permit Supervisor  
Utah Division of Oil, Gas & Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

**RECEIVED**

JUL 1 6 1993

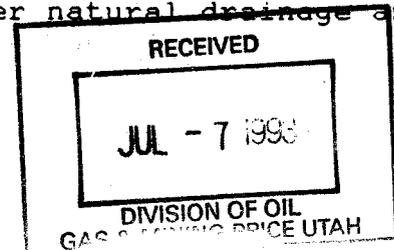
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OIL GAS & MINING

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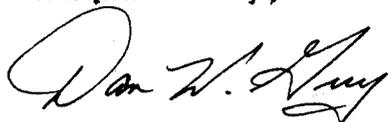
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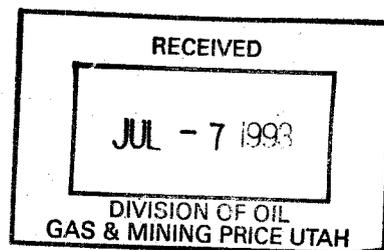
If you have any questions, or need any further information,  
please let me know.

Respectfully,



Dan W. Guy  
President

cc: Bill Malencik - DOGM  
Kathy Welt - MCC  
File



WARRANTY DEED

THIS INDENTURE, made and entered into this 7<sup>th</sup> day of June, 1985, by and between Atlantic Richfield Company, a Delaware corporation, acting through its Division, Anaconda Minerals Company, P. O. Box 5300, Denver, Colorado 80217, Grantor, and Keven Ray and Lois Wall Jensen of Cleveland, Utah, Grantee.

## WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby convey and warrant-onto the said Grantee, and to the heirs, successors and assigns of said Grantee forever the following described property (the "Property") together with any and all improvements thereon situated in the County of Carbon, State of Utah, Section 11, Township 15 South, Range 10 East, Salt Lake Base and Meridian, to wit:

Beginning at a point 227.59 feet North and 269.61 feet East of the Southwest corner of Section 11, Township 15 South, Range 10 East, Salt Lake Base and Meridian; thence N45°39'45"E 69.47 feet, thence N58°29'30"E 372.17 feet, thence S68°31'00"E 516.41 feet, thence South 280.99 feet more or less to the South boundary of said Section 11, thence S89°58'22"W along South boundary of said Section 11 342.25 feet, thence N49°17'10"W 225.38 feet, thence N76°30'50"W 343.93 feet more or less to the point of beginning. Containing 5.42 acres, situated in Carbon County, Utah.

Excepting and reserving, however, unto the Grantor, its successors and assigns, all ores and minerals, including gas and oil and other hydrocarbon substances, beneath the surface of the Property, together with the right to explore or prospect for and mine and extract the same by whatsoever method or methods Grantor may desire including, without limitation, the surface mining method; however, in the event Grantor, its successors or assigns, exercises the right to enter upon and occupy as much of the surface as may be necessary, useful or convenient to said exploration, prospecting or extraction of said minerals, then Grantor, its successors or assigns shall pay reasonable and just compensation to the owner of the surface of the Property for damages caused the land or the improvements thereon in consequence of the exercise of any of such rights.

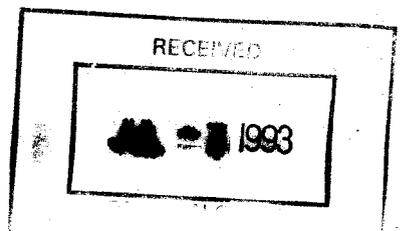


FIGURE 4-2 (Continued)

Subject to any and all roadways, rights-of-way and easements whatsoever heretofore granted or now existing upon the Property, and subject to any and all encumbrances whether of record or not, including but not limited to reservations and exceptions contained in any United States Patent or Patents or in any deeds of record conveying the Property, and subject to all taxes, assessments or other charges.

This Deed is made upon the express covenants, which covenants shall run with the land, that Grantee, its successors and assigns shall erect and maintain a privacy fence surrounding the Property in order to conceal the Property from unsightliness and, further, that the Property shall at all times be kept tidy.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the Property, together with any and all appurtenances thereto, belonging unto the said Grantee, and to the heirs, successors and assigns of said Grantee forever.

It is understood that the Property and any improvements thereon which may be conveyed hereby are conveyed without representation or guarantee of any kind as to their habitability, condition or suitability for any purpose. Grantee takes the Property, and all improvements thereon and appurtenances thereto as is and without warranty of any kind excepting only Grantor's warranty of title.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed by its authorized representative as of the day and year first above written.

ATLANTIC RICHFIELD COMPANY

Attest:

M. H. Slaughter  
Assistant Secretary  
Atlantic Richfield Company

By S. L. Odum  
Senior Vice President  
Anaconda Minerals Company, A  
Division of Atlantic Richfield  
Company

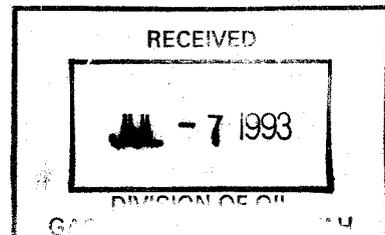


FIGURE 4-2 (Continued)

STATE OF COLORADO )  
 ) ss.  
COUNTY OF DENVER )

On this 30th day of May in the year 1985, before me  
Adelheid S. Langston, a Notary Public for the  
State of Colorado, personally appeared Bar L. Odom,  
known to me to be the Senior Vice President of Anaconda Minerals  
Company, a Division of Atlantic Richfield Company, the corporation  
that executed the within instrument and acknowledged to me that such  
corporation executed the same.

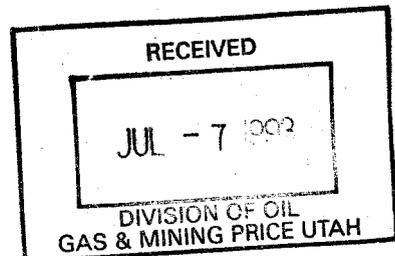
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
official seal the day and year in this certificate first above  
written.

Adelheid S. Langston  
Notary Public

Address: \_\_\_\_\_

My Commission expires \_\_\_\_\_, 19\_\_.

ADELHEID S. LANGSTON  
555 Seventeenth Street  
Denver, Colorado 80202  
Commission Expires Feb. 13, 1988.



DATE: 13 SEP 93

APPLICANT VIOLATOR SYSTEM  
APPLICATION EVALUATION REPORT

TIME: 18:18:25

STATE: UT

APPNO: ACT007022

SEQNO: 0

PAGE: 1

APPLICANT'S ENTITY ID: 109235

APPLICANT'S NAME : MOUNTAIN COAL CO

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

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*****
*
* SYSTEM RECOMMENDATION           :          ISSUE          *
* PREVIOUS SYSTEM RECOMMENDATION:  ISSUE(911112)         *
* OSMRE RECOMMENDATION            :          ISSUE(911113)      *
*
*****

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F2/PROCEED F3/QUIT F4/MAIN F6/REPORT F9/VIEW VIOL F10/VIEW OFT

*File ??*

PERMIT TRACKING FORM

Type of Proposal:

Enforcement Action Involved:

MRP AMENDMENT  TDN/L #X \_\_\_\_\_, # \_\_\_\_\_ of \_\_\_\_\_  
 MRP REVISION \_\_\_\_\_ NOV #N \_\_\_\_\_, # \_\_\_\_\_ of \_\_\_\_\_  
 EXPLORATION \_\_\_\_\_ CO #C \_\_\_\_\_, # \_\_\_\_\_ of \_\_\_\_\_  
 I. B. C. \_\_\_\_\_ (Incidental Boundary Change)

Title of Proposal: Deletion of Jensen Property

Company Name: Mtn. Coal Co. - C.V. Spur

File #: (INA / PRO / ACT / CEP) 007 / 022 - 93 A # New Acres: \_\_\_\_\_

Discipline	Priority	Reviewers	Due	Completed	Tech Memo Drafted	
					Yes	No
HYDROLOGY		<u>Hayatt</u>	<u>8/1</u>		( )	( )
BIOLOGY					( )	( )
ENGINEER					( )	( )
SOILS					( )	( )
GEOLOGY					( )	( )

Dates: Bill ~~Richardson~~ Malenick 7/2/93

- |   |   |
|---|---|
| <p>(1) Initial Plan Received _____<br/>                 Tech Review Due _____<br/>                 Tech Review Complete _____<br/>                 DOGM Response Sent _____<br/>                 Operator Response Due _____</p> <p>(2) Operator Response Rcd _____<br/>                 Tech Review Due _____<br/>                 Tech Review Complete _____<br/>                 DOGM Response Sent _____<br/>                 Operator Response Due _____</p> <p>(3) Operator Response Rc'd _____<br/>                 Tech Review Due _____<br/>                 Tech Review Complete _____<br/>                 DOGM Response Sent _____<br/>                 Operator Response Due _____</p> | <p>(4) Operator Resubmission _____<br/>                 Tech Review Due _____<br/>                 Tech Review Complete _____<br/>                 DOGM Response Sent _____<br/>                 Operator Response Due _____</p> <p>(5) Operator Response Rcd _____<br/>                 Tech Review Due _____<br/>                 Tech Review Complete _____<br/>                 DOGM Response Sent _____<br/>                 Operator Response Due _____</p> <p>(6) Conditional Approval _____<br/>                 Stipulations Due _____<br/>                 Stipulations Received _____<br/>                 DOGM Response Sent _____<br/>                 Final Approval _____<br/>                 Filed in MRP _____<br/>                 Author _____<br/>                 Transmitted _____</p> |
|---|---|

**RECEIVED**

JUL 16 1993

**DIVISION OF  
 GAS & MINING**

7/9/93  
Memo 7/9/93  
To File

7/20/93

Called 7/5/93 - Read cover letter from Mtn. Coal

Other Agency Involvement:

Agency	Transmittal Date	Sign-off	Comments:
( ) OSMRE	_____	_____	_____
( ) USFS	_____	_____	_____
( ) BLM	_____	_____	_____
( ) USFWS	_____	_____	_____
( ) NPS	_____	_____	_____
( ) HEALTH	_____	_____	_____
( ) UDWR	_____	_____	_____
( ) H <sup>2</sup> O RGTS	_____	_____	_____
( ) HISTORY	_____	_____	_____



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

July 20, 1993

Ms. Kathleen G. Welt  
Environmental Supervisor  
Mountain Coal Company  
P.O. Box 591  
Somerset, Colorado 81434

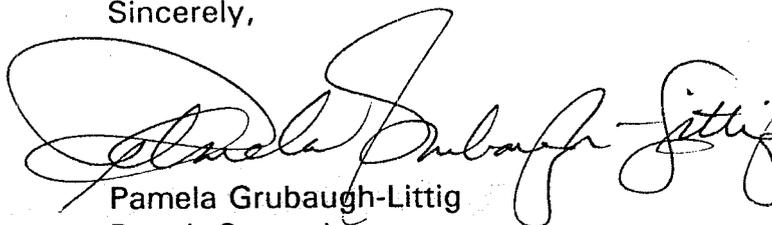
Dear Ms. Welt:

Re: Deletion of Jensen Property, Mountain Coal Company, C.V. Spur Coal Processing and Loadout Facility, ACT/007/022-93A, Folder #2, Carbon County, Utah

The above-noted amendment is denied. The permittee must provide design and cross sections for the berm and justification for deleting this parcel from the permit area. Additionally, clarification is needed for the record in the text to document that the Jensen parcel was: a) included in the permit by error, and b) not part and parcel of the C.V. Spur Preparation Plant operation. Plate 3-2, which is probably the permit area map for this site, should be labelled as such in the title block, so that this permit area change can be identified on the permit area map.

If you have any questions, please call me.

Sincerely,



Pamela Grubaugh-Littig  
Permit Supervisor





State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor  
Ted Stewart  
Executive Director  
James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

July 19, 1993

TO: Pamela Grubaugh-Littig, Permit Supervisor ✓  
FROM: Ken Wyatt, Reclamation Hydrologist KW  
RE: Deletion of Jensen Property Amendment Review, Mountain Coal Company, C.V. Spur, ACT/007/022, Folder #2, Carbon County, Utah

SYNOPSIS

Mountain Coal Company submitted an amendment to delete the Jensen trucking property from the C.V. Spur facility. This proposal was received by the Division on July 2, 1993, and will be reviewed in the memo.

ANALYSIS

The amendment is to delete a portion of the C.V. Spur permit area where Jensen trucking has been conducting their business. The area is located in the southwest portion of the permit area. The proposed amendment included a revised Plate 3-2 and a copy of the warranty deed as figure 4-2 showing that this parcel of land was sold to the Jensens in 1985.

Plate 3-2 was revised to show the Jensen property. A berm is proposed along the southern border of the C.V. Spur property to divert runoff away from the C.V. Spur disturbed area. No design criteria were provided for this berm. The operator will need to provide a cross section and runoff calculation to support this design.

Additionally, the operator will need to provide a narrative about the Jensen property discussing the history of the site and documenting that the site was not associated with the C.V. Spur facility. The warranty deed shows that the title was transferred to the Jensens in June 1985.

RECOMMENDATION

I recommend that this proposal be denied until the operator provides the design and cross sections for the berm and justification for deleting this parcel from the C.V. Spur site.



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter  
Governor  
Dee C. Hansen  
Executive Director  
Dianne R. Nielson, Ph.D.  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

ACT 10071022-93A  
#2

RECEIVED

JUL 11 1993

DIVISION OF  
OIL, GAS & MINING

DATE: July 9, 1993  
TO: Pamela Grubaugh-Littig, Permit Supervisor  
FROM: Wm. J. Malencik, Reclamation Specialist *WJM*  
RE: Mountain Coal Company Amendment/Jensen Property

The proposal to delete the Jensen property appears to be a reasonable proposal. However, suggest that additional clarification is needed for the record to:

- (1) Document the Jensen parcel was
  - (a) included in the permit by error and
  - (b) not part and parcel of the C.V. Spur Prep Plant operation;
- (2) Update maps 8-1, 9-1 and 3-1 (soils, vegetation and disturbed area) showing the altered permit boundary.

Alteration of the drainage system is proposed by constructing a berm on the north and westerly portion of the Mountain Coal patented land that is contiguous to the Jensen patented land. The runoff would be diverted into a natural drainage that lies adjacent to the C. V. rail line. Such runoff would commingle with other undisturbed and BTCA area #5 runoff and exist via a culvert on the main rail line.

The majority of the current drainage reports to sediment pond #5. With the alteration none of the Jensen drainage would report to pond #5. However, the discharge from pond #5 via pond #6 reports ultimately to the same ditch that ties into the rail culvert mentioned above and thence drains to the Price River.

Altering the drainage is a matter that appears feasible; however, record clarification and updating maps must be a part of the total package.