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UTAH
NATURAL RESOURCES
Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

JK for Joe Helfrich

MODIFICATION OF NOTICE OF VIOLATION ~~/CESSATION ORDER~~

N 97-46-5-1

To the following Permittee or Operator:

Name Cyprus-Plateau Mining Corp. / Willow Creek Mine

Mailing Address P.O. Box PMC, Price, Utah

State Permit No. ACT/007/038

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N 97-46-5-1 dated 7/4, 19 97.

~~Cessation Order No. C~~ ~~dated~~ ~~, 19~~.

Part 1 of 1 is modified as follows: Per DOGM instruction received 10/14/97, the permittee needs additional time to ~~Reason for modification is~~ respond. Submittal received 9/16/97 (ACT/007/038-97F) was not felt to be adequate ~~Part ___ of ___ is modified as follows:~~ to address concerns necessary to abate the violation.

Reason for modification is To allow permittee time to respond in a different manner to DOGM hydrology concerns.

Part 1 of 1 is modified as follows: Abatement deadline is extended until Oct. 31, 1997 @ 17:00 Hours

Date of service/mailing 10/17/97 Time of service/mailing 5 ☐ a.m. ☒ p.m.

Date of inspection 7/4/97

Ben Grimes
Permittee/Operator representative

Senior Staff Project Engineer
Title

Mailed/Faxed from PFO/DOGM
Signature

Peter J Hess
Division of Oil, Gas & Mining

Reclamation Specialist III.
Title

Peter J Hess
Signature

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE

DOGM/MVC-1 an equal opportunity employer Rev. 12/86 001059

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MODIFICATION OF NOTICE OF VIOLATION ~~/CESSATION ORDER~~

N97-46-5-1

To the following Permittee or Operator:

Name Cyprus-Plateau Mining Corp. / Willow Creek Mine

Mailing Address P.O. Box PMC, Price, Utah

State Permit No. ACT/007/038

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N 97-46-5-1 dated 7/4, 19 97.

~~Cessation Order No. C~~ ~~dated~~ ~~, 19~~.

Part 1 of 1 is modified as follows: The permittee has submitted a document to tenatively address the requirements for abatement ~~Reason for modification is~~ of N97-46-5-1. ACT/007/038-97F is presently under review by the Division.

Part 1 of 1 is modified as follows: Abatement deadline is extended until October 17, 1997 @ 1700 Hours.

Reason for modification is To allow the Division additional time to review the submittal received 9/16/97 and comment.

Part ____ of ____ is modified as follows: ____

Date of service/mailing 10/3/97 Time of service/mailing 5:00 ☐ a.m. ☒ p.m.

Date of inspection 7/4/97

Ben Grimes
Permittee/Operator representative

Senior Staff Project Engineer.
Title

Mailed from PFO/DOGM
Signature

Peter Hess
Division of Oil, Gas & Mining

Rec Spec III
Title

Peter Hess
Signature

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE

DOGM/MVC-1 an equal opportunity employer Rev. 12/86 001059

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~~VACATION~~/TERMINATION OF NOTICE OF VIOLATION ~~/CESSATION ORDER~~

N97-46-5-1

To the following Permittee or Operator:

Name Cyprus-Plateau Mining Corp. / Willow Creek Mine

Mailing Address P.O. Box PMC, Price, Utah 84501

State Permit No. ACT/007/038

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N 97-46-5-1 dated July 4, 19 97.

~~Cessation Order No. C~~ ~~dated~~ ~~, 19~~.

Part 1 of 1 is ☐ vacated ☒ terminated because the permittee has fulfilled the requirements of the hydrological concerns gived by the DOGM on October 16, 1997. ACT/007/038-97F

~~Part ___ of ___ is ☐ vacated ☐ terminated because~~ is now considered an adequate document by the Division.

Part ___ of ___ is ☐ vacated ☐ terminated because ___

Date of service/mailing 12/19/97 Time of service/mailing 12 40 ☐ a.m. ☒ p.m.

John Pappas
Permittee/Operator representative

Senior Environmental Engineer
Title

Mailed/Faxed from PFO-DOGM
Signature

Peter A Hess
Division of Oil, Gas & Mining

Rec Spec III
Title

Peter Hess
Signature

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE

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JK for Joe Helfrich

MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Cyprus-Plateau Mining Corp. / Willow Creek Mine

Mailing Address P.O. Box PMC, Price, Utah

State Permit No. ACT/007/038

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N 97-46-5-1 dated 7/4, 19 97.

~~Cessation Order No. C~~ ~~dated~~ ~~, 19~~.

Part 1 of 1 is modified as follows: Abatement time is extended until November 14, 1997 @ 17⁰⁰ hours.

Reason for modification is the permittee has requested additional time to respond to the Divisions concerns.

Part ____ of ____ is modified as follows: ____

Reason for modification is ____

Part ____ of ____ is modified as follows: ____

Date of service/mailing 10/31/97 Time of service/mailing 3⁰⁰ ☐ a.m. ☒ p.m.

Date of inspection 7/4/97

Ben Grimes
Permittee/Operator representative

Senior Staff Project Engineer
Title

Mailed / Faxed from PFO/DOGM
Signature

Peter Hess
Division of Oil, Gas & Mining

Rec Spec III
Title

Peter Hess
Signature

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE

DOGM/MVC-1

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Rev. 12/86 001059

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Oil, Gas & Mining
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MODIFICATION OF NOTICE OF VIOLATION/~~CESSATION ORDER~~

To the following Permittee or Operator:

Name Cyprus - Plateau Mining Corp. / Willow Creek Mine

Mailing Address P.O. Box PMC, Price, Utah

State Permit No. ACT/007/038

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N 97-46-5-1 dated 7/4, 19 97.

~~Cessation Order No. C~~ ~~dated~~ ~~, 19~~.

Part 1 of 1 is modified as follows: Abatement time is extended until Nov. 28, 1997, @ 17:00 Hours

Reason for modification is the permittee has responded to the concerns aired by the Division on October 6, 1997.

~~Part ___ of ___ is modified as follows:~~

Reason for modification is Additional time is now needed for Division review and response of submittal

~~Part ___ of ___ is modified as follows:~~ received 11/14/97, (ACT/007/038-97F-1)

Date of service/mailing 11/14/97 Time of service/mailing 4:45 ☐ a.m. ☒ p.m.

Date of inspection 7/4/97

Ben Grimes
Permittee/Operator representative

Senior Staff Project Engineer
Title

Mailed / Faxed from PFO - DOGM
Signature

Peter Hess
Division of Oil, Gas & Mining

Rec Spec III
Title

Peter Hess
Signature

WHITE – DOGM YELLOW – OSM PINK – PERMITTEE/OPERATOR GOLDENROD – NOV FILE

DOGM/MVC-1 an equal opportunity employer Rev. 12/86 001059

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Oil, Gas & Mining
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MODIFICATION OF NOTICE OF VIOLATION/~~CESSATION ORDER~~

To the following Permittee or Operator:

Name Cyprus - Plateau Mining Corp./Willow Creek Mine

Mailing Address P.O. Box PMC, Price, Utah

State Permit No. ACT/007/038

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N 97-46-5-1 dated 7/4, 19 97.

~~Cessation Order No. C~~ ~~dated~~ ~~, 19~~.

Part 1 of 1 is modified as follows: Abatement time is extended until December 12, 1997, @ 17:00 Hours

Reason for modification is the Division needs additional time to review and respond to the submittal

~~Part ___ of ___ is modified as follows:~~ (ACT/007/038-97F-1) received on Nov. 14, 1997.

Reason for modification is

Part ___ of ___ is modified as follows:

Date of service/mailing 11/28/97 Time of service/mailing 16 30 ☐ a.m. ☐ p.m.

Date of inspection 7/4/97

Ben Grimes — Permittee/Operator representative

Senior Staff Project Engineer — Title

Mailed/Faxed from PFO-DOGM — Signature

Peter Hess — Division of Oil, Gas & Mining

Rec Spec III — Title

Peter Hess — Signature

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE

DOGM/MVC-1 an equal opportunity employer Rev. 12/86 001059

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Oil, Gas & Mining
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MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Cyprus - Plateau Mining Corp. / Willow Creek Mine

Mailing Address P.O. Box PMC, Price, Utah 84501

State Permit No. ACT/007/038

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N 97-46-5-1 dated 7/4, 1997.

~~Cessation Order No. C~~ ~~dated~~ ~~, 19~~.

Part 1 of 1 is modified as follows: Abatement time is extended until December 24, 1997 @ 17^00 Hours

Reason for modification is the permittee needs to respond to minor concerns aired by the Division on 12/8/97.

~~Part ___ of ___ is modified as follows:~~ Response is necessary before termination of the violation can be

~~Reason for modification is~~ achieved.

Part ___ of ___ is modified as follows: ___

Date of service/mailing Dec. 12, 1997 Time of service/mailing 4^00 ☐ a.m. ☒ p.m.

Date of inspection 7/4/97

Ben Grimes — Permittee/Operator representative

Senior Staff Project Engineer — Title

Mailed/Faxed from PFO - DOGM — Signature

Peter Hess — Division of Oil, Gas & Mining

Rec Spec III — Title

Peter Hess #46 — Signature

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE

DOGM/MVC-1 an equal opportunity employer Rev. 12/86 001059

STATE OF UTAH
NATURAL RESOURCES
Division of Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

notice of violation

NO. N 97-46-5-1

To the following Permittee or Operator:

Name Cyprus-Plateau Mining Corporation

Mine Willow Creek Mine ☐ Surface ☒ Underground ☐ Other

County Carbon State Utah Telephone (801) 472-3519

Mailing Address P.O. Box PMC

State Permit No. ACT/007/038

Ownership Category ☐ State ☒ Federal ☐ Fee ☒ Mixed

Date of inspection 7/4/97, 19 .

Time of inspection 7:50 ☒ a.m. ☐ p.m. to 8:30 ☒ a.m. ☐ p.m.

Operator Name (other than Permittee) —

Mailing Address —

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., ***Utah Code Annotated,*** 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **cessation of mining is** ☐ **is not** ☒ expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

Date of service/mailing 8:15 AM on 7/4/97 Time of service/mailing 8:15 ☒ a.m. ☐ p.m.

Ben Grimes
Permittee/Operator representative

Senior Staff Project Engineer
Title

Mailed from PFO/DOGM
Signature

Peter Hess
Division of Oil, Gas & Mining representative

Rec Spec III
Title

Peter Hess
Signature

#46
Identification Number

SEE REVERSE SIDE

WHITE-DOGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE

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UNITED STATES POSTAL SERVICE

Official Business

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S. MAIL

Print your name, address and ZIP Code here

Tiffini Tutorow
Division of Oil Gas + Mining
1594 W. N. Temple Suite 1210
Box 145801
SLC UT 84114-5801

ACT/007/038

SENDER:

...ete items 1 and/or 2 for additional services.
...lete items 3, and 4a & b.
...our name and address on the reverse of this form so that we can
...is card to you.
...n this form to the front of the mailpiece, or on the back if space
...permit.
...'Return Receipt Requested,' on the mailpiece below the article number.
...eturn Receipt will show to whom the article was delivered and the date

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number
Z 382 122 627

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
7-10-97

8. Addressee's Address (Only if requested and fee is paid)

...ticle Addressed to:
Ben Grimes
Plateau Mining
PO Drawer PMC
Price UT 84501

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 ☆ U.S.G.P.O. 1992-307-530 DOMESTIC RETURN RECEIPT

Is your RETURN ADDRESS ...de?

Thank you for using Return Receipt Service.

ACT/007/038

UNITED STATES POSTAL SERVICE

Official Business

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S. MAIL

Print your name, address and ZIP Code here

Tiffini Tutorow
Division of Oil Gas + Mining
1594 W. N. Temple Suite 1210
Box 145801
SLC UT 84114-5801

Is your RETURN ADDRESS completed on the reverse side?

ACT/007/038 ?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Ben Grimes
Plateau Mining
PO Drawer PMC
Price UT 84501

4a. Article Number
Z 382 122 627

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

5. Signature (Addressee)

6. Signature (Agent)

7. Date of Delivery
7-10-97

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-307-530 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service

UTAH
NATURAL RESOURCES
Oil, Gas & Mining

NOTICE OF VIOLATION NO. N 97-46-5-1

Violation No. 1 of 1

Nature of violation

1) Failure to meet terms and conditions of the approved permit -
2) Failure to obtain Division approval prior to taking action to divert water from the "D" seam active underground workings back into the Kenilworth Mine or "K" seam.

Provisions of act, regulations or permit violated

1) R 645-300-142
2) R 645-300-143

Portion of operation to which notice applies

1) 85' borehole from surface at Willow Creek Mine portal (3.75" hole) to the Kenilworth Mine workings in the "K" seam. Purpose of hole was to recirculate water encountered in the "D" seam back to its point of origin.

Remedial action required (including any interim steps)

1) Submit an amendment to the MRP and obtain Division approval for the aforementioned borehole and obtain Division approval for the recirculation of water back to the "K" seam. The amendment must include at a minimum a revised PHC.

Abatement time (including interim steps)

1) Two weeks from 7/7/97 or 7/21/97.
2) Obtain Division approval by 8/21/97.

WHITE-DOGM YELLOW-OSM PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE

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Performance Standard

UTAH
NATURAL RESOURCES
Oil, Gas & Mining
3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Cyprus - Plateau Mining Corporation

Mailing Address P.O Box PMC Price, Utah

State Permit No. ACT/007/038

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N 97-46-5-1 dated 7/4/97, 19 ____.

Cessation Order No. C ____ dated ____, 19 ____.

Part 1 of 1 is modified as follows: Abatement time is extended to September 18, 1997 and the requirement to obtain Division approval is changed to read: Have submitted a complete and approvable amendment by September 18, 1997.

~~Reason for modification is~~

~~Part ____ of ____ is modified as follows:~~

Reason for modification is to allow adequate time to produce a revised PHC and subsequent amendment.

Part ____ of ____ is modified as follows: ____

Date of service/mailing 7/16/97 Time of service/mailing 3:00 ☐ a.m. ☒ p.m.

Date of inspection ____

Ben Grimes
Permittee/Operator representative

Title

Signature

Daron R. Haddock
Division of Oil, Gas & Mining

Permit Supervisor
Title

Daron R. Haddock
Signature

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE

DOGM/MVC-1

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Rev. 12/86 001059