

C/007/033 Incoming ✓
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Denise A. Dragoo
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September 13, 2018

BY HAND DELIVERY

Daron Haddock
Coal Program Supervisor
Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116

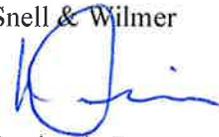
Re: Application for Transfer, Assignment or Sale of the Wildcat Loadout Facility from Intermountain Power Agency to Coal Energy Group 2, LLC, New Reclamation Agreement and Coal Permit Processing Form C/1, Permit No. C/007/0033

Dear Daron:

Effective as of September 10, 2018, ownership of the Wildcat Loadout Facility and related permits was transferred from the Intermountain Power Agency to Coal Energy Group 2, LLC ("CEG2"), conditioned upon governmental review and approval. On behalf of CEG2, enclosed please find an Application for Transfer, Assignment or Sale of the Wildcat Loadout Facility, Permit No. C/007/0033. Also enclosed is a new Reclamation Agreement and exhibit package, including a new surety bond with RLI Insurance Company to replace IPA's surety bond and a Certificate of Insurance confirming insurance coverage. The bond amount, the bonded area and the permit area remain the same as the current Permit No. C/007/0033. Also enclosed is a Coal Permit Processing Form DOGM-C1 executed by CEG2 as the new permittee.

We look forward to working with the Division to process this application package. If you have any questions, please call me at your convenience.

Very truly yours,

Snell & Wilmer

Denise A. Dragoo

DAD:mkm
Enclosures

cc: Suzanne Steab (via e-mail - suzannesteab@utah.gov)

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Intermountain Power Agency

Mine: Wildcat Loadout Facility

Permit Number: C/007/033

Title: _____

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

Transfer of permit to Coal Energy Group 2, LLC

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 one (1) review copy of the application.

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.

Bob Nead

Print Name

Bob Nead Manager 8/27/18
Sign Name, Position, Date

Subscribed and sworn to before me this 27th day of August, 2018

Bernita Esprit
Notary Public

My commission Expires:

Attest: State of Florida } ss:

County of Collier



For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining
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**APPLICATION FOR TRANSFER, ASSIGNMENT OR SALE OF THE WILDCAT
LOADOUT FACILITY -- PERMIT NO. C/007/033**

Introduction

This Application for Transfer, Assignment or Sale (“**Application**”) is submitted by Coal Energy Group 2 (“**CEG2**”) regarding CEG2’s proposed acquisition of all interest in the Wildcat Loadout Facility (“**Facility**”) and associated permit rights currently held by the Intermountain Power Agency (“**IPA**”). The Application is submitted pursuant to Utah Code Ann. § 40-10-12, Utah Admin. R. R645-303-300.

R645-303-321 – Application Requirements

321.100. The name and address of the existing permittee and permit number or other identifier:

Intermountain Power Agency
10653 South River Front Parkway, Suite 120
South Jordan, Utah 84095

Wildcat Loadout Facility, Permit No. C/007/033 (the “**Permit**”).

321.200. A brief description of the proposed action requiring approval:

IPA is transferring to CEG2 all of its interest in the Facility and the Permit. The parties have entered into a Purchase and Sale Agreement wherein IPA has agreed to convey all of its interest in the Facility to CEG2.

321.300. The legal, financial, compliance, and related information required by R645-301-100 for the applicant for approval of the transfer, assignment, or sale of permit rights:

R645-301-100—Legal, Financial and Compliance Requirements.

112. Identification of Interests:

112.100. A statement as to whether the applicant is a corporation, partnership, single proprietorship, association or other business entity:

CEG2 is a Nevada limited liability company.

112.210. The name, address, and telephone number of the applicant and any operator, if different from the applicant:

Coal Energy Group 2, LLC
6602 Ilex Circle
Naples, Florida 34109
(239) 825-2332

112.220. The name, address, and telephone number of the applicant's resident agent:

CT Corporation System
1108 East South Union Avenue
Midvale, Utah 84047
(800) 874-5258

112.230. The tax payer identification number for the applicant and operator:

Applicant TIN: 83-0571532
Operator TIN: 83-0571532

112.300. The name, address and telephone number of each business entity in the applicant's and operator's organizational structure, up to and including the ultimate parent entity of the applicant and operator...:

<u>Entity Name</u>	<u>Address</u>	<u>Telephone Number</u>
Not applicable		
Not applicable		

112.300. ...for every such business in the organizational structure of the applicant and operator, the applicant must also provide the following required information for every president, chief executive officer, officer, partner, member, and director (or persons in similar positions), and every person who owns, of record, 10 percent or more of the entity. The person's name and address:

112.310. The person's name, address, and telephone number;

See 112.330 below.

112.320. The person's position, title and relationship to the applicant, including percentage of ownership and location in organizational structure;

See 112.330 below.

112.330. For each position, the date the position was assumed, and when submitted under R645-300-147, the date of departure from the position;

Coal Energy Group 2, LLC

Name	Bob Nead
Address	6602 Ilex Circle, Naples, Florida 34109
Telephone No.	(239) 825-2332
Position/Title	Member/Manager of LLC
Relationship to applicant	Applicant/Manager
Percentage of ownership	50%
Location in organizational structure	Manager

Date position assumed May 16, 2018
Date of departure from position N/A

Name Jim Wayland
Address 2841 Capistrano Way, Naples, FL 34105
Telephone No. (239) 825-2332
Position/Title Manager
Relationship to applicant Applicant/Manager
Percentage of ownership 50%
Location in organizational structure Manager
Date position assumed May 16, 2018
Date of departure from position N/A

[Entity 2] N/A

Name
Address
Telephone No.
Position/Title
Relationship to applicant
Percentage of ownership
Location in organizational structure
Date position assumed
Date of departure from position

Name
Address
Telephone No.
Position/Title
Relationship to applicant
Percentage of ownership
Location in organizational structure
Date position assumed
Date of departure from position

112.340. Each additional name and identifying number, including employer identification number, Federal or State permit number, and MSHA number, under which the applicant, the operator, the applicant's partners or principal shareholders, and the operator's partners or principal shareholders operate, or previously operated a coal mining and reclamation operation in the United States within five years preceding the date of the application.

Name	Alton Coal Development, LLC
EIN	42-1655092
Fed/State permit number	Coal Hollow Mine Permit No. C/025/0005, Kane County, UT Burton #1 Mine Permit No. C/025/0005, Kane County, UT
MSHA number	42-02519 – Coal Hollow Mine (Surface operation) 42-02639 – Burton #1 Mine (Underground operation)

112.350. The application number or other identifier of, and the regulatory authority for, any other pending coal mine operation permit application filed by the applicant or the operator in any State in the United States.

Application number	N/A
Regulatory authority	N/A

112.400. For any coal mining and reclamation operation owned or controlled by either the applicant or operator in the last five years, provide the coal mining and reclamation operation's: [See Below]

112.410. Permittee's and operator's name, address, identifying numbers, including employer identification number, Federal or State permit number and MSHA number, and the regulatory authority; and [See 112.340]

112.420. Ownership or control relationship to the applicant and the operator, including percentage of ownership and location in organizational structure.

[Operation 1]

Name	Bob Nead, 7.5% interest as a member of Alton Coal Development, LLC and 50% interest as member of Coal Energy Group 2, LLC
Address	6602 Ilex Circle, Naples, Florida 34109 – CEG2; 463 N. 100 W. Cedar City, UT 84721 – Alton Coal Development, LLC
EIN	Alton Coal Development, LLC: 42-1655092
Permit number	Coal Hollow Mine: C/025/0005
MSHA number	42-02519 – Coal Hollow Mine; 42-02639 – Burton #1 Mine
Regulatory authority	Utah Division of Oil, Gas & Mining
Relationship to applicant	Bob Nead, Member of both Alton Coal Development, LLC and Coal Energy Group 2, LLC
Percentage of ownership	7.5% in Alton Coal; 50% in CEG2
Location in organization	Member of LLC
Name	Jim Wayland
Address	6602 Ilex Circle, Naples, Florida 34109 –CEG2; 463 N. 100 W. Cedar City, UT 84721 – Alton Coal Development, LLC

EIN	Alton Coal Development, LLC: 42-1655092
Permit number	Coal Hollow Mine : C/025/0005
MSHA number	42-02519 – Coal Hollow Mine; 42-02639- Burton #1 Mine
Regulatory authority	Utah Division of Oil, Gas & Mining
Relationship to applicant	Jim Wayland, Member of both Alton Coal Development, LLC and Coal Energy Group 2, LLC
Percentage of ownership	10% in Alton Coal; 50% in CEG2, LLC
Location in organization	Member of LLC

[Operation 2] N/A

Name
Address
EIN
Permit number
MSHA number
Regulatory authority
Relationship to applicant
Percentage of ownership
Location in organization

Name
Address
EIN
Permit number
MSHA number
Regulatory authority
Relationship to applicant
Percentage of ownership
Location in organization

112.500: The name and address of each legal or equitable owner of record of the surface and mineral property for the coal loading activities, each holder of record of any leasehold interest in the property for the coal loading activities and any purchaser of record under a real estate contract for the property for the coal loading activities:

1. Permittee

Intermountain Power Agency
10653 South River Front Parkway, Suite 120
South Jordan, Utah 84095

The existing interests of IPA will be transferred to Applicant upon completion of the transfer of the Facility in accordance with the terms of the Purchase and Sale Agreement.

2. Permit Applicant

Coal Energy Group 2, LLC
6602 Ilex Circle
Naples, Florida 34109

Applicant has an equitable interest pursuant to the terms of the Purchase and Sale Agreement and will acquire the interests of IPA in accordance with the terms of said agreement.

3. Other Legal and Equitable Owners of Record

Bureau of Land Management
Utah State Office
440 West 200 South, Suite 500
Salt Lake City, Utah 84101
(801) 539-4001

Utah Railway Co.
1221 S. Colorado Avenue
Provo, Utah 84606
(801) 374-3527

All land within the permit area in question is owned by the United States of America. Utah Railway Company and IPA hold their interests pursuant to BLM rights-of-way, which rights are in the nature of a leasehold interest.

4. Purchasers of Record Under Real Estate Contracts

To the best of CEG2's knowledge, there are no purchasers of record – other than CEG2 under the Purchase and Sale Agreement – under any real estate contracts for areas to be affected by surface operations and facilities of this Facility.

112.600: The name and address of each owner of record of all property (surface and subsurface) contiguous to any part of the proposed permit area:

Bureau of Land Management
Utah State Office
P440 West 200 South, Suite 500
Salt Lake City, Utah 84101
(801) 539-4001

112.700. The MSHA numbers for Wildcat Loadout Facility:

Loadout: MSHA ID 42-01864

112.800. A statement of all lands, interest in lands, options, or pending bids on interests held or made by the applicant for lands contiguous to the area described in the permit application.:

CEG2 holds no interest in lands, options, or pending bids on interests for lands contiguous to the Facility.

113. Violation Information:

113.110-120. A statement of whether the applicant or any subsidiary, affiliate or persons controlled by or under common control with the applicant has:

1. Had a federal or state permit to conduct coal mining and reclamation operations suspended or revoked in the five years preceding the date of submission of the application or

None.

2. Forfeited a performance bond or similar security deposit in lieu of bond.

None.

113.200. Explanation of Permit or Bond forfeiture:

N/A

113.300-350. For any violation of a provision of the Act, or of any law, rule or regulation of the United States, or of any derivative State reclamation law, rule or regulation enacted pursuant to Federal law, rule or regulation pertaining to air or water environmental protection incurred in connection with any coal mining and reclamation operation, a list of all violation notices received by the applicant or operator during the three year period preceding the application date, and a list of all unabated cessation orders and unabated air and water quality violation notices received prior to the date of the application by any coal mining and reclamation operation owned or controlled by either the applicant or operator. For each violation notice or cessation order reported, the lists shall include the following information, as applicable:

- i) No unabated violations
- ii) Listing of violation notices

**Alton Coal Development, LLC
Coal Hollow Mine – Permit No. C/025/0005**

Violation Number	Date of Issuance	Brief Description of NOV	Provisions of act, regulation or permit violated
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21157	9/22/2015	Failure to protect topsoil stockpiled on excess spoil pile.	R645-301-234.200, R645-301-234.210, R645-301-234.230
21158	9/22/2015	Failure to maintain UD2 and DD4	R645-301-742.312, R645-301-742.312.3
21161	12/21/2015	Failure to complete sage-grouse mitigation work on 355 acre BLM	R645-300-142, 143
21162	1/20/2016	Failure to install drainage from the sump in pit 10 to its discharge point in Pond 3 according to the design found in Appendix 5-13.	R645-752.100, R645-301-732.300 and R645-301-744.100
21163	1/20/2016	Failure to have rough backfilling and grading follow coal removal by not more than 60 days. Mining ceased in HWT 2 with Panel 4E in July 2015.	R645-301-533 R645-301-542.100 and R645-301-542.200
21164	1/20/2016	Failure to provide a plan for reclamation of the final Pit 10.	R645-301-541.400 R645-301-542, R645-301-542.100, R645-301-542.200 and R645-301-542.300
21165	3/9/2016	1. Failure to provide accurate, certified underground (UG) mine surface facilities map showing buildings; utility corridors; coal and non-coal waste disposal locations; and coal loading locations. 2. Failure to provide accurate certified map of UG mine water diversions, collection, conveyance and treatment structures.	1. R645-301-512.100, R645-301-512.120, R645-301-521.161, R645-301-521.162, R645-301-521.163, R645-301-521.164, R645-301-521.165, R645-301-521.166, R645-301-521.167 2. R645-301-512.140 and R65-301-731.720
21166	3/9/2016	Failure to correct structural weakness in pond 001 and 002	R645-301-742.213
21167	3/9/2016	1. Failure to install adequate sediment control measures on the fill slopes surrounding the underground mine (UG). 2. Failure to install adequate sediment control within Pit 10 for the UG mine surface facility	1. R645-301-742.120 through R645-301-742 and R645-301-742.331 2. R645-301-742.110, R645-301-742.112, R645-301-742.120, R645-301-742.123, R645-301-742.124 and R65-301-742.200, R645-301-732.100 and R645-301-512.240

21174	4/6/2016	Failure to follow the approved plan in Area 1, MRP, Vol 3, Chapt 5, pages 5-13 and page 5-21. Page 5-13: County road to be completed prior to mining activity so that public is routed around the mine. Page 5-21: construction of haul roads, pond 5 and pond 6, subsoil pile, topsoil pile and spoil pile all ditches and culverts completed prior to mining in Pit 1 or development of Pit 1.	R645-300-142
21183	6/3/2016	Over excavation of excess spoil pile area.	R645-300-141, R645-300-142
21185	9/7/2016	Maintenance of ASCA-1 NPL	R645-301-742.110, R645-301-742.111
21191	12/8/2016	Failure to protect topsoil NPL.	R645-301-234.210
21193	3/15/2017	Failure to store oil & grease in a controlled manner in a designated area of the permit area	R645-301-542.741, R645-301-747.100
21194	3/15/2017	Failure to maintain siltation structures and diversions at the underground facilities	R645-301-752.100 through 752.240

113.310. Any identifying numbers for the operation, including the Federal or State permit number and MSHA number, the dates of issuance of the violation notice and MSHA number, the name of the person to whom the violation notice was issued, and the name of the issuing regulatory authority, department or agency;

MSHA Violations – Burton Mine No. 1



Mine Citations, Orders, and Safeguards

Current Mine Information

Mine ID: 4202639
Operator: Alton Coal Development LLC
Op r. Begin Date: 11/25/2014
Mine Name: Burton #1 Mine
Current Controller: James J Wayland
Controller Start Date: 1/11/2009
Mine Status: Temporarily Idled
Status Date: 11/22/2017
Mined Material: Coal (Bituminous)
Type of Mine: Underground
Location: Kane County, UT
State: UT

Operator History for Mine ID: 4202639

Operator Name	Begin Date	End Date
Alton Coal Development LLC	11/25/2014	

How do I use this information? [Click Here](#)

PLEASE NOTE: The information provided by the Mine Data Retrieval System (MDRS) is based on data gathered from various MSHA systems. As there may be a lag time in data being entered into those systems, there will also be a lag in the reflection of that data on the MDRS.

Assessment data is not available prior to 1/1/1995

Citations, Orders, and Safeguards

The current operator **Alton Coal Development LLC** has been the operator since **11/25/2014**

- Indicates violations pending hearings, appeals, and/or other actions.
- Indicates violations that have not yet been assessed.
- These are non-assessable.

— [Assessment Process Overview](#)

Note: Vacated Citations are not included in any reports on the MDRS.

Violator	Contractor ID	Citation/Order No.	Case No.	Date Issued	Final Order Date	Section of Act	Date Terminated	Citation/Order	S & S	Standard	Proposed Penalty (\$)	Citation/Order Status	Current Penalty (\$)	Amount Paid To Date (\$)
Alton Coal Development LLC		9023327	000435419	2/1/2017	12/12/2017	104(d)(1)	3/8/2017	C	Y	49.18(b)(1)	37,900.00	Closed	3,200.00	3,200.00
Alton Coal Development LLC		9022808	000435419	2/1/2017	12/12/2017	104(d)(1)	3/8/2017	O	Y	49.16(a)	44,500.00	Closed	5,000.00	5,000.00

<https://airweb.msha.gov/drs/ASP/MineAction.asp>

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8/21/2018

MSHA - Mine Violations

Alton Coal Development LLC	9022254	000425931	10/17/2016	2/6/2017	104(a)	10/18/2016	C	N	47.51	114.00	Closed	114.00	114.00
Alton Coal Development LLC	9022485	000421684	8/10/2016	12/5/2016	104(a)	8/18/2016	C	N	49.13(g)	114.00	Closed	114.00	114.00
Alton Coal Development LLC	9022481	000419373	7/27/2016	11/7/2016	104(a)	7/27/2016	C	N	75.1713-7(a)(1)	114.00	Closed	114.00	114.00
Alton Coal Development LLC	9023298	000416893	6/15/2016	9/14/2016	104(a)	6/15/2016	C	N	75.370(a)(1)	114.00	Closed	114.00	114.00
Alton Coal Development LLC	9023290	000414659	5/25/2016	9/5/2016	104(a)	5/25/2016	C	N	75.333(h)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	9022002	000412232	4/13/2016	8/8/2016	104(a)	4/13/2016	C	N	75.1103-2(a)(1)(ii)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481282	000407209	2/23/2016	5/13/2016	104(a)	2/23/2016	C	N	75.701	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481283	000407209	2/23/2016	5/13/2016	104(a)	2/23/2016	C	Y	75.601-1	138.00	Closed	138.00	138.00
Alton Coal Development LLC	8481257	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	77.516	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481254	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	77.400(a)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481256	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	Y	77.503	207.00	Closed	207.00	207.00
Alton Coal Development LLC	8483459	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	75.1600-1	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481255	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	77.1110	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8482838	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	77.400(a)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481258	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	77.503	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8482834	000402685	12/16/2015	3/27/2016	104(a)	12/17/2015	C	N	77.1606(c)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483458	000402685	12/15/2015	3/27/2016	104(a)	12/15/2015	C	N	75.503	100.00	Closed	100.00	100.00

<https://arweb.msha.gov/drs/ASP/MineAction.asp>

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8/21/2018

MSHA - Mine Violations

Alton Coal Development LLC	8483455	000398584	10/29/2015	1/11/2016	104(a)	10/29/2015	C	N	75.503	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483622	000393753	8/10/2015	12/7/2015	104(a)	9/1/2015	C	N	75.403	127.00	Closed	127.00	127.00
Alton Coal Development LLC	8483619	000391080	7/23/2015	8/4/2016	104(a)	7/23/2015	C	N	75.370(1)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	9021808	000386086	5/13/2015	4/26/2016	104(a)	5/13/2015	C	N	77.1111	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483522	000383309	5/6/2015	12/15/2015	104(a)	5/6/2015	C	Y	77.701	138.00	Closed	138.00	138.00
Alton Coal Development LLC	8483523	000383309	5/6/2015	12/15/2015	104(a)	5/6/2015	C	N	77.502	100.00	Closed	100.00	100.00

 [Return to DRS Home Page](#)

MSHA Violations – Coal Hollow Mine

8/21/2018

MSHA - Mine Violations



Mine Citations, Orders, and Safeguards

Current Mine Information

Mine ID: 4202519
Operator: Alton Coal Development LLC
Op. Begin Date: 1/1/2009
Mine Name: Coal Hollow Mine
Current Controller: James J Wayland
Controller Start Date: 1/1/2009
Mine Status: Active
Status Date: 12/31/2015
Mined Material: Coal (Bituminous)
Type of Mine: Surface
Location: Kane County, UT
State: UT

Operator History for Mine ID: 4202519

<u>Operator Name</u>	<u>Begin Date</u>	<u>End Date</u>
Alton Coal Development LLC	1/1/2009	

How do I use this information? [Click Here](#)

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Assessment Process Overview

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Alton Coal Development LLC		9028262	000470587	6/19/2018		104(a)	6/19/2018	C	N	72.208(a)	128.00	Proposed	128.00	0.00
Alton Coal Development LLC		9028260	000470587	6/13/2018		104(a)	6/13/2018	C	N	71.501	208.00	Proposed	208.00	0.00
Alton Coal		9028261	000470587	6/13/2018		104(a)	6/13/2018	C	N	72.1713(c)	118.00	Proposed	118.00	0.00

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Development LLC														
Alton Coal Development LLC	9028259	009470587	6/12/2018		104(a)	6/19/2018	C	Y	77.1104	638.00	Proposed	638.00	0.00	
Alton Coal Development LLC	9028258	009470587	6/12/2018		101(a)	6/19/2018	C	Y	77.404(a)	691.00	Proposed	691.00	0.00	
Alton Coal Development LLC	9028043	009462166	2/14/2018		104(a)	2/15/2018	C	N	77.1606(c)	118.00	Hearing Case Filed	118.00	0.00	
Alton Coal Development LLC	9028042	009462166	2/14/2018		104(a)	2/14/2018	C	N	77.502	151.00	Hearing Case Filed	151.00	0.00	
Alton Coal Development LLC	9028152	009462166	2/14/2018		104(a)	2/14/2018	C	Y	77.1104	544.00	Hearing Case Filed	544.00	0.00	
Alton Coal Development LLC	9028151	009462166	2/13/2018		104(a)	2/13/2018	C	N	77.1607(b)	128.00	Hearing Case Filed	128.00	0.00	
Alton Coal Development LLC	9028041	009462166	2/13/2018		104(a)	2/14/2018	C	Y	77.1104	953.00	Hearing Case Filed	953.00	0.00	
Alton Coal Development LLC	9026670	000450029	8/9/2017	7/3/2018	104(a)	8/9/2017	C	N	77.1104	148.00	Delinquent	132.00	0.00	
Alton Coal Development LLC	9026669	000450029	8/9/2017	7/3/2018	104(a)	8/9/2017	C	N	77.1108(c)(1)	148.00	Delinquent	148.00	0.00	
Alton Coal Development LLC	9026668	000450029	8/9/2017	7/3/2018	104(a)	8/9/2017	C	N	47.44(b)	148.00	Delinquent	119.00	0.00	
Alton Coal Development LLC	9026665	000450029	8/7/2017	7/3/2018	104(a)	8/7/2017	C	Y	77.400(g)	734.00	Delinquent	734.00	0.00	
Alton Coal Development LLC	9026664	000450029	8/7/2017	7/3/2018	104(a)	8/7/2017	C	Y	77.1713(a)	3,098.00	Delinquent	902.00	0.00	
Alton Coal Development LLC	9026666	000450029	8/7/2017	7/3/2018	104(a)	8/9/2017	C	N	77.1605(a)	148.00	Delinquent	119.00	0.00	
Alton Coal Development LLC	9026667	000450029	8/7/2017	7/3/2018	104(a)	8/9/2017	C	Y	77.1104	734.00	Delinquent	337.00	0.00	
Alton Coal Development LLC	9026663	000447618	7/26/2017	8/1/2018	104(a)	8/7/2017	C	N	77.213	148.00	Final Order Issued	148.00	0.00	
Alton Coal Development LLC	9026657	000442837	6/1/2017	12/20/2017	104(a)	6/1/2017	C	N	77.1707(g)	148.00	Closed	148.00	148.00	
Alton Coal Development LLC	9022817	000437771	3/22/2017	2/20/2018	104(a)	3/22/2017	C	N	77.502	577.00	Closed	462.00	462.00	

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LLC														
Alton Coal Development LLC		9022814	000437771	3/7/2017	2/20/2018	104(n)	3/21/2017	C	N	77.1103(d)	259.00	Closed	207.00	207.00
Alton Coal Development LLC		9022811	000437771	3/7/2017	2/20/2018	104(a)	3/7/2017	C	N	77.1713(d)	387.00	Closed	310.00	310.00
Alton Coal Development LLC		9022813	000437771	3/7/2017	2/20/2018	104(a)	3/7/2017	C	N	77.1606(c)	577.00	Closed	577.00	577.00
Alton Coal Development LLC		9022812	000437771	3/7/2017	2/20/2018	104(n)	3/7/2017	C	N	77.1606(c)	577.00	Closed	577.00	577.00
Alton Coal Development LLC		9022815	000437771	3/7/2017	2/20/2018	104(a)	3/7/2017	C	N	77.505	259.00	Closed	207.00	207.00
Alton Coal Development LLC		9022256	000425929	10/18/2016	6/27/2017	104(a)	10/31/2016	C	Y	77.200	1,078.00	Closed	1,078.00	1,078.00
Alton Coal Development LLC		9022255	000425929	10/18/2016	6/27/2017	104(a)	10/24/2016	C	N	77.502	216.00	Closed	216.00	216.00
Alton Coal Development LLC		9022257	000425929	10/18/2016	6/27/2017	104(a)	10/24/2016	C	N	77.200	216.00	Closed	100.00	100.00
Alton Coal Development LLC		8486634	000425929	10/17/2016	6/27/2017	104(a)	10/24/2016	C	N	77.1104	6,786.00	Closed	4,286.00	4,286.00
Alton Coal Development LLC		8486636	000425929	10/17/2016	6/27/2017	104(a)	10/17/2016	C	N	77.1103(d)	351.00	Closed	351.00	351.00
HTC Hauling LLC	B3323	8486632	000424990	10/17/2016	1/27/2017	104(a)	10/17/2016	C	N	77.1110	114.00	Closed	114.00	114.00
Alton Coal Development LLC		8486637	000425929	10/17/2016	6/27/2017	104(a)	10/17/2016	C	N	77.502	351.00	Closed	351.00	351.00
HTC Hauling LLC	B3323	8486631	000424990	10/17/2016	1/27/2017	104(a)	10/17/2016	C	N	77.410(b)	114.00	Closed	114.00	114.00
Alton Coal Development LLC		8486635	000425929	10/17/2016	6/27/2017	104(a)	10/17/2016	C	N	77.1606(c)	4,548.00	Closed	3,048.00	3,048.00
HTC Hauling LLC	B3323	8486633	000424990	10/17/2016	1/27/2017	104(a)	10/17/2016	C	N	77.1606(c)	114.00	Closed	114.00	114.00
Alton Coal Development LLC		8488271	000423853	9/7/2016	1/9/2017	104(a)	10/5/2016	C	N	50.20(g)	114.00	Closed	114.00	114.00
Barney Trucking Inc	Q37	9022484	000420622	8/9/2016	11/5/2016	104(g) (1)	8/9/2016	O	Y	48.31	390.00	Closed	390.00	390.00
Barney Trucking Inc	Q37	9022482	000420622	7/28/2016	11/5/2016	104(g) (1)	7/28/2016	O	Y	48.31	390.00	Closed	390.00	390.00
Alton Coal		9022479	000421682	7/26/2016	12/5/2016	104(n)	7/26/2016	C	N	77.1713(d)	615.00	Closed	615.00	615.00

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Development LLC														
Alton Coal Development LLC	9022480	000419370	7/26/2016	6/27/2017	104(a)	7/26/2016	C	N	77.209(d)	185.00	Closed	185.00	185.00	
Alton Coal Development LLC	9022478	000419370	7/26/2016	6/27/2017	104(a)	7/28/2016	C	N	77.1713(c)	918.00	Closed	385.00	385.00	
Alton Coal Development LLC	8373178	000414657	5/31/2016	9/5/2016	104(a)	6/14/2016	C	N	77.302	162.00	Closed	162.00	162.00	
Alton Coal Development LLC	8373176	000414657	5/25/2016	9/5/2016	104(a)	5/25/2016	C	N	77.1606(c)	162.00	Closed	162.00	162.00	
Alton Coal Development LLC	8373177	000414657	5/25/2016	9/5/2016	104(a)	5/31/2016	C	N	77.1103(d)	162.00	Closed	162.00	162.00	
Alton Coal Development LLC	8373170	000414657	5/23/2016	9/5/2016	104(a)	5/24/2016	C	N	77.1606(c)	108.00	Closed	108.00	108.00	
Alton Coal Development LLC	8373171	000414657	5/23/2016	9/5/2016	104(a)	5/23/2016	C	N	77.1104	425.00	Closed	425.00	425.00	
Alton Coal Development LLC	8373173	000414657	5/23/2016	9/5/2016	104(a)	5/24/2016	C	N	77.1606(c)	243.00	Closed	243.00	243.00	
Alton Coal Development LLC	8373174	000414657	5/23/2016	9/5/2016	104(a)	5/31/2016	C	Y	77.620	1,795.00	Closed	1,795.00	1,795.00	
Alton Coal Development LLC	8373175	000414657	5/23/2016	9/5/2016	104(a)	5/24/2016	C	N	77.1104	3,143.00	Closed	3,143.00	3,143.00	
Alton Coal Development LLC	8373172	000414657	5/23/2016	9/5/2016	104(a)	5/24/2016	C	N	77.1606(c)	243.00	Closed	243.00	243.00	
Alton Coal Development LLC	8373168	000414657	5/18/2016	9/5/2016	104(a)	5/18/2016	C	N	77.1713(c)	308.00	Closed	308.00	308.00	
Alton Coal Development LLC	8373169	000414657	5/18/2016	9/5/2016	104(a)	5/18/2016	C	N	77.1713(c)	308.00	Closed	308.00	308.00	
Alton Coal Development LLC	9022957	000402684	1/6/2016	3/27/2016	104(a)	1/7/2016	C	Y	77.502	1,203.00	Closed	1,203.00	1,203.00	
Alton Coal Development LLC	8482835	000402684	12/17/2015	3/27/2016	104(a)	1/6/2016	C	N	77.502	100.00	Closed	100.00	100.00	
Alton Coal Development LLC	8482837	000402684	12/17/2015	3/27/2016	104(a)	12/17/2015	C	N	77.505	138.00	Closed	138.00	138.00	
Alton Coal Development LLC	8482836	000402684	12/17/2015	3/27/2016	104(a)	12/17/2015	C	Y	77.205(b)	2,282.00	Closed	2,282.00	2,282.00	

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Alton Coal Development LLC	7621916	000400557	12/2/2015	8/30/2016	104(a)	12/2/2015	C	N	77.1104	138.00	Closed	138.00	138.00		
Alton Coal Development LLC	7621917	000400557	12/2/2015	8/30/2016	104(a)	12/2/2015	C	N	77.1606(c)	687.00	Closed	500.00	500.00		
Alton Coal Development LLC	7621915	000400557	12/1/2015	8/30/2016	104(a)	12/2/2015	C	N	77.1606(c)	138.00	Closed	112.00	112.00		
Alton Coal Development LLC	8476489	000400557	12/1/2015	8/30/2016	104(a)	12/1/2015	C	Y	77.502	1,026.00	Closed	821.00	821.00		
Alton Coal Development LLC	7621914	000400557	12/1/2015	8/30/2016	104(a)	12/1/2015	C	N	77.1102(b)	138.00	Closed	138.00	138.00		
Alton Coal Development LLC	8476488	000400557	12/1/2015	8/30/2016	104(a)	12/1/2015	C	N	77.1103(g)	138.00	Closed	138.00	138.00		
Alton Coal Development LLC	8483629	000393750	8/31/2015	4/27/2016	104(a)	8/31/2015	C	N	77.1606(c)	117.00	Closed	117.00	117.00		
Alton Coal Development LLC	8483620	000393750	7/29/2015	9/6/2016	104(g) (1)	8/3/2015	O	N	48.25(a)	1,500.00	Closed	823.00	823.00		
Alton Coal Development LLC	8483524	000383307	5/7/2015	12/15/2015	104(a)	5/7/2015	C	N	77.401(g)	362.00	Closed	100.00	100.00		
Alton Coal Development LLC	9021624	000380705	3/10/2015	12/15/2015	104(a)	3/10/2015	C	N	77.1104	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	9021621	000380705	3/9/2015	12/15/2015	104(a)	3/10/2015	C	Y	77.404(g)	1,304.00	Closed	1,304.00	1,304.00		
Alton Coal Development LLC	9021622	000380705	3/9/2015	12/15/2015	104(a)	3/10/2015	C	N	77.1104	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	9021623	000380705	3/9/2015	12/15/2015	104(a)	3/9/2015	C	N	77.402	108.00	Closed	108.00	108.00		
Alton Coal Development LLC	9021620	000380705	3/9/2015	12/15/2015	104(a)	3/10/2015	C	Y	77.410(c)	1,203.00	Closed	1,050.00	1,050.00		
Alton Coal Development LLC	8483430	000378270	1/7/2015	11/4/2015	104(a)	1/8/2015	C	N	77.1200(j)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8483431	000378270	1/7/2015	1/4/2016	104(a)	1/8/2015	C	N	77.1000	2,700.00	Closed	2,700.00	2,700.00		
Alton Coal Development LLC	8483429	000373716	1/6/2015	8/25/2015	104(a)	1/6/2015	C	N	77.408	100.00	Closed	100.00	100.00		

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Alton Coal Development LLC	8483428	000378270	1/6/2015	1/4/2016	104(a)	1/6/2015	C	Y	77.1607(g)	6,800.00	Closed	6,800.00	6,800.00
Alton Coal Development LLC	8483427	000373716	1/6/2015	8/25/2015	104(a)	1/6/2015	C	Y	77.1437(g)	1,304.00	Closed	1,304.00	1,304.00
Alton Coal Development LLC	8483497	000373716	12/16/2014	8/25/2015	104(a)	12/16/2014	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483488	000371357	12/3/2014	11/4/2015	104(a)	12/4/2014	C	N	77.1605(k)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483486	000373716	12/3/2014	8/25/2015	104(a)	12/3/2014	C	N	77.1000	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483487	000371357	12/3/2014	11/4/2015	104(a)	12/4/2014	C	N	77.1605(k)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483479	000368768	10/21/2014	1/4/2016	104(a)	10/22/2014	C	Y	77.1104	460.00	Closed	460.00	460.00
Alton Coal Development LLC	8483478	000368768	10/21/2014	1/4/2016	104(a)	10/22/2014	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483477	000368768	10/20/2014	1/4/2016	104(a)	10/21/2014	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483476	000368768	10/20/2014	1/4/2016	104(a)	10/20/2014	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483140	000364720	9/11/2014	8/30/2015	104(a)	9/26/2014	C	N	77.404-1(d)	308.00	Closed	100.00	100.00
Alton Coal Development LLC	8482828	000364720	9/11/2014	8/30/2015	104(a)	9/11/2014	C	N	77.404(b)	460.00	Closed	100.00	100.00
Alton Coal Development LLC	8482826	000364720	9/11/2014	8/30/2015	104(a)	9/11/2014	C	N	77.1110	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8482827	000364720	9/11/2014	8/30/2015	104(a)	9/11/2014	C	Y	77.404(a)	460.00	Closed	460.00	460.00
Alton Coal Development LLC	8483402	000372812	8/12/2014	1/4/2016	104(a)	8/12/2014	C	N	77.1000	2,100.00	Closed	2,100.00	2,100.00
Alton Coal Development LLC	8483401	000372812	8/11/2014	1/4/2016	104(a)	8/11/2014	C	Y	77.1000	6,800.00	Closed	6,800.00	6,800.00
Alton Coal Development LLC	8483093	000361905	7/28/2014	8/30/2015	104(a)	7/28/2014	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal	8483092	000361905	7/28/2014	8/30/2015	104(n)	7/28/2014	C	Y	77.205(a)	460.00	Closed	460.00	460.00

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Development LLC														
Alton Coal Development LLC	8482233	000358878	6/25/2014	8/25/2015	104(a)	6/25/2014	C	Y	77.1503(b)	1,637.00	Closed	420.00	420.00	
Alton Coal Development LLC	8482234	000358878	6/25/2014	8/25/2015	104(a)	6/25/2014	C	N	77.1000	100.00	Closed	100.00	100.00	
Alton Coal Development LLC	8482235	000358878	6/25/2014	8/25/2015	104(a)	7/9/2014	C	N	77.1000	308.00	Closed	100.00	100.00	
Alton Coal Development LLC	8483126		5/21/2014		103(j)	6/2/2014	O	N/A		Non-Assessable				
Alton Coal Development LLC	8483208	000356499	5/19/2014	8/20/2014	104(a)	5/21/2014	C	N	77.1000	100.00	Closed	100.00	100.00	
Alton Coal Development LLC	8483121		5/8/2014		103(k)	5/20/2014	O	N/A		Non-Assessable				
Alton Coal Development LLC	8481964	000361905	4/30/2014	8/30/2015	104(a)	8/15/2014	C	Y	77.1000	1,530.00	Closed	1,530.00	1,530.00	
Alton Coal Development LLC	8481963		4/29/2014		103(k)	5/1/2014	O	N/A		Non-Assessable				
Alton Coal Development LLC	8484396		4/16/2014		104(a)	4/21/2014	C	N		Non-Assessable				
Alton Coal Development LLC	8484397		4/16/2014		104(a)	4/21/2014	C	N		Non-Assessable				
Alton Coal Development LLC	8484394		4/15/2014		104(a)	4/15/2014	C	Y		Non-Assessable				
Alton Coal Development LLC	8484395		4/15/2014		104(a)	4/21/2014	C	N		Non-Assessable				
Alton Coal Development LLC	8482999	000351079	3/17/2014	3/25/2015	104(a)	3/17/2014	C	N	77.1713(e)	100.00	Closed	100.00	100.00	
Alton Coal Development LLC	8483000	000351079	3/17/2014	3/25/2015	104(a)	3/17/2014	C	N	77.1713(e)	108.00	Closed	108.00	108.00	
Alton Coal Development LLC	8482987	000358878	1/30/2014	1/4/2016	104(d) (1)	3/4/2014	C	Y	77.1005(g)	70,000.00	Closed	25,800.00	25,800.00	
Alton Coal Development LLC	8482946	000348285	1/29/2014	8/25/2015	104(a)	1/29/2014	C	Y	77.1104	308.00	Closed	308.00	308.00	
Alton Coal Development LLC	8482983	000345459	1/27/2014	8/25/2015	104(a)	1/27/2014	C	N	77.1110	100.00	Closed	100.00	100.00	

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LLC															
Alton Coal Development LLC	8482942	000345459	1/27/2014	8/25/2015	104(a)	1/27/2014	C	N	77.410(b)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482982	000345459	1/27/2014	8/25/2015	104(a)	1/29/2014	C	N	77.1606(c)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482945	000358878	1/27/2014	8/25/2015	104(a)	2/6/2014	C	Y	50.10(d)	1,530.00	Closed	430.00	430.00		
Alton Coal Development LLC	8482944	000345459	1/27/2014	8/25/2015	104(a)	1/28/2014	C	N	77.1606(c)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482986	000359231	1/27/2014	8/25/2015	104(a)	4/16/2014	C	Y	77.1000	5,700.00	Closed	5,700.00	5,700.00		
Alton Coal Development LLC	8482984	000345459	1/27/2014	8/25/2015	104(a)	2/6/2014	C	N	77.1606(c)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482943	000345459	1/27/2014	8/25/2015	104(a)	1/27/2014	C	N	77.1605(d)	308.00	Closed	308.00	308.00		
Alton Coal Development LLC	8482820	000345459	1/27/2014	8/25/2015	104(a)	1/29/2014	C	N	77.205(a)	308.00	Closed	200.00	200.00		
Alton Coal Development LLC	8482985	000345459	1/27/2014	8/25/2015	104(a)	1/29/2014	C	N	77.1606(c)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482981	000345459	1/27/2014	8/25/2015	104(a)	1/29/2014	C	Y	77.1104	460.00	Closed	460.00	460.00		
Alton Coal Development LLC	8482128	000330002	7/10/2013	4/22/2014	104(a)	7/11/2013	C	N	50.20(a)	100.00	Closed	85.00	85.00		
Alton Coal Development LLC	8482126	000330002	7/9/2013	4/22/2014	104(a)	7/9/2013	C	N	77.1605(k)	100.00	Closed	85.00	85.00		
Alton Coal Development LLC	8482113		5/15/2013		103(k)	5/19/2013	O	N/A			Non-Assessable				
Alton Coal Development LLC	8482115	000343403	5/15/2013	11/11/2014	104(a)	5/19/2013	C	Y	77.1000	946.00	Closed	946.00	946.00		
Alton Coal Development LLC	8482112	000327483	5/14/2013	5/8/2014	104(a)	5/14/2013	C	N	77.502	190.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482111	000327483	5/14/2013	5/8/2014	104(a)	5/14/2013	C	Y	77.205(g)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482074	000316333	1/17/2013	2/27/2014	104(a)	2/4/2013	C	N	77.202	100.00	Closed	100.00	100.00		

<https://airweb.msha.gov/drs/ASP/MineAction.asp>

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Alton Coal Development LLC		8482073	000316333	1/17/2013	2/27/2014	104(a)	2/4/2013	C	N	77.213	100.00	Closed	100.00	100.00
Kane Mining	A1006	8482076	000314514	1/16/2013	7/23/2013	104(a)	1/16/2013	C	N	77.404(a)	190.00	Closed	152.00	152.00
Alton Coal Development LLC		8482071	000316333	1/16/2013	2/27/2014	104(a)	1/16/2013	C	N	77.404(a)	100.00	Closed	100.00	100.00
Kane Mining	A1006	8482077	000314514	1/16/2013	7/23/2013	104(a)	1/16/2013	C	Y	77.404(a)	190.00	Closed	190.00	190.00
Kane Mining	A1006	8482340	000314514	1/16/2013	7/23/2013	104(a)	2/4/2013	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC		8482072	000316333	1/16/2013	2/27/2014	104(a)	1/16/2013	C	N	77.404(a)	100.00	Closed	100.00	100.00
Kane Mining	A1006	8482075	000314514	1/15/2013	7/23/2013	104(a)	1/15/2013	C	Y	77.202	190.00	Closed	190.00	190.00
Kane Mining	A1006	8482067	000314514	1/15/2013	7/23/2013	104(a)	1/15/2013	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC		8482069	000316333	1/15/2013	2/27/2014	104(a)	1/15/2013	C	Y	77.202	100.00	Closed	100.00	100.00
Alton Coal Development LLC		8482068	000316333	1/15/2013	2/27/2014	104(a)	1/15/2013	C	N	77.503	100.00	Closed	100.00	100.00
Alton Coal Development LLC		8482070	000316333	1/15/2013	2/27/2014	104(a)	1/15/2013	C	N	77.202	100.00	Closed	100.00	100.00

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113.320. A brief description of the violation alleged in the notice;

See above

113.330. The date, location, and type of any administrative or judicial proceedings initiated concerning the violation, including, but not limited to, proceedings initiated by any person identified in R645-301-113.300 to obtain administrative or judicial review of the violation;

None

113.340. The current status of the proceedings and of the violation notice;

Abated

113.350. The actions, if any, taken by any person identified in R645-301-113.300 to abate the violation; and

Abated

113.360. If the abatement period for a violation in a notice of violation issued under 30 CFR 843.12 or R645-400-320 has not expired, certification that the violation is being abated or corrected to the satisfaction of the agency with jurisdiction over the violation

N/A

645-301-114 Right of Entry Information

114.100 Documentation upon which applicant bases its legal right of entry

The legal right to enter and conduct coal loading activities in the permit area (which will be transferred to CEG2 pursuant to the terms of the Purchase and Sale Agreement) include the following:

1. Bureau of Land Management ("BLM") Right of Way No. U-48027 dated January 1982 between Tower Resources, Inc. and BLM, as amended by that certain Amendment dated February 5, 2007, and as renewed October 16, 2014. This right of way contains 270 acres within Section 33, Township 13 South, Range 9 East, SLBM.

The permit area is located on 100.19 acres on the following described lands:

Township 13 South, Range 9 East, SLBM

Section 33: NW1/4SE1/4, N1/2SW1/4SE1/4, E1/2E1/2NE1/4SW1/4,
E1/2NE1/4SE1/4SW1/4, NE1/4SE1/4SE1/4SW1/4,
NW1/4SW1/4SW1/4SE1/4, E1/2SE1/4SW1/4NE1/4 and
Portions of N1/2NW1/4NE1/4SE1/4, NE1/4SW1/4NE1/4,
SW1/4SW1/4NE1/4, NW1/4SE1/4SW1/4NE1/4, W1/2NE1/4SW1/4,
W1/2E1/2NE1/4SW1/4, W1/2E1/2SE1/4SW1/4, containing 100.19 acres.

114.200 Severed surface and mineral estates

Not applicable.

114.210 Written surface owner consent for coal extraction

Not applicable.

114.220 Conveyance expressly granting right to mine coal

Not applicable.

114.230 Documentation of legal authority to mine coal

Not applicable.

114.300 Adjudication of property rights disputes

The Division does not have the authority to adjudicate property rights disputes.

R645-301-115 Status of unsuitability claims

115.100 Identification of lands unsuitable

None. To the best of CEG2's knowledge, the permit area is not within an area designated unsuitable for coal mining and reclamation operations, specifically coal load activities.

115.200 Claims of exemption by commitment prior to January 4, 1977.

None.

115.300 Mining and reclamation operations within 300 feet of an occupied dwelling or within 100 feet of a public road.

None.

R645-301-116 Permit term.

5 Years

116.100 Schedule of phased mining and reclamation activities.

See MRP Chapter 1, Page 17.

116.200 Permit term in excess of five years.

The Permit expires May 5, 2019. CEG2 will apply for five-year extensions over the life of the Facility.

116.210 Completeness and accuracy for longer term.

Not applicable.

116.220 Demonstration of need for longer term.

Not applicable.

R645-301-117 Insurance, proof of publication and facilities or structures.

R645-301-117.100 Liability Insurance.

CEG2's evidence of certificate of liability insurance is provided in Appendix "A".

322. Advertise the filing of the application in a newspaper of general circulation in the locality of the operations involved, indicating the name and address of the applicant, the permittee, the permit number or other identifier, the geographic location of the permit, and the address to which written comments may be sent.

The following notice will be published in the Sun Advocate, Price, Utah:

Coal Energy Group 2 (CEG2), a Nevada limited liability company, having offices located at 6602 Ilex Circle, Naples, Florida 34109, has filed with the Utah Division of Oil, Gas and Mining an application for transfer of the existing Mining and Reclamation Permit No. C/007/033 for the Wildcat Loadout Facility, located at 3 miles west of Highway 6 on Consumers Road, Helper, Utah. The application transfers to CEG2 all of the interest in the mine permit held by Intermountain Power Agency. The permit area is located in Carbon County, Utah, depicted on the Standardville USGS topographic quadrangle map. The existing permit area is described as follows:

Township 13 South, Range 9 East, SLBM

Section 33: NW1/4SE1/4, N1/2SW1/4SE1/4, E1/2E1/2NE1/4SW1/4, E1/2NE1/4SE1/4SW1/4, NE1/4SE1/4SE1/4SW1/4, NW1/4SW1/4SW1/4SE1/4, E1/2SE1/4SW1/4NE1/4 and Portions of N1/2NW1/4NE1/4SE1/4, NE1/4SW1/4NE1/4, SW1/4SW1/4NE1/4, NW1/4SE1/4SW1/4NE1/4, W1/2NE1/4SW1/4, W1/2E1/2NE1/4SW1/4, W1/2E1/2SE1/4SW1/4, containing 100.19 acres.

A copy of this application is available for inspection 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: Utah Coal Program, Division of Oil, Gas and Mining at 1594 West North Temple, Suite 1210, P.O. Box 145801, Salt Lake City, Utah 84114-5801.

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323. Obtain appropriate performance bond coverage in an amount sufficient to cover the proposed operations, as required under R645-301-800.

CEG2 will replace the performance bond coverage of IPA in the amounts as required under R645-301-800. A copy of the bonds will be included in Appendix "B" upon approval of this Application.

APPENDIX B

Bonds

See Reclamation Agreement
[Attachment A]