

0021



State of Utah

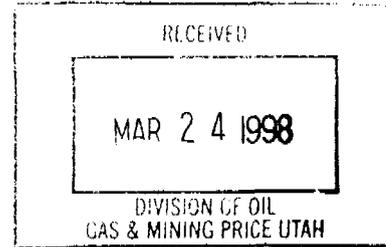
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

PH
Mine
File

March 18, 1998



Johnny Pappas, Senior Environmental Engineer
AMAX Coal Company
P.O. Drawer PMC
Price, Utah 84501

Re: Minor Coal Exploration Barn and Dry Canyons, Cyprus Plateau Mining Company,
Willow Creek Mine, ACT/007/038-98A, File #3, Carbon County, Utah

Dear Mr. Pappas:

The referenced amendment is hereby approved effective March 18, 1998. A stamped approved incorporated copy will be mailed to you from our Price Field Office.

If you have any questions please call.

Sincerely,

Joseph C. Helfrich
Permit Supervisor

cc: Ranvir Singh, OSM
Richard Manus, BLM
Mark Page, Water Rights
Dave Ariotti, DEQ
Bill Bates, DWR
David T. Terry, SITLA
Price Field Office
O:\007038.WIL\FINAL\APPROVAL.98A

Scopius
98A copies have
already been sent out.

PERMIT TRACKING FORM

- Permit Amendment(INS) Exploration Permit(INS) D.O. Permit Transfer Incidental Boundary Change
 Permit Midterm (MT) Permit Renewal (PR) Significant Revision (SR) Bond Release (BR)

DATE RECEIVED 3-6-98 **By:** hand deliv
Title of Proposal: Barn Lym. Dry Lym Mun
Description:
Copies Required 5 **# Copies Received**

PERMIT NUMBER ACT10071038
PERMIT CHANGE # 98A
PERMITTEE Cyprus Plateau Mining
MINE NAME Willow Creek

PERMIT CHANGE APPLICATION SENT TO:

DATE: **LETTER TO PERMITTEE:**

15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION OR INITIAL COMPLETENESS

DATE DUE 3/22/98 **DATE DONE** **LETTER TO PERMITTEE:**

Notice of Affidavit of Publication. (If change, Revision, New Permit or Permit Transfer)

DATE DUE: **DATE DONE** **PUBLIC COMMENT RECEIVED:**

PRICE REVIEW TRACKING	
<input type="checkbox"/> Lead	<input checked="" type="checkbox"/> Generalist
<input type="checkbox"/> Administrative	
<input type="checkbox"/> Land Use/AQ	
<input type="checkbox"/> Biology	
<input checked="" type="checkbox"/> Engineering <u>PHH</u>	
<input type="checkbox"/> Geology	
<input type="checkbox"/> Soils	
<input type="checkbox"/> Hydrology	

SLC REVIEW TRACKING		REVIEW	
DONE		DUE	DONE
<input type="checkbox"/> Lead			
<input type="checkbox"/> Administrative			
<input type="checkbox"/> Land Use/AQ			
<input type="checkbox"/> Biology			
<input type="checkbox"/> Engineering			
<input type="checkbox"/> Geology			
<input type="checkbox"/> Soils			
<input type="checkbox"/> Hydrology			

TA Review Due **Date:**
TA Review Done **Date:**

Response Due **Date:**
 Condition Requirements
Response Received **Date:**

DIVISION DECISION LETTER
 APPROVE DENY
Date:

COORDINATED REVIEWS	PHONE CONTACT
<input type="checkbox"/> OSMRE	
<input type="checkbox"/> US Forest Service	
<input checked="" type="checkbox"/> BLM <u>Don Stevens</u>	<u>3/10</u>
<input type="checkbox"/> US FWS	
<input type="checkbox"/> US NPS	
<input type="checkbox"/> UT SHPO	
<input type="checkbox"/> UT DEQ	
<input type="checkbox"/> UT Water Rights	
<input type="checkbox"/> UT Wildlife Resources	
<input type="checkbox"/> UT SITLA	

SENT	DUE	RECEIVED

ADDITIONAL TRACKING	Date:
PUBLIC HEARING	
LETTER FROM COMPLIANCE SUPER.	
AVS COMPLETED	
APPROVAL EFFECTIVE DATE	
APPROVED COPY TO FILE	
APPROVED COPY TO PERMITTEE	
APPROVED COPY TO PFO/SLC	
APPROVED COPY TO AGENCIES	
CHIA MODIFIED	
UPDATE MASTER TA	DONE/NEEDED

Submittal. Although I have not received a document stating their point of view, Steve Falk and Don Stevens indicated via phone conversation on 3/12, that if Cyprus ventures onto BLM ground, it will be a trespass.

PRICE FIELD OFFICE COMMENTS:
3/12/98 phone call with Steve Falk; if Cyprus goes over the boundary (BLM) it will be a trespass.

SLC OFFICE COMMENTS: MAK 18 1998

PERMIT TRACKING FORM

- Permit Amendment(INS) Exploration Permit(INS) N.O.V. (INS) D.O. Permit Transfer Incidental Boundary Change
 Permit Midterm (MT) Permit Renewal (PR) New Permit Significant Revision (SR) Bond Release (BR)

DATE RECEIVED 3-6-98	By: <i>hand delivered by: [signature]</i>	PERMIT NUMBER	ACT/007/038
Title of Proposal: Barn Cyn. Dry Cyn Minor Coal		PERMIT CHANGE #	98A
Description: Exploration		PERMITTEE	Cyprus Plateau Mining
# Copies Required 5	# Copies Received 5	MINE NAME	Willow Creek

PERMIT CHANGE APPLICATION SENT TO SLC DATE: _____ LETTER TO PERMITTEE: _____

<input type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION OR INITIAL COMPLETENESS REVIEW	DATE DUE	DATE DONE	LETTER TO PERMITTEE:
	3/22/98		
<input type="checkbox"/> Notice of Affidavit of Publication. (If change is a Significant Revision, New Permit or Permit Transfer)	DATE DUE:	DATE DONE	PUBLIC COMMENT RECEIVED:

PRICE REVIEW TRACKING	REVIEW		SLC REVIEW TRACKING	REVIEW	
	DUE	DONE		DUE	DONE
<input type="checkbox"/> Lead <input checked="" type="checkbox"/> Generalist	3/22/98		<input type="checkbox"/> Lead		
<input type="checkbox"/> Administrative			<input type="checkbox"/> Administrative		
<input type="checkbox"/> Land Use/AQ			<input type="checkbox"/> Land Use/AQ		
<input type="checkbox"/> Biology			<input type="checkbox"/> Biology		
<input checked="" type="checkbox"/> Engineering <i>PHH</i>			<input type="checkbox"/> Engineering		
<input type="checkbox"/> Geology			<input type="checkbox"/> Geology		
<input type="checkbox"/> Soils			<input type="checkbox"/> Soils		
<input type="checkbox"/> Hydrology			<input type="checkbox"/> Hydrology		

TA Review Due	Date:	Permittee Response Due	Date:	DIVISION DECISION LETTER
		<input type="checkbox"/> Stipulation <input type="checkbox"/> Condition <input type="checkbox"/> No Requirements		<input type="checkbox"/> APPROVE <input type="checkbox"/> DENY
TA Review Done	Date:	Response Received	Date:	Date:

COORDINATED REVIEWS	PHONE CONTACT	SENT	DUE	RECEIVED	ADDITIONAL TRACKING	Date:
<input type="checkbox"/> OSMRE					PUBLIC HEARING	
<input type="checkbox"/> US Forest Service					LETTER FROM COMPLIANCE SUPER.	
<input checked="" type="checkbox"/> BLM <i>Rep Stevens</i>	<i>3/10/98 Steve Falk</i>	3/10			AVS COMPLETED	
<input type="checkbox"/> US FWS					APPROVAL EFFECTIVE DATE	
<input type="checkbox"/> US NPS					APPROVED COPY TO FILE	
<input type="checkbox"/> UT SHPO					APPROVED COPY TO PERMITTEE	
<input type="checkbox"/> UT DEQ					APPROVED COPY TO PFO/SLC	
<input type="checkbox"/> UT Water Rights					APPROVED COPY TO AGENCIES	
<input type="checkbox"/> UT Wildlife Resources					CHIA MODIFIED	
<input type="checkbox"/> UT SITLA					UPDATE MASTER TA	DONE/NEEDED

PRICE FIELD OFFICE COMMENTS: <i>3/12/98 phone call with Steve Falk; if Cyprus goes over the boundary (BLM) it will be a trespass.</i>	SLC OFFICE COMMENTS: MAR 18 1998
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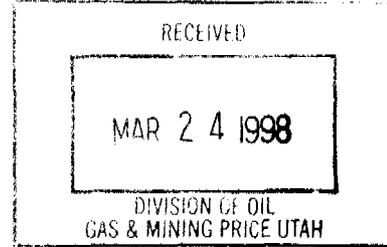


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March 18, 1998

Johnny Pappas, Senior Environmental Engineer
AMAX Coal Company
P.O. Drawer PMC
Price, Utah 84501

Re: Minor Coal Exploration Barn and Dry Canyons, Cyprus Plateau Mining Company,
Willow Creek Mine, ACT/007/038-98A, File #3, Carbon County, Utah

Dear Mr. Pappas:

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If you have any questions please call.

Sincerely,

Joseph C. Helfrich
Permit Supervisor

ACT/007/038
-98 "A"

If you get
on BLM, will
be considered
Trespassing

cc: Ranvir Singh, OSM
Richard Manus, BLM
Mark Page, Water Rights
Dave Ariotti, DEQ
Bill Bates, DWR
David T. Terry, SITLA
Price Field Office
O:\007038.WIL\FINAL\APPROVAL.98A



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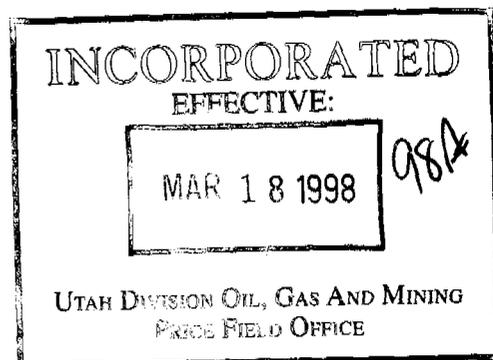
If you have any questions please call.

Sincerely,

A handwritten signature in cursive script that reads "Joseph C. Helfrich".

Joseph C. Helfrich
Permit Supervisor

cc: Ranvir Singh, OSM
Richard Mantus, BLM
Mark Page, Water Rights
Dave Ariotti, DEQ
Bill Bates, DWR
David T. Terry, SITLA
Price Field Office
O:\007038.WIL\FINAL\APPROVAL.98A



March 10, 1998

To: File

Through: Joe Helfrich, Permit Supervisor-Compliance

From: Peter Hess, Reclamation Specialist III

RE: Minor Coal Exploration, Barn Canyon and Dry Canyon, Cyprus-Plateau Mining Corp., Willow Creek Mine, ACT/007/038-98A, Folder #2, Carbon County, Utah

SUMMARY:

Cyprus is proposing three multiple angle holes in the Barn Canyon and Dry Canyon areas strictly for the purpose of obtaining geologic information. Two holes (P98-36-1 and P98-36-2) will be drilled in Barn Canyon; P98-36-2 will be drilled on a pre-SMCRA site (MC-016). The location of this hole is so close to Section 25, (which is BLM ground) that I feel a response from them is required. The proximity (the map is on a scale of 1" equals 500 feet) indicates that the hole will be ten feet or less from the Section 25 (or BLM) boundary.

The text of 98A (page 7, paragraph 3) indicates that a permit to obtain water from Willow Creek to drill hole P98-29-3 will be obtained from the Utah State Engineer. Based on a telephone conversation with Mr. Johnny Pappas, Senior Environmental Engineer at the Willow Creek Mine, no permit has been obtained at this time. Mr. Pappas felt that there would not be sufficient time to obtain such a permit. In lieu of this, Mr. Pappas intends to truck the water (10,000 gallons) from the preparation plants process water pond in order to drill the hole. Mr. Pappas was informed that the text will need to be revised to indicate this.

98A also indicates on page 7, paragraph 3 that access to hole P98-29-3 will be obtained by crossing the waters of Willow Creek. The permittee should commit to keeping the number of crossings to a minimum. ~~Also, silt fences should be installed along both sides of the channel (post hole-plugging) where the access crosses the Creek to reduce additional contributions of sediment to the Creek. These fences must be maintained until the Division feels that the re-established vegetation is adequate.~~

Original
Corrected 3/10/98

How close is drill hole to channel crossing? i.e. can drillers walk to site conveniently?

Post-it® Fax Note	7671	Date	3/10/98	# of pages	1
To	Johnny Pappas	From	Pete Hess		
Co./Dept.	Cyprus	Co.	PFO - DOGM		
Phone #		Phone #	637-2120		
Fax #		Fax #	EXT. 5622		

March 10, 1998

To: File
through: Joe Helfrich, Permit Supervisor-Compliance

From: Peter Hess, Reclamation Specialist III

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To access hole P98-29-3 (Dry Canyon), it will be necessary to cross the waters of Willow Creek. *Look at water base to divert runoff to an area that is well*

All roads to access the sites are pre-existing and will remain in place after the exploration has been completed. Roads which were widened to establish the drill pad will be reclaimed to the pre-existing roadway width.

Boreholes will be grouted for their entire depth.

TECHNICAL ANALYSIS:

Analysis:

R-645-200-100. Minor Coal Exploration

This submittal qualifies as a minor coal exploration amendment; less than 250 tons of coal will be extracted from the three boreholes.

R-645-201-200. Notices of Intention to Conduct Minor Coal Exploration

The permittee's notices of intent to conduct are adequate and provide all the information necessary as required by the R-645 regulations.

R-645-202-100 Required Documents

The permittee will maintain copies of required documents at the drill sites as required by the R-645 regulations.

R-645-202-200 Performance Standards

Performance standards which are applicable to this minor coal exploration permit have been adequately addressed, as required by the R-645 regulations.

*vegetated,
if road
way
veg.
has been
destroyed*

R-645-301-800 Bonding

The Willow Creek Mine is currently bonded for the amount of \$11,949,205. The permittee has indicated that this amount is sufficient to cover the reclamation costs of the three boreholes.

Findings:

The requirements of this section of the regulations are considered to be adequately addressed with regard to this minor coal exploration permit.

RECOMMENDATION:

The requirements of the R-645 regulations regarding minor coal exploration have been adequately addressed. It is recommended that this amendment, ACT/007/038-98A be approved.



Cyprus Plateau Mining Corporation
Post Office Drawer PMC
Price, Utah 84501
(801) 637-2875

March 6, 1998

Pete Hess
Utah Division of Oil, Gas and Mining
451 East 400 North
CEU Box 169
Price, Utah 84501

RE: Notice of Intent to Conduct Minor Coal Exploration, Exploration Permit Application, ACT/007/038, Cyprus Plateau Mining Corporation, Willow Creek Mine, Carbon County, Utah

Dear Mr. Hess:

Cyprus Plateau Mining Corporation (CPMC) intends on drilling coal exploration holes P98-29-3, P98-36-1, and P98-36-2 during mid to late March upon Division approval. Drill holes P98-36-1 and P98-36-2 will be drilled either or both vertical and angle to probe and sample the coal-bearing strata under and east and west of the Barn Canyon drainage. Set up to drill angle holes will entail orienting the drill rig in the direction of the intended hole. Multiple holes will still utilize the same drill pads. Drill hole P98-36-2 will be installed on the old MC-016 drill hole site, drilled in 1973. The third drill site P98-29-3, will be drilled in Dry Canyon.

Access to this drill sites will be via existing roads, therefore no road construction activities are necessary. The only sites that will require minor surface disturbance are P98-36-1 and P98-29-3. Disturbance will entail the widening of the existing roads in the area of the pad site to accommodate the drill rig. Growth media encountered will be salvage, stockpiled, and protected for redistributing during reclamation of the drill pad(s). As state above, drill site P98-36-2 will utilize the old drill site MC-016, thereby not requiring any pad construction.

All three sites have been archaeologically swept as part of a cultural resource inventory by Montgomery Archaeological Consultants. A report, filed with the State of Utah dated June 30, 1997 under Permit No. U-97-MQ-0387b,p,s, resulted in a recommendation of "no effect" by the consultants.

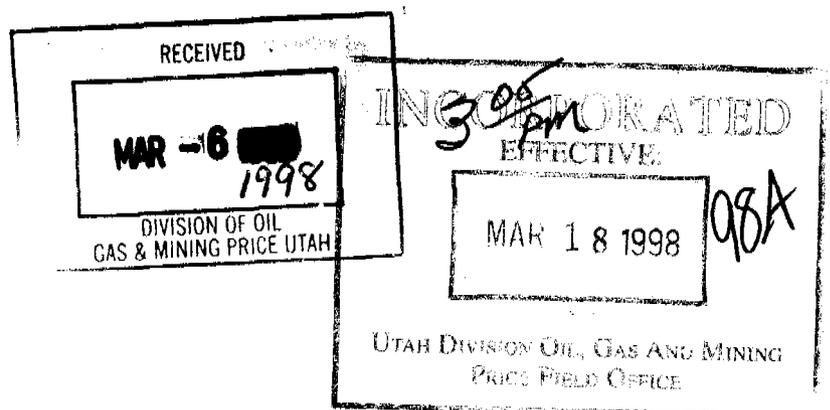
The enclosed Notice of Intent to Conduct Minor Coal Exploration should address all regulatory requirements pursuant to its intended purpose, but should the Division need additional information or have any questions, please do not hesitate to contact me at (435) 472-4741.

Sincerely,

Johnny Pappas
Sr. Environmental Engineer

Enclosures

File: WCENV 2.5.2.9
Chrono: JP980301.LTR



APPLICATION FOR PERMIT PROCESSING

<input type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input checked="" type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: ACT/007/038
--	-------------------------------------	----------------------------------	-----------------------------------	---	---------------------------------------	----------------------------

Title of Proposal: Exploration Permit Application ACT/007/038 to allow drilling of coal exploration holes P98-29-3, P98-36-1, and P98-36-2.	Mine: Willow Creek Mine
Permittee: Cyprus Plateau Mining Corp.	

Description, include reason for application and timing required to implement:
 Geologic conditions encountered in-mine necessitate further exploratory drilling

Instructions: If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Is the application submitted as a result of a Diversion Order? DO # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does the application require or include public notice/publication?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	7. Does the application require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Is the application submitted as a result of a Violation? NOV # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Is the application submitted as a result of other laws or regulations or policies? Explain: _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	16. Does the application require or include vegetation monitoring, removal or revegetation activities?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	17. Does the application require or include construction, modification, or removal of surface facilities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	18. Does the application require or include water monitoring, sediment or drainage control measures?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	19. Does the application require or include certified designs, maps, or calculations?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does the application require or include subsidence control or monitoring?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	21. Have reclamation costs for bonding been provided for?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Does the application affect permits issued by other agencies or permits issued to other entities?

INCORPORATED
EFFECTIVE
MAR 18 1998
DIVISION OF OIL, GAS AND MINING
SALT LAKE CITY, UTAH

Attach 5 complete copies 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. (R645-301-123)

Johnny Pappas - JOHNNY PAPPAS - Sr. Env. Engineer - 3/6/98
 Signed - Name - Position - Date

Subscribed and sworn to before me this 6 day of MAR, 19 98.

Jackie D. Bogdin
 Notary Public
 My Commission Expires 3-15-2001
 State of Utah

Received by Oil, Gas & Mining

RECEIVED

MAR - 6 1998

DIVISION OF OIL
ASSIGNED TRACKING NUMBER

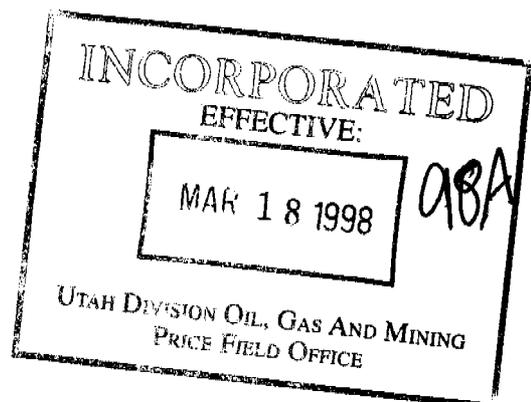
93A

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
Willow Creek Mine**

Holes P98-36-1, P98-36-2, and P98-29-3

Cyprus Plateau Mining Corporation

March 6, 1998



This Notice of Intention to Conduct Minor Coal Exploration has been prepared by Cyprus Plateau Mining Corporation (a Delaware corporation) and submitted to the Utah State Division of Oil, Gas, and Mining for approval of a Minor Coal Exploration Permit to drill coal exploration holes to investigate the geology and obtain geotechnical samples. The location of the drill holes are shown on the attached Figures 1 and 2.

Format of this application is:

Each regulation for which there is a response has been underlined.

Each regulation which apparently does not apply to coal exploration is presented in smaller type, and is not followed by a response or underlined.

Each response is left justified.

Report is completed in WordPerfect Win 6.1.

R645-200. Coal Exploration: Introduction.

R645-200-100. Scope.

122. Minor Coal Exploration. Coal exploration during which 250 tons or less of coal will be removed will require Division review of a Notice of Intention to Conduct Minor Coal Exploration under the requirements of R645-201-200.

This application qualifies as minor coal exploration because less than 250 tons of coal will be removed.

R645-200-200. Responsibilities

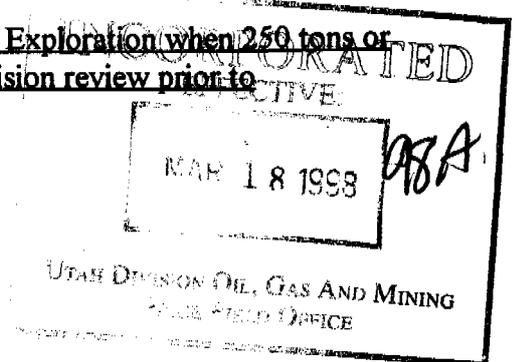
210. It is the responsibility of any person seeking to conduct coal exploration under the State Program to comply with the requirements of R645-200 through R645-203.

It is the intent of Cyprus Plateau Mining Corporation to comply with the coal exploration rules of the Utah State Division of Oil Gas and Mining (R645-200 through R645-203).

R645-201. Coal Exploration: Requirements for Exploration Approval.

R645-201-200. Notices of Intention to Conduct Minor Coal Exploration.

- R645-201-210. Notices of Intention to Conduct Minor Coal Exploration when 250 tons or less of coal will be removed will require Division review prior to



conducting exploration.

Cyprus Plateau Mining Corporation and its agents will not proceed without receiving written approval of this permit application.

R645-201-220. Notices of Intention to Conduct Minor Coal Exploration will include:

221. The name, address and telephone number of the applicant seeking to explore:

Cyprus Plateau Mining Corporation
P.O. Drawer 7007
Price, Utah 84501-7007
(435) 472-0475

222. The name, address and telephone number of the applicant's representative who will be present at, and responsible for conducting the exploration operations:

Johnny Pappas
Cyprus Plateau Mining Corporation
P.O. Drawer 7007
Price, UT 84501-7007
(435) 472-4741
(435) 472-0475

223. A narrative and map describing the exploration area and indicating where exploration will occur:

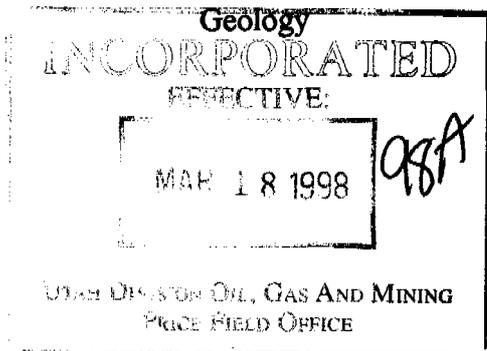
Narrative description of the proposed exploration area.

The exploration holes are proposed to investigate coal depths, stratigraphy, assist possible geotechnical evaluations and collect samples for strength and quality testing.

Hole Descriptions:

<i>Hole Number</i>	<i>Description</i>	<i>Purpose</i>
P98-36-1	Exploration hole	Geology
P98-36-2	Exploration hole	Geology
P98-29-3	Exploration hole	Geology

Refer to Figures 1 and 2 for detailed maps of the drill sites.



Legal Land Description.

Legal description of the area of interest for this Notice of Intent to Conduct Minor Coal Exploration is as follows:

Drill Hole/Monitoring Well Locations

<i>No.</i>	<i>Location</i>	<i>Land Ownership</i>
Township 12 South, Range 9 East		
P98-36-1	Section 36: NE $\frac{1}{4}$ NW $\frac{1}{4}$	Barn Canyon Fee
P98-36-2	Section 36 NE $\frac{1}{4}$ NW $\frac{1}{4}$	Barn Canyon Fee

Township 12 South, Range 10 East

P98-29-3	Section 29: SW $\frac{1}{4}$ SE $\frac{1}{4}$	Dry Canyon Fee
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See Regional ownership Map 1 in the Willow Creek Mine MRP.

224. A statement of the period of intended exploration; and

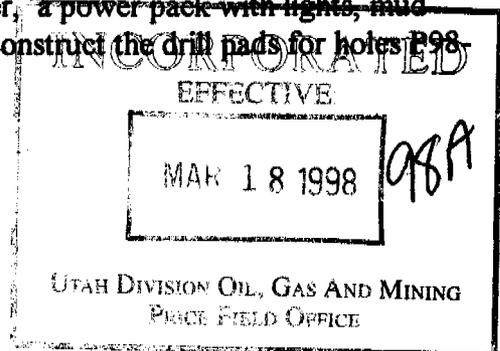
It is intended that exploration will commence in mid to late March, or as soon as written approval of this application is received by Cyprus Plateau Mining Corporation, and proceed for approximately eight weeks at the sites. Reclamation activities may extend beyond the active exploration (drilling) phase but will be completed preferably in the Spring of 1998, but no latter than the Fall of 1998, without approval by the Division.

225. A description of the method of exploration to be used, the amount of coal to be removed and the practices that will be followed to protect the area from adverse impacts of the exploration activities and to reclaim the area in accordance with the applicable requirements of R645-202.

Method of Exploration

Exploration drilling may involve a combination of rotary drilling (or full-hole diamond plug drilling), or continuous wireline coring. Surface casings may be required to protect the well pipes as necessary through surface alluvium. Surface seals will be placed according to the Utah State Engineer's requirements to prevent intermingling of ground waters with surface water.

The drilling equipment required for the drill sites will be a truck or trailer-mounted wire line drilling rig (Longyear 44 or LF-70), a water truck/pipe trailer, a power pack with lights, mud pump and tub, and possibly a parts car. Equipment used to construct the drill pads for holes P98-



36-1, P98-36-2, and P98-29-3 may include, but not be limited to: a D-8 or similar track type dozer, and a rubber tired backhoe or crawler type backhoe. Drill holes P98-36-1 and P98-29-3 will be drilled adjacent to the existing roadways, using the roadways as much as possible for the pad area, thereby minimizing the extent of disturbance. Drill hole P98-36-2 will be installed on the old MC-016 drill hole site, drilled in 1973.

Both sites in Section 36 will be used to drill either or both vertical and angle holes to probe and sample the coal-bearing strata under and east and west of the Barn Canyon drainage. Set up to drill angle holes will entail orienting the drill rig in the direction of the intended hole. Multiple holes will still utilize the same drill pads.

All three sites have been archaeologically swept as a part of a cultural resource inventory by Montgomery Archaeological Consultants. A report, filed with the State of Utah dated June 30, 1997 under Permit No. U-97-MQ-0387b,p,s, resulted in a recommendation of "no effect" by the consultants.

Amount of Coal to be removed.

Drill core or other strata is expected to be recovered during the program as necessary. The amount of coal removed will be less than 250 tons.

Practices that will be followed to protect the area from adverse impacts.

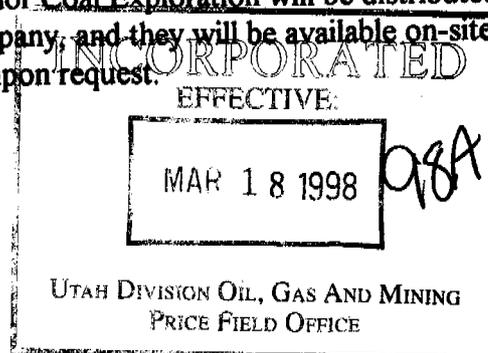
The drill pads for holes P98-36-1, P98-36-2, and P98-29-3 will be kept as small and compact as practical to accommodate the drill rig and necessary equipment. Mud pits, approximately 12 feet square by 6 feet deep, will contain the drilling medium, sediment produced from drilling, and all effluent drilling materials; preventing them from contaminating the surrounding surface water and ground water (see Figure "Generalized Detail of Proposed Drill Site" in the appendix). Site drainage will be controlled by berms, bales, and/or silt fencing. If air drill rigs are used, no mud pits will be necessary.

R645-202. Coal Exploration: Compliance Duties.

R645-202-100. Required Documents.

Each person who conducts coal exploration which substantially disturbs the natural land surface will while in the exploration area, have available a copy of the Notice of Intention to Conduct Minor Coal Exploration or Approved Major Coal Exploration Permit for review by an authorized representative of the Division upon request.

Copies of the approved Notice of Intention to Conduct Minor Coal Exploration will be distributed to the Drillers, Geologists, and any other agents of the company, and they will be available on-site for review by an authorized representative of the Division upon request.



R645-202-200. Performance Standards.

210. All coal exploration and reclamation operations which substantially disturb the natural land surface or which remove more than 250 tons of coal will be conducted in accordance with the coal exploration requirements of the State Program, and any conditions on approval for exploration and reclamation imposed by the Division.

Core samples are expected to be recovered during the program as necessary and the exploration activities will not substantially disturb the natural land surface. However, Cyprus Plateau Mining Corporation will reclaim the drill pads by backfilling the mud pits, redistributing any soils moved during construction activities, scarifying and seeding. Any minor drainages affected by removing vegetation and construction activities will be reshaped. The seed mix to be used is the permanent seed mixture (upland) as shown on table 5.3-2, page 5.3-7, volume 3 of the Willow Creek Mining and Reclamation Permit.

220. Any person who conducts any coal exploration in violation of the State Program will be subject to the provisions of 40-10-20 of the Act and the applicable inspection and enforcement provisions of the R645 Rules.

Cyprus Plateau Mining Corporation will not conduct coal exploration in violation of the State Program.

230. Operational Standards.

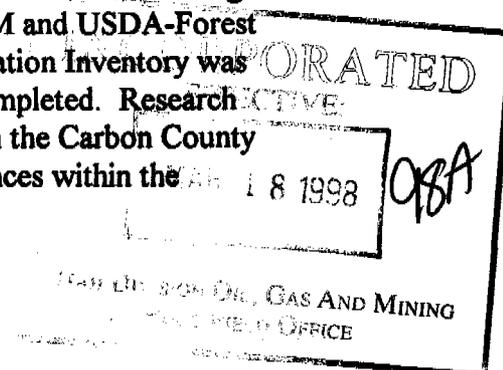
231. Habitats of unique or unusually high value for fish, wildlife, and other related environmental values and critical habitats of threatened or endangered species identified pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) Will not be disturbed during coal exploration.

Threatened or Endangered Species.

There are no known threatened or endangered species within the designated area of exploration.

Quoting from the Willow Creek MRP,

In addition to vegetation community mapping and identification and characterization of plant communities, research was conducted to evaluate the potential or presence of any Threatened, Endangered or Protected (T&E) plant species. T&E evaluations included consultations under the Utah Natural Heritage Program and discussions with local botanists of both the BLM and USDA-Forest Service. The original 1981 Price River Coal Company Vegetation Inventory was reviewed, and reconnaissance level field surveys were also completed. Research indicated that while several T&E plants are known to occur in the Carbon County area, specific habitat preferences limit potential T&E occurrences within the



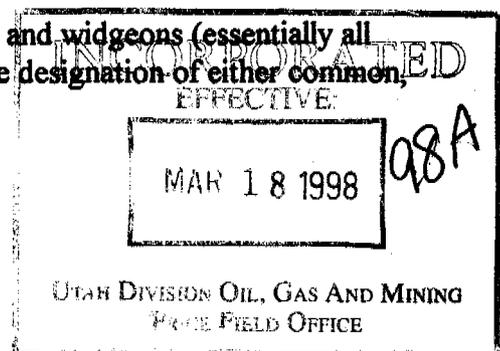
proposed lease and project areas to only one specie of potential concern, the Canyon Western Sweetvetch, Hedysarum occidentale var. canone. The computer files of the Utah Natural Heritage Program show this specie as occurring in the upper reaches of Willow Creek several miles to the northeast of the mine site. The principal investigator for the recent vegetation inventories, who has worked extensively in this general area and is familiar with this species, has identified several small undocumented populations of Canyon Western Sweetvetch near Kenilworth, but has never encountered this specie during field work on either the "Willow Creek North" Tract (Federal Lease UTU-73975) or the planned Willow Creek facility's area.

Wildlife and Fish

Some of the predominate mammals which may occur in the general area include elk, deer, black bear, cougar, bobcat, coyote, badger, porcupine, snowshoe hare, golden mantled squirrel, Andy ground squirrel, red fox, gray fox, marmot, flying squirrel, and other species of small rodents.

Data from UDWR Fish and Wildlife information indicate the following birds may be found in the ecological zone:

Golden Eagle (protected, common)
Bald Eagle (endangered, rare)
Prairie Falcon (protected, common)
American Peregrine (endangered, rare)
Goshawk (protected, uncommon)
Sharp-shinned Hawk (protected, uncommon)
Cooper's Hawk (protected, transient)
Red-tailed Hawk (protected, common)
Swainsons's Hawk (protected, summer resident)
Marsh Hawk (protected, common)
Various species of owls (essentially all are protected and most show an abundance designation of common, summer resident, or transient)
Blue Grouse (protected as a game bird, common)
Ruffed Grouse (protected as a game bird, common)
Sage Grouse (protected as a game bird, common)
California Quail (protected as a game bird, common)
Gambel's Quail (protected as a game bird, common)
Chukar (protected as a game bird, common)
Great Blue Heron (protected, abundance unknown)
Various species of geese, ducks, teal scalps, mergansers, and widgeons (essentially all are protected as game birds and most show an abundance designation of either common, summer resident, or transient).



A raptor inventory was conducted in the spring of 1997 and no active nest sites were found. A raptor inventory conducted in 1995, ~~identified an old dilapidated eagle nest in Barn Canyon within one half mile of drill sites P98-36-1 and P98-36-2.~~ CPMC is scheduled to perform weekly observations commencing the first week of March until the end of April (see attached Monitoring Plan) for the presence of eagle activity around the old dilapidated nest. If eagle activity is observed, then the Utah Division of Wildlife Resources (DWR) will be consulted to determine the appropriate action. In discussions with Mr. Ben Morris (DWR), he stated that if the nest is not visible or the proposed activity is not visible from the nest because of natural barriers (cliffs), then drilling activities should be allowed during the monitoring period.

A Goshawk inventory was conducted June 1996 in the general areas by E.I.S. This inventory was conducted in conjunction with Environmental Assessment No. UT-066-97-24, Environmental Assessment for dba 138 kV Carbon-Spanish Fork Number 2 Transmission Line re-route Right-of-Way application UTU-74309, May 1997. No Goshawks were observed.

The Price River and Willow Creek are the only perennial streams or bodies of water capable of supporting fish within or near the exploration area. Access to the drill site P98-29-3 will cross the waters of Willow Creek. Drilling water will be picked up from the Willow Creek Preparation Plant water facilities for the Barn and Dry Canyon sites. Less than 10,000 gallons of water per hole is expected to be used during the project.

3 Correction made 3/10/98

Reptiles and amphibians of the area may include; boreal toad, leopard frog, northern sagebrush lizard, rocky mountain rubber boa, great basin gopher snake and great basin rattlesnake.

Since all of the drill sites are near major highways and active mining areas, wildlife are either not present or have adjusted to the activity and there will be no disturbance to them.

232. All roads or other transportation facilities used for coal exploration will comply with the applicable provisions of R645-301-358, R645-301-512.250, R645-301-526.200, R645-301-527.100, R645-301-527.230, R645-301-534.100 through R645-301-534.300, R645-301-742.420, R645-301-752.200, and R645-301-762.

Access to drill sites P98-36-1 and P98-36-2 will be on an existing road in Barn Canyon, no new disturbance will be required; this site can be seen on Figure 1. Access to drill site P98-29-3 will be on the existing road in Dry Canyon which was used during previous drilling and ranching activities. In this case also, no new road construction disturbance will be required; this site can be seen on Figure 2.

R645-301-358. Protection of Fish, Wildlife, and Related Environmental Values. The operator will, to the extent possible using the best technology currently available, minimize disturbances and adverse impacts on fish, wildlife, and related environmental values and will achieve enhancement of such resources where practicable.

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Cyprus Plateau Mining Corporation, will to the extent possible, minimize disturbances and adverse impacts to fish, wildlife, and related environmental values. See response to R645-202-231 above.

R645-301-512.250 Primary Roads. The professional engineer will certify the design and construction or reconstruction of primary roads as meeting the requirements of R645-301-534.200 and R645-301-742.420.

Primary roads will not be constructed during this project per definition in R645-301-527.120-123.

R645-301-526.200. The plan must classify each road.

The access roads to be used are pre-existing roads as shown on Figures 1 and 2.

R645-301-527.230. A maintenance plan describing how roads will be maintained throughout their life to meet the design standards throughout their use.

The roads will be graded prior to and during the exploration activities as needed. The roads will also be watered if needed to control dust caused by travel. Heavy snowfall may require the periodic removal of such by snow plow or tractor as needed.

R645-301-534.100. Roads will be located, designed, constructed, reconstructed, used, maintained, and reclaimed so as to:

534.110. Prevent or control damage to public or private property;

Maintenance of the access roads will be minor. The roads are located on land owned by Cyprus Plateau Mining Corporation.

534.120. Use non-acid-forming or non toxic-forming substances in road surfacing.

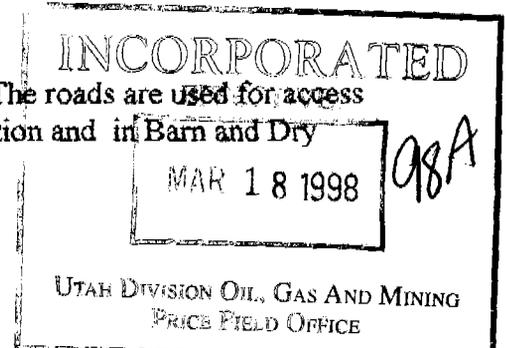
The roads will not be surfaced.

534.130. Have, at a minimum, a static safety factor of 1.3 for all embankments.

The existing roads have been in place for many years, so new construction would not be needed.

534.140. Have a schedule and plan to remove and reclaim each road that would not be retained under an approved postmining land use.

The existing roads in Barn and Dry Canyon will not be reclaimed. The roads are used for access to UP&L's 138kV power line, and an existing monitoring well location and in Barn and Dry Canyon, respectively.



Cyprus Plateau Mining Corporation, will to the extent possible, minimize disturbances and adverse impacts to fish, wildlife, and related environmental values. See response to R645-202-231 above.

R645-301-512.250 Primary Roads. The professional engineer will certify the design and construction or reconstruction of primary roads as meeting the requirements of R645-301-534.200 and R645-301-742.420.

Primary roads will not be constructed during this project per definition in R645-301-527.120-123.

R645-301-526.200. The plan must classify each road.

The access roads to be used are pre-existing roads as shown on Figures 1 and 2.

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534.110. Prevent or control damage to public or private property;

Maintenance of the access roads will be minor. The roads are located on land owned by Cyprus Plateau Mining Corporation.

534.120. Use non-acid-forming or non toxic-forming substances in road surfacing;

The roads will not be surfaced.

534.130. Have, at a minimum, a static safety factor of 1.3 for all embankments.

The existing roads have been in place for many years, so new construction would not be needed.

534.140. Have a schedule and plan to remove and reclaim each road that would not be retained under an approved postmining land use.

The existing roads in Barn and Dry Canyon will not be reclaimed. The roads are used for access to UP&L's 138kV power line and (future ventilation shaft) and an existing monitoring well location (and future ventilation shaft) in Barn and Dry Canyon, respectively.

534.150. Control or prevent erosion, siltation and the air pollution attendant to erosion by vegetating or otherwise stabilizing all exposed surfaces in accordance with current, prudent engineering practices.

Erosion control measures will be taken, including diverting overland flows around the roads and drill pads where necessary, constructing berms, installing silt fences, and other measures as required.

534.200. To ensure environmental protection and safety appropriate for their planned duration and use, including consideration of the type and size of equipment used, the design and reconstruction of roads will incorporate appropriate limits for grade, width, surface materials, and any necessary design criteria established by the Division.

The existing roads are sufficient for mobilization of drill and construction equipment. Existing roads are generally less than 15 feet wide and composed of compacted sands and gravel. As necessary, berms will be used to divert flows that would cause erosion or other problems.

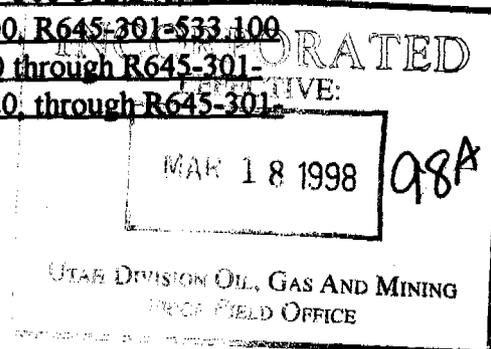
R645-202-233. Topsoil will be separately removed, stored, and redistributed on areas disturbed by coal exploration activities as necessary to assure successful revegetation or as required by the Division.

All existing roads exist on disturbed areas. Drill holes P98-36-1 and P98-29-3 will be located on or adjacent to the existing roadways, however, some additional earthwork will be required to widen the road enough to facilitate a drill pad. Topsoil and/or growth media will be salvaged during the pad construction and stockpiled, so as not to be affected by the drilling activities. During reclamation, the stockpiled topsoil/growth media will be redistributed on the new disturbance associated with the pad construction.

R645-202-234. Diversions of overland flows and ephemeral, perennial, or intermittent streams will be made in accordance with R645-301-742.300.

It is anticipated that no major diversions will be necessary for the duration of this project. Minor diversions may be necessary to control erosion or divert flows away from the roads or drill pads. If it becomes necessary, diversions of overland flows will be made in accordance with R645-301-742.300. Water bars, ditches and/or culverts will be used if needed to control overland flow.

R645-202-235. Coal exploration will be conducted in a manner which minimizes disturbance of the prevailing hydrologic balance in accordance with R645-301-356.300 through R645-301-356.400, R645-301-512.240, R645-301-513.200, R645-301-514.300, R645-301-515.200, R645-301-533.100 through R645-301-533.600, R645-301-731.100 through R645-301-731.522, R645-301-731.800, R645-301-733.220, through R645-301-



733.240, R645-301-742.200 through R645-301-742.300, R645-301-743, and R645-301-763. The Division may specify additional measures which will be adopted by the person engaged in coal exploration.

- 356.300. Siltation structures will be maintained until removal is authorized by the Division and the disturbed area has been stabilized and revegetated. In no case will the structure be removed sooner than two years after the last augmented seeding.
- 356.400 When a siltation structure is removed, the land on which the siltation structure was located will be revegetated in accordance with the reclamation plan and R645-301-353 through R645-301-357.

Minor siltation structures such as silt fences, straw bales or berms will be used as needed to control erosion after drilling is completed. If reclamation is delayed beyond the period immediately after drilling, (i.e. if adverse weather conditions prevent reclamation from taking place before the close of the drilling season) siltation structures will be maintained until reclamation is completed.

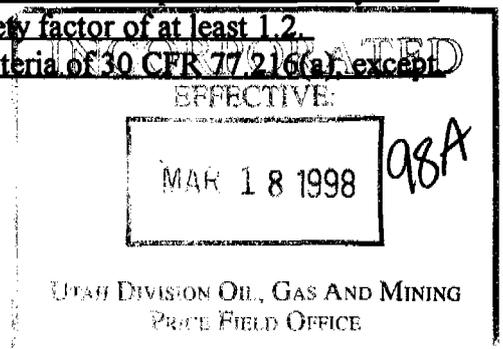
512.240. Impoundments. The professional engineer will use current, prudent, engineering practices and will be experienced in the design and construction of impoundments and certify the design of the impoundment according to R645-301-743.

513.200. Impoundments and sedimentation ponds meeting the size of other qualifying criteria of MSHA, 30 CFR 77.216 (a) will comply with the requirements of MSHA, 30 CFR 77.216 (see R645-301-533.600, R645-301-742.222, and R645-301-742.223).

514.300. Impoundments.

515.200 Impoundment Hazards. The permit application will incorporate a description of notification when potential impoundment hazards exist. The requirements for the description are: If any examination or inspection discloses that a potential hazard exists, the person who examined the impoundment will promptly inform the Division of the finding and of the emergency procedures formulated for public protection and remedial formulated for public protection and remedial action. If adequate procedures cannot be formulated or implemented, the Division will be notified immediately. The division will then notify the appropriate agencies that other emergency procedures are required to protect the public.

533.100. An impoundment meeting the size or other criteria of 30 CFR 77.216(a) or located where failure would be expected to cause loss of life or serious property damage will have a minimum static safety factor of 1.5 for a normal pool with steady state seepage saturation conditions and a seismic safety factor of at least 1.2. Impoundments not meeting the size or other criteria of 30 CFR 77.216(a) except



for coal mine waste impounding structure, and located where failure would not be expected to cause loss of life or serious property damage will have a minimum static safety factor of 1.3 for normal pool with steady state seepage saturation conditions or meet the requirements of R645-301-733.210.

533.200. Foundation for temporary and permanent impoundments must be designed so that:

533.210. Foundation and abutments for the impounding structure will be stable under all conditions of construction and operation of the impoundment. Sufficient foundation investigations and laboratory testing will be performed in order to determine the design requirements for foundation stability; and

533.220. All vegetative and organic materials will be removed and foundations excavated and prepared to resist failure. Cutoff trenches will be installed if necessary to ensure stability.

533.300. Slope protection will be provided to protect against surface erosion at the site and protect against sudden drawdown.

533.400. Faces of embankments and surrounding areas will be vegetated except that faces where water is impounded may be riprapped or otherwise stabilized in accordance with accepted design practices.

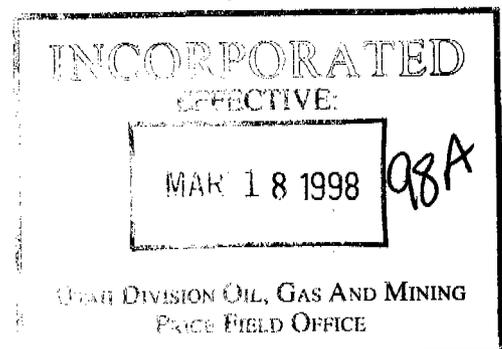
533.500. The vertical portion of any remaining highwall will be located far enough below the low-water line along the full extent of highwall to provide adequate safety and access for the proposed water users.

533.600. Impoundments meeting the criteria of MSHA, 30 CFR 77.216(a) will comply with the requirements of MSHA, 30 CFR 77.216 and R645-301-512.240, R645-301-514.300, R645-301-515.200, R645-301-533.100 through R645-301-533.600, R645-301-733.220 through R645-301-733.224, and R645-301-743. The plan required to be submitted to the District Manager of MSHA under 30 CFR 77.216 will also be submitted to the Division as part of the permit application.

Not applicable because impoundments, as managed under these regulations, will not be constructed for this exploration project.

731.100. Hydrologic-Balance Protection.

731.110. Groundwater Protection. In order to protect the hydrologic balance, coal mining and reclamation operations will be conducted according to the plan approved under R634-301-731 and the following:



731.111. Groundwater quality will be protected by handling earth materials and runoff in a manner that minimizes acidic, toxic or other harmful infiltration to groundwater systems and by managing excavations and other disturbances to prevent or control the discharge of pollutants into the groundwater;

Ground water quality will be protected by handling earth materials and runoff from the drilling activities in a manner that minimizes acidic, toxic, and other harmful materials; infiltration by containing the drill water in an open air pit allowing maximum evaporation and thus, diminishing the chance of infiltrating into ground water systems. If mud pits become overly full, they will be pumped and hauled to approved disposal sites at the mine. Drill holes P98-29-3, P98-36-1, and P98-36-2 will be plugged (cemented) from bottom to top by a licensed driller after exploration activities to prevent infiltration of surface water into the ground.

731.112. For the purposes of Surface coal mining and reclamation activities ground water quantity will be protected by handling earth materials and runoff in a manner that will restore approximate premining recharge capacity of the reclaimed area as a whole, excluding coal mine waste disposal areas and fills, so as to allow the movement of water to the ground water system.

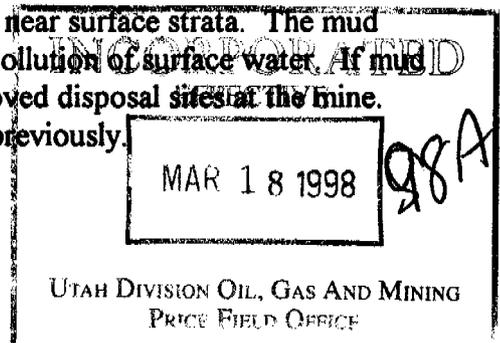
Not applicable because this exploration project will not include surface coal mining.

731.120. Surface Water Protection. In order to protect the hydrologic balance, coal mining and reclamation operations will be conducted according to the plan approved under R645-301-731 and the following:

731.121. Surface water quality will be protected by handling earth materials, ground water discharges and runoff in a manner that minimizes the formation of acidic or toxic drainage; prevents, to the extent possible using the best technology currently available, additional contributions of suspended solids to streamflow outside the permit area; and, otherwise prevent water pollution. If drainage control, restabilization and revegetation of disturbed areas, diversion of runoff, mulching or other reclamation and remedial practices are not adequate to meet the requirements of R645-301-731.100 through R645-301-731.522, R645-301-731.800 and R645-301-751, the operator will use and maintain the necessary water treatment facilities or water quality controls; and

731.122. Surface water quantity and flow rates will be protected by handling earth materials and runoff approved under R645-301-731.

Surface water quality will be protected from acid-forming runoff and surface water will be protected by capturing all drilling fluids in a mud pit where evaporation will decrease the volume of fluids and the balance will be contained in the pit and the very near surface strata. The mud pits will be built in a manner that will ensure protection against pollution of surface water. If mud pits become overly full, they will be pumped and hauled to approved disposal sites at the mine. Discussions of roads and drill pads runoff have been presented previously.



731.200. Water Monitoring.

731.210. Ground Water Monitoring. Ground water monitoring will be conducted according to the plan approved under R645-301-731.200 and the following:

The proposed drill holes will not be used for water monitoring purposes.

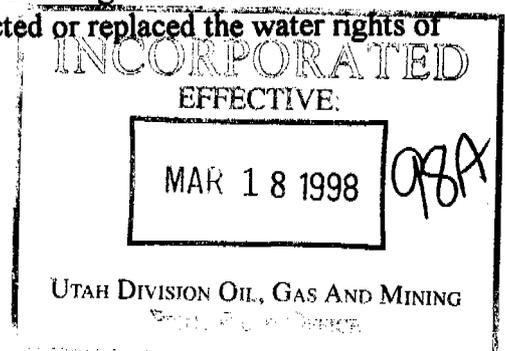
731.211. The permit application will include a ground water monitoring plan based upon the PHC determination required under R645-301-728 and the analysis of all baseline hydrologic, geologic and other information in the permit application. The plan will provide for the monitoring of parameters that relate to the suitability of the ground water for current and approved postmining land uses and to the objectives for protection of the hydrologic balance set forth in R645-301-731. It will identify the quantity and quality parameters to be monitored, sampling frequency and site locations. It will describe how these data may be used to determine the impacts of the operation upon the hydrologic balance. At a minimum, total dissolved solids or specific conductance corrected to 25 degrees C, pH, total iron, total manganese and water levels will be monitored;

731.212. Ground water will be monitored and data will be submitted at least every three months for each monitoring location. Monitoring submittals will include analytical results from each sample taken during the approved reporting period. When the analyses of any ground water sample indicates noncompliance with the permit conditions, then the operator will promptly notify the Division and immediately take the actions provided for in R645-300-145 and R645-301-731;

731.213. If an applicant can demonstrate by the use of the PHC determination and other available information that a particular water bearing stratum in the proposed permit and adjacent areas is not one which serves as an aquifer which significantly ensures the hydrologic balance within the cumulative impact area, then monitoring of that stratum may be waived by the Division;

713.214. Ground water monitoring will proceed through mining and continue during reclamation until bond release. Consistent with the procedures of R645-303-220 through R645-303-228 the Division may modify the monitoring requirements including the parameters covered and the sampling frequency if the operator demonstrates, using the monitoring data obtained under R645-301-731.214 that:

713.214.1 The coal mining and reclamation operation has minimized disturbance to the prevailing hydrologic balance in the permit and adjacent areas and prevented material damage to the hydrologic balance outside the permit area; water quantity and quality are suitable to support approved postmining land uses and the surface coal mining and reclamation activity has protected or replaced the water rights of other users; or



- 713.214.2. Monitoring is no longer necessary to achieve the purposes set forth in the monitoring plan approved under R645-301-731.211.
- 731.215. Equipment, structures and other devices used in conjunction with monitoring the quality and quantity of ground water on-site and off-site will be properly installed, maintained and operated and will be removed by the operator when no longer needed.
- 713.220. Surface Water Monitoring. Surface water monitoring will be conducted according to the plan approved under R645-301-731.220 and the following:
- 731.221. The permit application will include a surface water monitoring plan based upon the PHC determination required under R645-301-728 and the analysis of all baseline hydrologic, geologic and other information in the permit application. The plan will provide for the monitoring of parameters that relate to the suitability of the surface water for current and approved postmining land uses and to set forth in R645-301-731 as well as the effluent limitations found in R645-301-751;
- 731.222. The plan will identify the surface water quantity and quality parameters to be monitored, sampling frequency and site locations. It will describe how these data may be used to determine the impacts of the operation upon the hydrologic balance:

Regulation's 731.210 through 731.222 are not applicable to this coal exploration application.

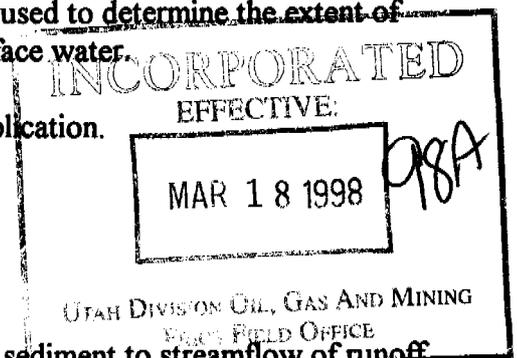
- 731.800. Water Rights and Replacement. Any person who conducts surface coal mining and reclamation activities will replace the water supply of an owner of interest in real property who obtains all or part of his or her supply of water for domestic, agricultural, industrial, or other legitimate use from an underground or surface source, where the water supply has been adversely impacted by contamination, diminution, or interruption proximately resulting from the surface mining activities. Baseline hydrologic information required in R645-301-624.100 through R645-301-624.200, R645-301-625, R645-301-626, R645-301-723 through R645-301-724.300, R645-301-724.500, R645-301-725 through R645-301-731, and R645-301-031.210 through R645-301-731.223 will be used to determine the extent of the impact of mining upon ground water and surface water.

Regulation 731.800 is not applicable to this coal exploration application.

742.200. Siltation Structures.

742.210. General Requirements.

742.211. Additional contributions of suspended solids and sediment to streamflow of runoff outside the permit area will be prevented to the extent possible using the best

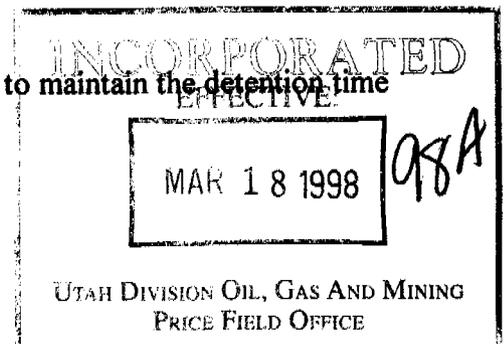


technology currently available.

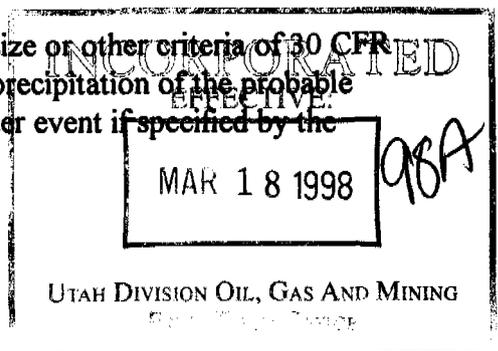
- 742.212. Siltation structures for an are will be constructed before beginning any coal mining and reclamation operations in that area and, upon construction, will be certified by a qualified registered professional engineer to be constructed as designed and as approved in the reclamation plan.
- 742.213. Any siltation structures which impounds water will be designed, constructed and maintained in accordance with R645-301-512.240, R645-301-514.300, R645-301-515.200, R645-301-533.100 through R645-301-533.600, R645-301 through R645-301-733.224, and R645-301-743.
- 742.214. For the purposes of Underground coal mining and reclamation activities, any point-source discharge of water from underground workings to surface waters which does not meet the effluent limitations of R645-301-751 will be passed through siltation structure before leaving the permit area.

Construction of siltation structure has been discussed previously.

- 742.220. Sedimentation Ponds.
- 742.221. Sedimentation ponds, when used, will:
- 742.221.1. Be used individually or in series;
- 742.221.2. Be located as near as possible to the disturbed area and out off perennial streams unless approved by the Division; and
- 742.221.3. Be designed, constructed, and maintained to:
- 742.221.31. Provide adequate sediment storage volume;
- 742.221.32. Provide adequate detention time to allow the effluent from the ponds to meet Utah and federal effluent limitations;
- 742.221.33. Contain or treat the 10-year, 24-hour precipitation event ("design event") unless a lesser design event is approved by the Division based on terrain, climate, or other site-specific conditions and on a demonstration by the operator that the effluent limitations of R645-301-751 will be met;
- 742.221.34. Provide a nonclogging dewatering device adequate to maintain the detention time required under R645-301-742.221.32.



- 742.221.35. Minimize, to the extent possible, short circuiting;
- 742.221.36. Provide periodic sediment removal sufficient to maintain adequate volume for the design event;
- 742.221.37. Ensure against excessive settlement;
- 742.221.38. Be free of sod, large roots, frozen soil, and acid or toxic forming coal processing waste; and
- 742.221.39. Be compacted properly.
- 742.222. Sedimentation ponds meeting the size or other qualifying criteria of the MSHA, 30 CFR 77.216(a) will comply with all the requirements of that section, and will have a single spillway or principal and emergency spillways that in combination will safely pass a 100-year, 6-hour precipitation event or greater event as demonstrated to be necessary by the Division.
- 742.223. Sedimentation ponds not meeting the size or other qualifying criteria of the MSHA, 30 CFR 77.216(a) will provide a combination of principal and emergency spillways that will safely discharge a 25-year, 6-hour precipitation event or greater event as demonstrated to be needed by the division. Such ponds may use a single open channel spillway if the spillway is:
 - 742.223.1. Of nonerrodible construction and designed to carry sustained flows; or
 - 742.223.2. Earth or grass lined and designed to carry short-term infrequent flows at non-erosive velocities where sustained flows are not expected.
- 742.224. In lieu of meeting the requirements of R645-301-742.223.1 and 742.223.2 the Division may approve a sedimentation pond that relies primarily on storage to control the runoff from the design precipitation event when it is demonstrated by the operator and certified by a qualified registered professional engineer in accordance with R645-201-512.200 that the sedimentation pond will safely control the design precipitation event. The water will be removed from the pond in accordance with current, prudent, engineering practices and any Sediment pond so used will not be located where failure would be expected to cause loss of life or serious property damage.
- 742.225. An exception to the sediment pond location guidance in R645-301-742.224 may be allowed:
 - 742.225.1. In the case of a sedimentation pond meeting the size or other criteria of 30 CFR 77.216(a), if the pond is designed to control the precipitation of the probable maximum precipitation of a 6 hour event or greater event if specified by the



Division; or 30 CFR 816.46 (c) (2) (ii) (A))

742.225.2. In the case of a sedimentation pond not meeting the size or other criteria of 30 CFR 77.216 (a), if the pond is designed to control the precipitation of a 100-year 6-hour event or greater event if demonstrated to be needed by the Division.

742.230. Other Treatment Facilities.

742.231. Other treatment facilities will be designed to treat the 10-year, 24-hour precipitation event unless a lesser design event is approved by the Division based on terrain, climate, other site-specific conditions and a demonstration by the operator that the effluent limitations of R645-301-751 will be met.

742.232. Other treatment facilities will be designed in accordance with the applicable requirements of R645-30-1742.220.

742.240. Exemptions. Exemptions to the requirements of R645-301-742.200 and R645-301-763 may be granted if the disturbed drainage area within the total disturbed area is small and the operator demonstrates that siltation structures and alternate sediment control measures are not necessary for drainage from the disturbed areas to meet the Effluent limitations under R645-301-751 or the applicable Utah and federal water quality standards for the receiving waters.

Regulation's 742.200 through 742.240 are not applicable to this coal exploration project.

742.300. Diversions.

Addressed previously.

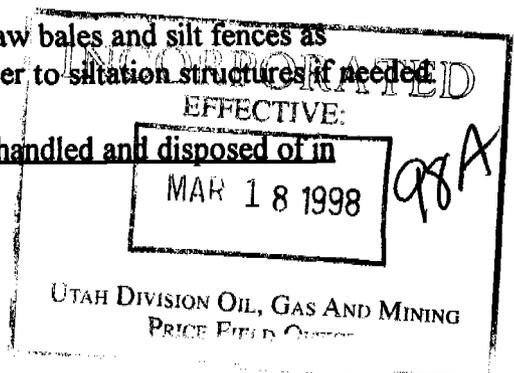
763. Siltation Structures.

763.100. Siltation Structures will be maintained until removal is authorized by the Division and the disturbed area has been stabilized and revegetated. In no case will the structure be removed sooner than two years after the last augmented seeding.

763.200. When the siltation structure is removed, the land on which the siltation structure was located will be regarded and revegetated in accordance with the reclamation plan and R645-301-358, R645-301.356, and R645-301-357. Sedimentation ponds approved by the Division for retention as permanent impoundments may be exempted from this requirement.

Alternate sediment control measures would consist of using straw bales and silt fences as temporary siltation structures, and by using berms to divert water to siltation structures if needed.

R645-202-236. Acid- or toxic-forming materials will be handled and disposed of in



accordance with R645-301-731.110, R645-301-731.300, and R645-301-553.260. The Division may specify additional measures which will be adopted by the person engaged in coal exploration.

Acid-forming or toxic-forming materials will not be used on this project. Drill cuttings will be contained and buried in the mud pits. If fresh core is collected, it will be taken off site. Also, see response to 731.110 above. Fuel spill contamination will be contained, collected and disposed of off property, in an approved manner.

R645-202-240. Reclamation Standards.

R645-202-241. If excavations, artificially flat areas, or embankments are created during exploration, these areas will be returned to the approximate original contour promptly after such features are no longer needed for coal exploration.

R645-202-242. All areas disturbed by coal exploration activities will be revegetated in a manner that encourages prompt revegetation and recovery of a diverse, effective, and permanent vegetative cover. Revegetation will be accomplished in accordance with the following:

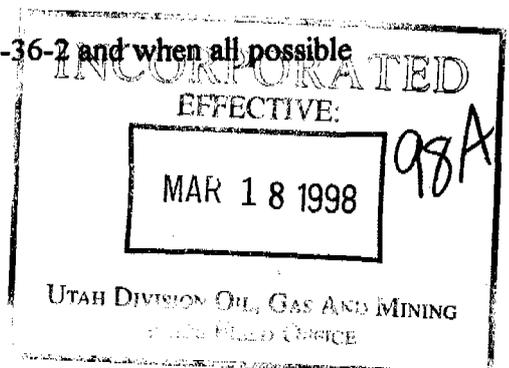
R645-202-242.100. All areas disturbed by coal exploration activities will be seeded or planted to the same seasonal variety native to the areas disturbed. If the land use of the exploration area is intensive agriculture, planting of the crops normally grown will meet the requirements of R645-202-242.100; and

R645-202-242.200. The vegetative cover will be capable of stabilizing the soil surface from erosion.

The exploration sites will have trash and debris removed and the mud pits will be backfilled upon completion of exploration activities. The drill pads will be returned to the approximate original contour, scarified, and re-seeded with the seed mix shown on Table 5.3-2 in the Willow Creek MRP. Existing roads will be returned to a condition equal to or better than their condition prior to commencement of the exploration activities. Seeding of the rehabilitated drill pads will be accomplished in the first season following completion of the exploration program.

R645-202-243. Each exploration hole, borehole, well, or other exposed underground opening created during exploration will be reclaimed in accordance with R645-301-529, R645-301-551, R645-301-631, R645-301-738, and R645-301-765.

Upon completion of the drill holes P98-29-3, P98-36-1, and P98-36-2 and when all possible



geologic and geophysical information has been gathered, the holes will be cemented from bottom to the collar of the hole (total depth) by a licensed driller. This will be the last task that the drillers will perform before the drill equipment is moved from the pad. Reclamation of roads and drill pads has been addressed previously.

R645-202-244. All facilities and equipment will be promptly removed from the exploration area when they are no longer needed for exploration, except for those facilities and equipment that the Division determines may remain to:

R645-202-244.100. Provide additional environmental data:

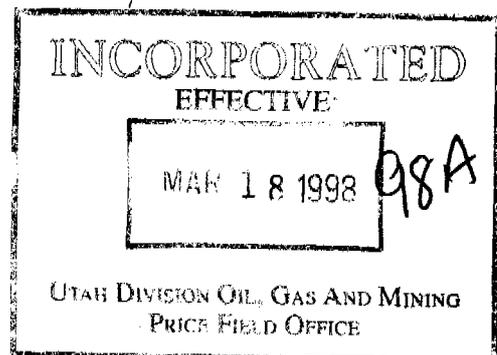
R645-202-244-200. Reduce or control the on-site and off-site effects of the exploration activities; or

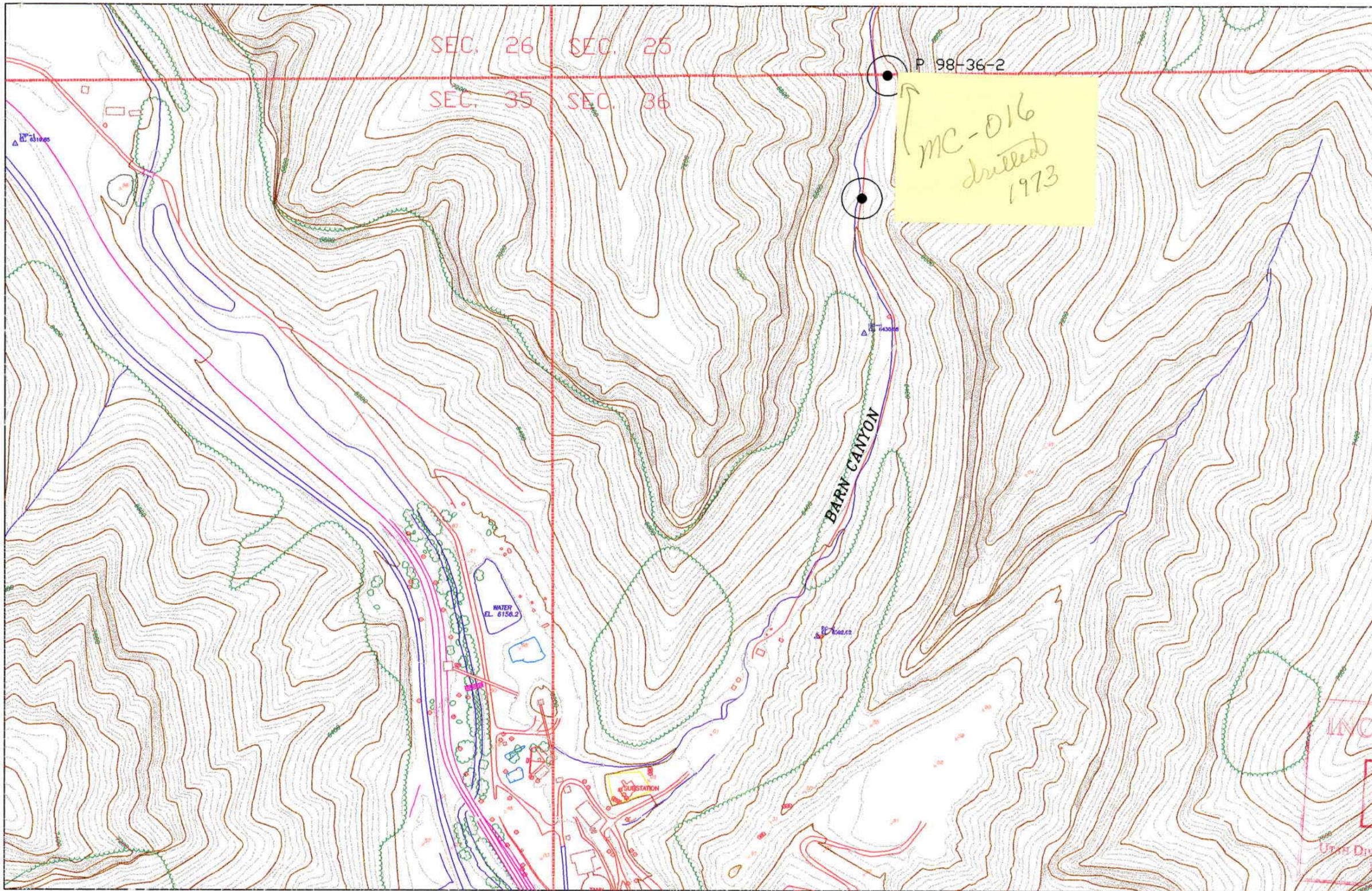
R645-202-244-300. Facilitate future coal mining and reclamation operations by the person conducting the exploration.

All equipment will be promptly removed from the exploration area upon completion of drilling and reclamation will be conducted as described in response to 240-242.200 above.

Bonding

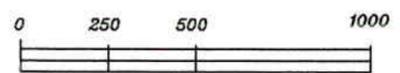
It is my understanding that the Division does not require bond revisions for cumulative activities that do not increase the existing bond by more than 5 percent. Therefore, the existing \$11,949,205.00 is sufficient to cover this exploration activity. Thus far, the only approved revision to the Willow Creek Mine Permit that would apply to the 5 percent rule is the \$49,537.00 for the Clean Coal Pile Expansion. The proposed activity will not add significantly to that already accrued against the bond to where it exceeds the 5 percent rule. In order to exceed the 5 percent rule, \$597,460.00 of cumulative increases will have to be proposed and approved.





MC-016
drilled
1973

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MAR 18 1998
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PRICE FIELD OFFICE

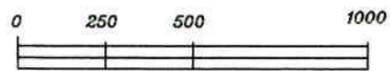
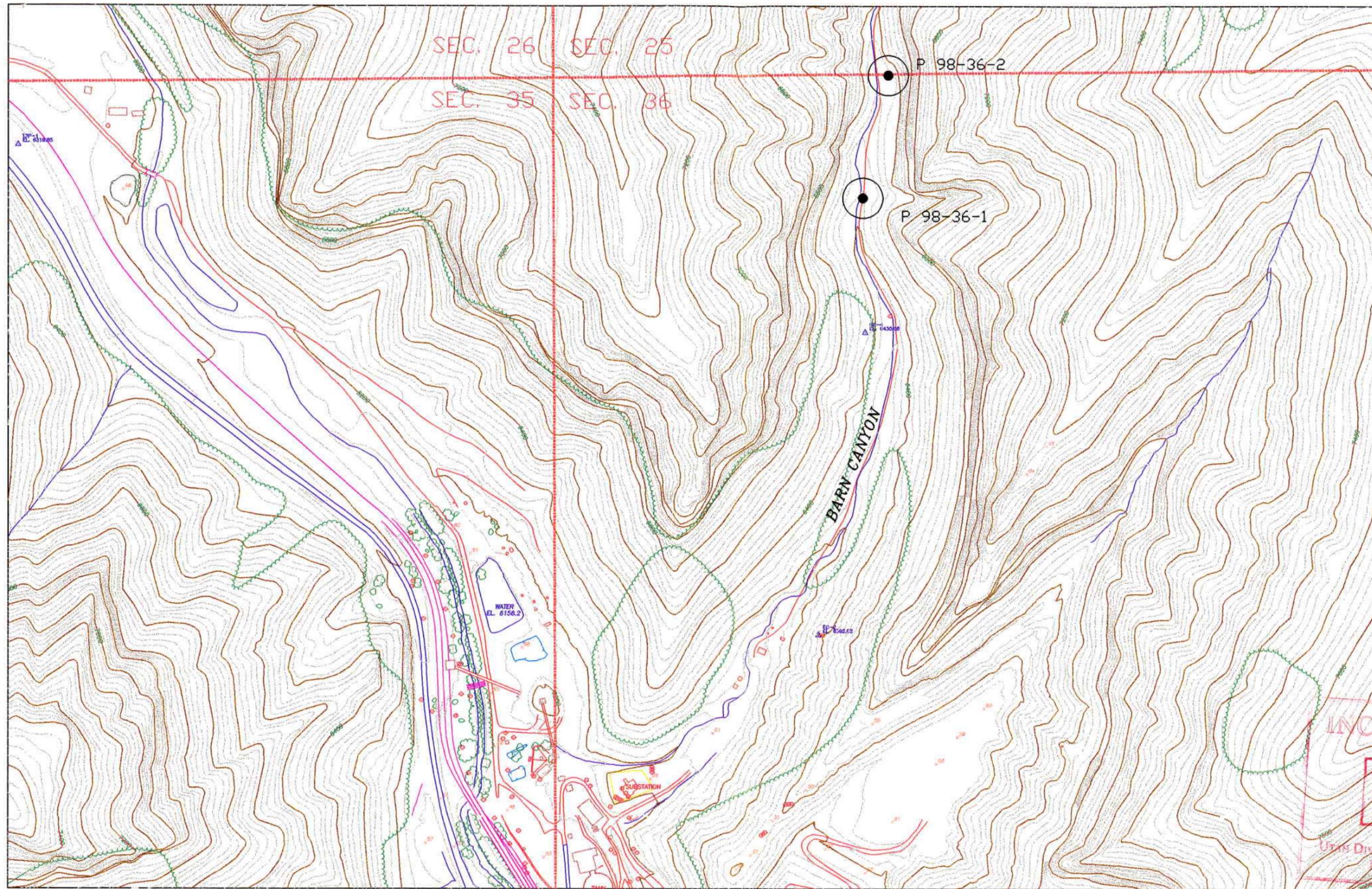


LEGEND
● P98-36-1

C:\RAY\WILLOW\BARNEXP.DWG

CYPRUS
PLATRAU MINING
WILLOW CREEK MINE
847 Northwest Hwy. 191 Helper, Utah 84626
PHONE: (435) 478-0476

EXPLORATION PERMIT APPLICATION
DRILL HOLES P98-36-1 & P98-36-2
BARN CANYON
T. 12 S., R. 9 E., SECTION 36 NE 1/4 NW 1/4
FIGURE 1



LEGEND

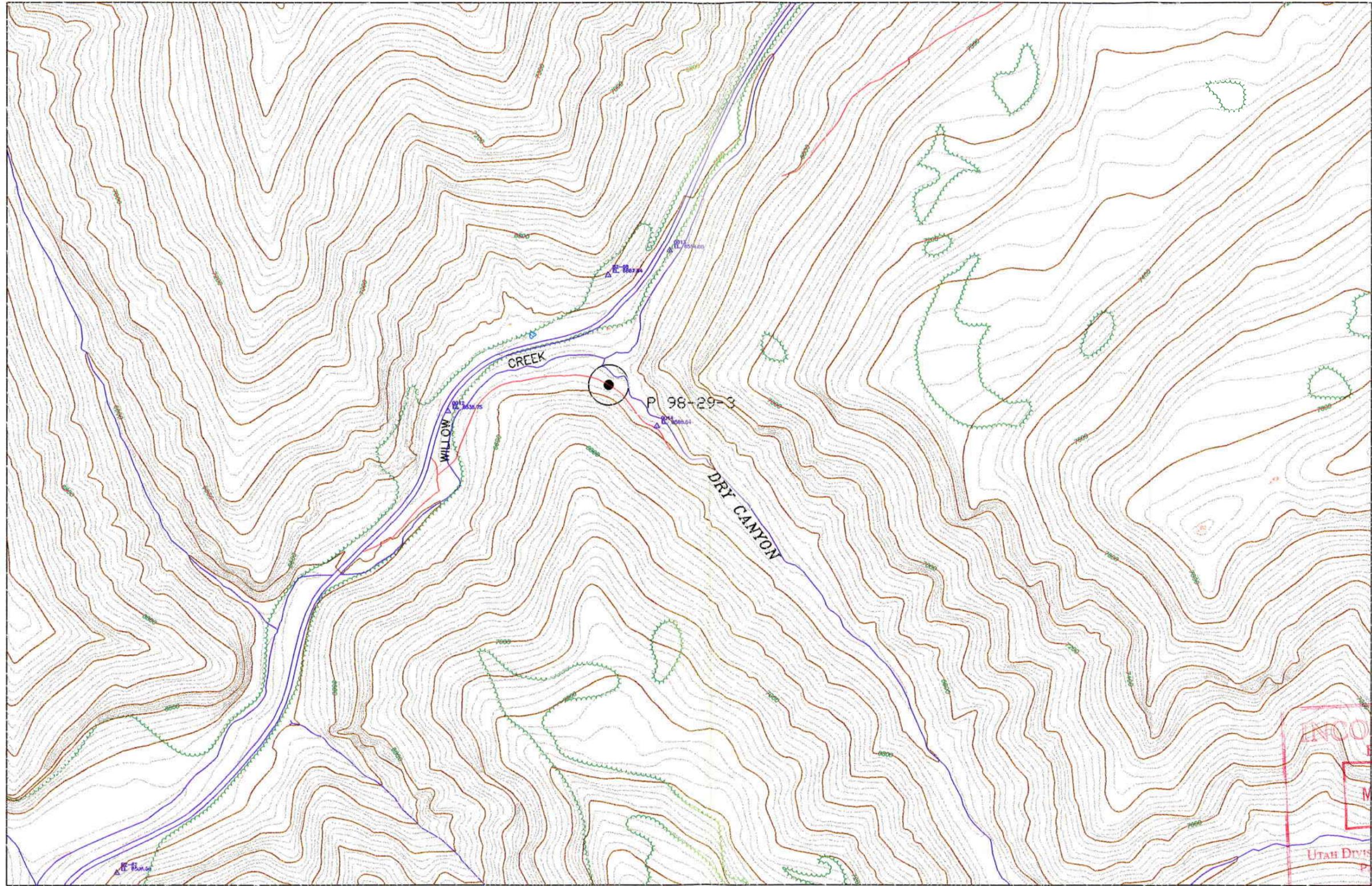
● P98-36-1

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PRICE FIELD OFFICE



WILLOW CREEK MINE
847 Northwest Hwy. 191 Helper, Utah 84628
PHONE: (408) 478-0476

EXPLORATION PERMIT APPLICATION
DRILL HOLES P98-36-1 & P98-36-2
BARN CANYON
T. 12 S., R. 9 E., SECTION 36 NE 1/4 NW 1/4
FIGURE 1



NAD 1927 DATUM (SEALEVEL ELEVATION)
 C:\RAY\WILLOW\DRYEXP.DWG

LEGEND

● P98-29-3

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 MAR 18 1998 98A
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 PRICE FIELD OFFICE

CYPRUS
 PLATBAU MINING
 WILLOW CREEK MINE
 847 Northwest Hwy. 191 Helper, Utah 84528
 PHONE: (438) 478-0475
EXPLORATION PERMIT APPLICATION
 DRILL HOLES P98-29-3
 DRY CANYON
 T. 12 S., R. 10 E., SECTION 29 SW 1/4 SE 1/4
 MARCH 03, 1998
 FIGURE 2



**CYPRUS PLATEAU
MINING CORPORATION**
A Cyprus Amax Company

Cyprus Plateau Mining Corporation
Post Office Drawer PMC
Price, Utah 84501
(801) 637-2875

February 16, 1998

Mr. Ben Morris
Utah Division of Wildlife Resources
475 West Price River Drive, Suite C
Price, Utah 84501-2860

Re: Monitoring of Old Dilapidated Eagle Nest (36-1), Barn Canyon, Willow Creek Mine,
Cyprus Plateau Mining Corporation, ACT/007/038, Carbon County, Utah

Dear Mr. Morris:

Cyprus Plateau Mining Corporation (CPMC) would like to thank you for taking a few minutes out of your busy schedule to meet with me on February 10, 1998, to go up Barn Canyon, where CPMC's future air ventilation/fan shaft is to be installed, and look at the area where the old dilapidated eagle nest 36-1 is located.

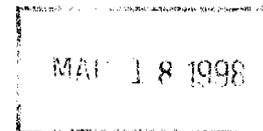
Following your advise, CPMC is herewith notifying the Division of Wildlife Resources (DWR) of their intent to monitor the area where nest 36-1 is located, commencing the first week of March, early in the morning around dawn for two hours, until April 21, for any eagle activity.

Because the nest is located in a remote area of a box canyon off the main barn canyon and is not accessible safely by foot, CPMC will monitor for the presence of eagles flying around the area. This will be accomplished by setting up an observation point at the mouth of the box canyon. CPMC will maintain an accurate record of activity including: 1) time; 2) movement; 3) actions; 4) courtship behavior; 5) feeding behavior; 6) direction of flight; 7) numbers of eagles; 8) apparent age of eagles (adults or juvenile); and 9) any other details. The result of the observation period will be reported in letter form to the DWR within five working days.

In addition to the above monitoring plan, helicopter observations are planned in cooperation with the DWR sometime between May 11 and May 22, 1998, as part of the regularly scheduled annual raptor survey.

If no eagle nesting activity is observed, the construction activity associated with the air ventilation/fan shaft will proceed as necessary. If nesting activity is observed, the DWR will be consulted to determine the appropriated action.

The location of nest 36-1 in relationship to the air ventilation/fan shaft is shown on Figure 1. As can be seen on Figure 1, the nest is well within the half-mile radius of the proposed activity. For your benefit, the coordinates, based on sea level datum, of the shaft are: N 514263.945, E 2178390.675; at an elevation of 6371.66 feet above sea level.



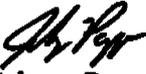
Utah Division of Wildlife Resources
Price, Utah 84501

Mr. Ben Morris
February 16, 1998
Page 2

Additionally, I have included a copy of Willow Creek's 1995 Raptor Survey, which identifies nest 36-1 as inactive and dilapidated.

If the Division has any questions or needs additional information, please do not hesitate to contact me at (435) 472-4741.

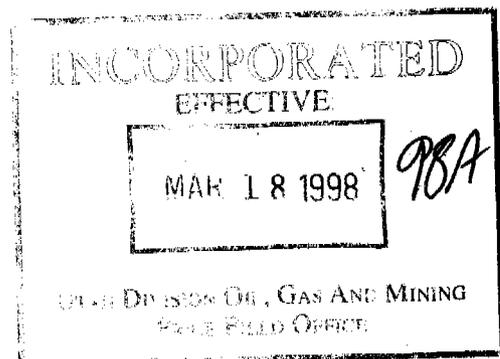
Sincerely,

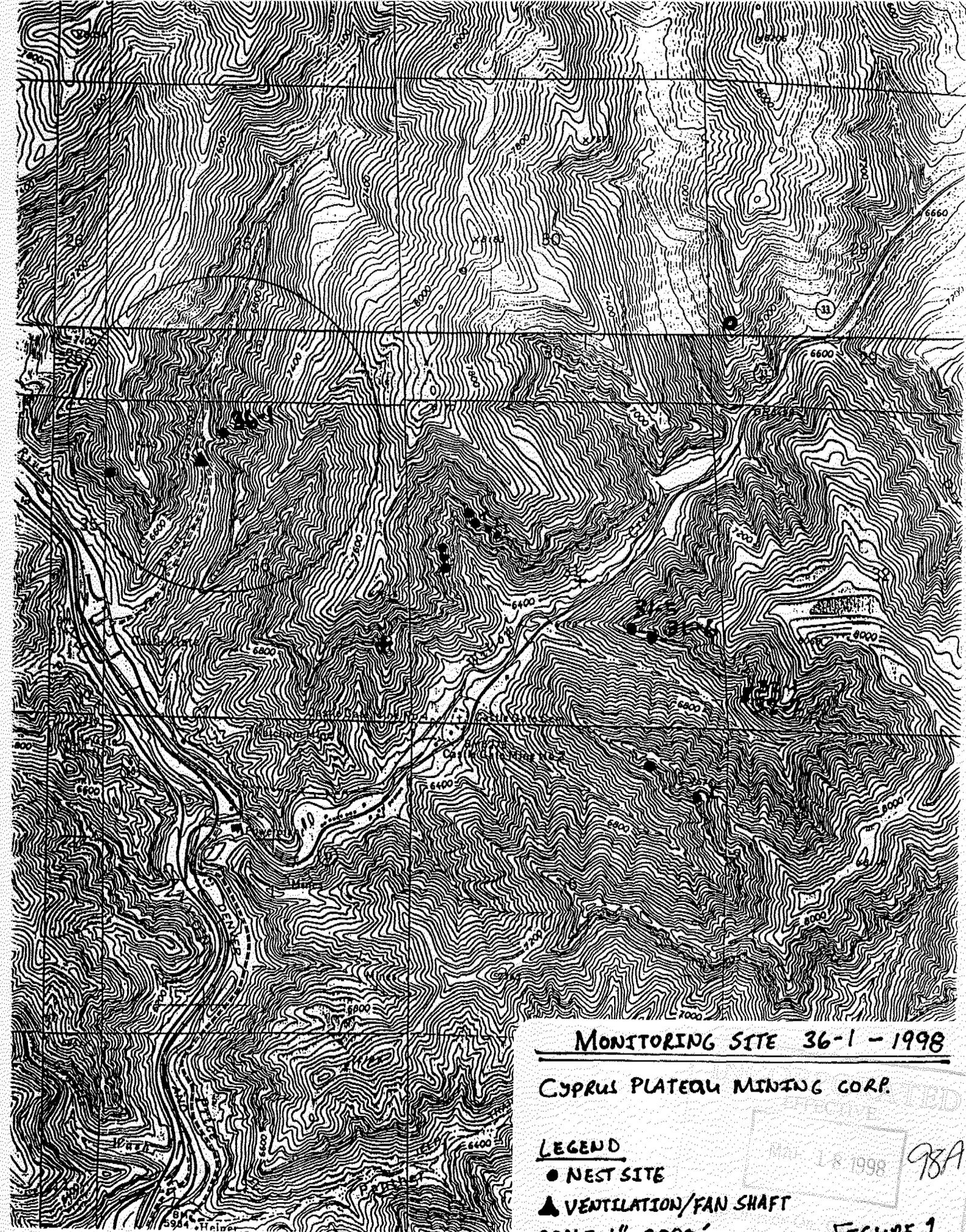

Johnny Pappas
Sr. Environmental Engineer

Enclosures

cc: Paul Baker - DOGM (w/enclosures)

File: WCENV 2.5.5.1.1
Chrono: JP980209.ltr





MONITORING SITE 36-1 - 1998

CYPRUS PLATEAU MINING CORP.

LEGEND

- NEST SITE
 - ▲ VENTILATION/FAN SHAFT
- SCALE 1" = 2000'

FIGURE 1

RECEIVED
NOV 18 1998
98A



Cyprus Plateau Mining Corporation
P.O. Drawer PMC
Price, Utah 84501
(801) 637-2875

May 17, 1995

Mr. Bill Bates
Utah Division of Wildlife Resources
455 West Railroad Avenue
Price, UT 84501

Dear Mr. Bates,

RE: 1995 RAPTOR SURVEY - WILLOW CREEK MINE

On May 9, 1995 Mr. Ben Morris of your office and I conducted a raptor survey of the proposed Willow Creek Mine Site and area including the area encompassed by a half-mile radius circle around 6 drill sites as shown on the attached map.

There was very little activity, the attached table documents the results of the survey.

We are working on completing a Goshawk survey of the half-mile radius areas around the drill sites as required. When this survey is completed, we will forward the report to you.

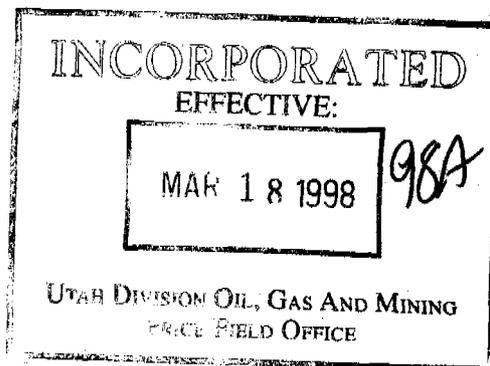
Respectfully,

A handwritten signature in black ink, appearing to read 'Ben Ghimes', written over a horizontal line.

Ben Ghimes
Sr. Staff Project Engineer

Attachments

File: WCENV 2.5.5.1.1
Chron: BG950506

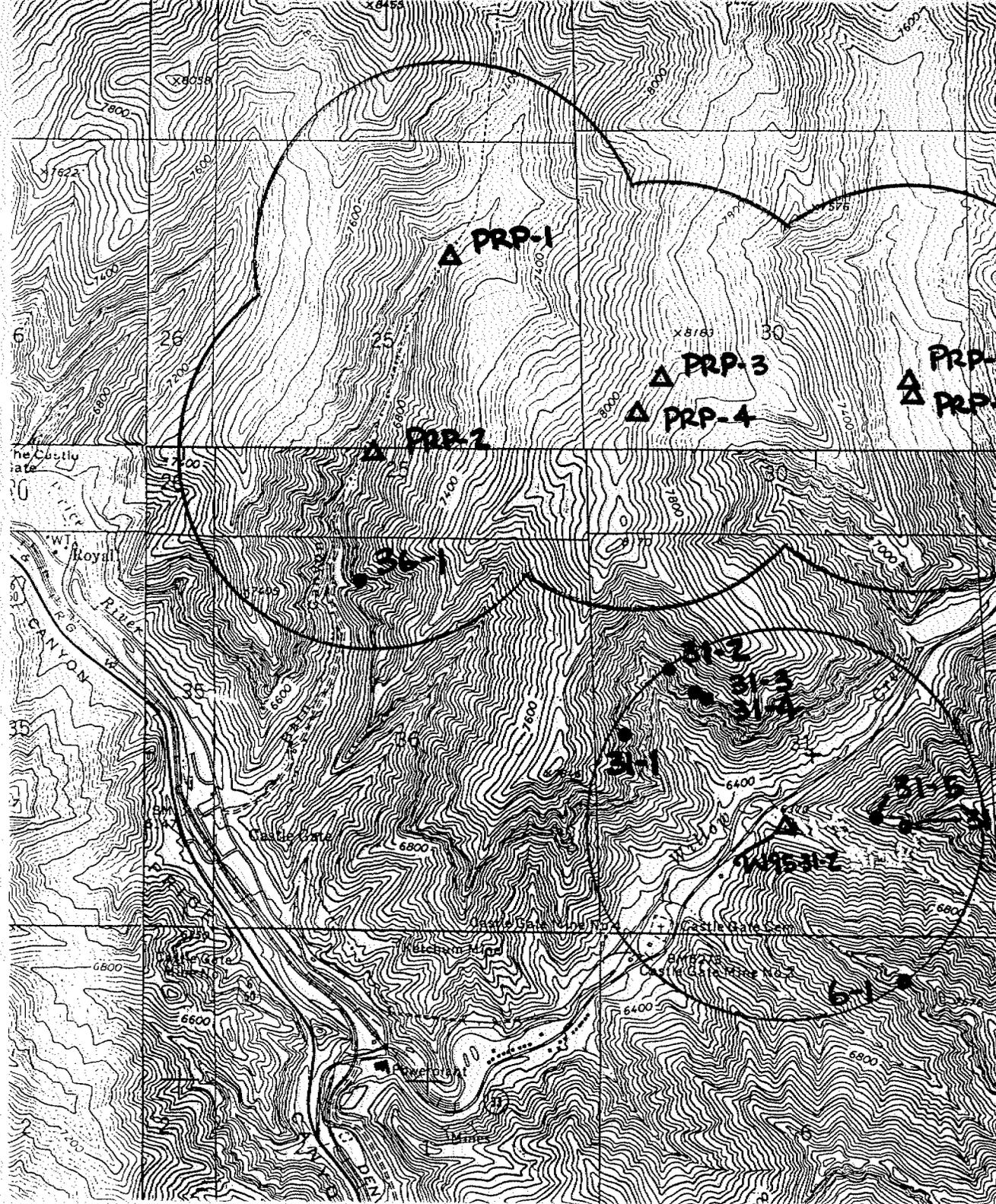


**Table 1
1995 Survey Results**

Nest No.	Species	Status	No. of Young	Comments
36-1	Golden Eagle	I	0	Old dilapidated nest
31-1	Golden Eagle	I	0	3 nests, 2 are old
31-2	Golden Eagle	T	0	
31-3	Golden Eagle	I	0	
31-4	Golden Eagle	I	0	
31-5	Golden Eagle	I	0	
31-6	Golden Eagle	I	0	2 nests
6-1	Golden Eagle	I	0	2 old nests
29-1	Redtail or Raven	--	--	Small stick nest - not found

Key: I = Inactive
 T = Tended
 A = Active

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 MAR 18 1998 *ORSA*
 UTAH DIVISION OIL, GAS AND MINING
 PRICE FIELD OFFICE



RAPTOR SURVEY MAP-1995
 CYPRUS PLATEAU MINING CORP.

LEGEND

- NEST SITE
- ▲ DRILL HOLE

Q87
 1"=2mi