

0006

LOT 5, QUAIL HOLLOW STATES P.U.D., A PLANNED UNIT DEVELOPMENT, ACCORDING TO THE OFFICIAL PLANS HEREOF, RECORDED IN BOOK 4 OF PLATS AT PAGE 226, RECORDS OF CARBON COUNTY, UTAH. TOGETHER WITH THE RIGHT OF USE OF ALL COMMON AREAS, AS SHOWN ON SAID PLANT, FOR ALL LAWFUL PURPOSES, INCLUDING BUT NOT LIMITED TO, INGRESS AND EGRESS, PARKING UTILITIES, CONSTRUCTION AND MAINTENANCE. ALSO, TOGETHER WITH THE RIGHT OF MEMBERSHIP IN THE QUAIL HOLLOW HOMEOWNERS ASSOCIATION, AS DEFINED AND DESCRIBED IN THE DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS OF QUAIL HOLLOW, RECORDED SEPTEMBER 16, 1981, IN BOOK 210, PAGE 478, AS ENTRY NO. 160263; AND TOGETHER WITH AND SUBJECT TO ALL OTHER RIGHTS, PRIVILEGES, CONDITIONS AND RESPONSIBILITIES AS DEFINED AND DESCRIBED IN SAID DECLARATION.

DATED this 10 day of October, 1997.

s-David L. Gladwell  
Successor Trustee  
P.O. Box 12069  
Ogden, UT 84412  
(801) 622-9405

Published in the Sun Advocate October 14, 21 and 28, 1997.

~~FAX PEO~~

### PUBLIC NOTICE APPLICATION FOR MINING PERMIT DUGOUT CANYON MINE

Pro/009/039  
#3

Canyon Fuel Company, LLC hereby announce its Soldier Canyon Mine's intent to develop its Dugout Canyon Mine. A mining permit application has been submitted to the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining. The Dugout Canyon Mine will be located in Dugout Canyon approximately 13 miles north east of Wellington, Utah. The Dugout Canyon Mine will be accessed from the Dugout county road that connects to the Nine Mile Road approximately 4 miles north of Wellington, Utah.

#### Legal Description

- Lease ML 42648-(3640 acres)- Approved
- T. 13 S., R. 12E., SLBM, Utah
- Section 8: E1/2
- Section 10: S1/2
- Section 11: S1/2
- Section 14 and 15: All
- Section 17: NE1/4; E1/2 SW 1/4; SE1/4
- Section 20: E1/2 NW 1/4; SW 1/4 NW 1/4; N 1/2 NE 1/4
- Section 21: N 1/2 NW 1/4; NE 1/4
- Section 22: N 1/2; N1/2 S 1/2
- Section 23: W 1/2 NW 1/4

- Lease ML 42649-(2212)- Approved
- T. 13 s., R 12 E., SLBM, Utah
- Section 3: Lots 1, 2, 3, 4, S1/2 (all)
- Section 4: Lots 1, 2, 3, 4, S 1/2 (all)
- Section 5: Lots 1,2, SE 1/4
- Section 9: All
- Section 10: N 1/2
- Section 11: N 1/2

Fee land owned by Canyon Fuel Company, (800) acres as described below:  
T. 13S., R 12E, SLBM, Utah  
Section 16: E 1/2 NW1/4; W 1/2 NE 1/4

The name and business address of the applicant is:  
Canyon Fuel Company, LLC-Soldier Canyon Mine  
6955 South Union Park Center, Suite 540  
Midvale, Utah 84047  
Phone (801) 569-4700

After filing, copies of the permit application will be available for inspection at the following locations:  
Utah Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah,  
and Carbon County Recorders Office, Carbon County Courthouse, Price, Utah.  
Written comments, objections or requests regarding this mining permit application must be made within 30 days of the last publication of this notice, and may be addressed to the Utah Division of Oil, Gas and Mining, Box 145801, Salt Lake City, Utah 84114-5801.

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Supplemental decision records were signed to approve this exchange. These lands were previously analyzed for d 203 of FLPMA), but are now being included as part of the Spilsbury remains an equal value exchange, but will require a different equal additional parties to be exchange as a result of this modification ar County, Utah; Carbon County Commission, Carbon County, Utah; Santa Barbara, California.

Listed below are all of the lands now planned for exchange. Descriptive lands described in the previously published Notice of Decision. Within section 29, T. 41 S., R. 13 W., are more accurately described as lots 1 as aliquot parts in the previous notice. Description No. 2 identifies the ently omitted from this previous Notice. Description No. 3 identifies the the exchange from supplemental decision records.

- Description No. 1
- T. 41 S., R. 13 W.,
  - sec. 28, W1/2SW1/4NE1/4NE1/4, W1/2SE1/4SW1/4NE
  - sec. 29, lots 2 and 4;
- T. 42 S., R. 13 W.,
  - sec. 19, E1/2NE1/4NE1/4, NW1/4NE1/4NE1/4, N1/2N
  - 4NE1/4, W1/2SE1/4NW1/4NE1/4, N1/2SE1/4NE1/4, N1/2SW1/4SE1/4
  - 4NE1/4, SE1/4SE1/4NE1/4;
  - sec. 20, W1/2W1/2, SE1/4SW1/4;
  - sec. 27, W1/2W1/2;
  - sec. 28, NW1/4NW1/4, S1/2SW1/4, NW1/4SE1/4;
  - sec. 29, S1/2NE1/4, W1/2, SE1/4;
  - sec. 30, E1/2E1/2, W1/2SE1/4;
  - sec. 31, NE1/4NE1/4;
  - sec. 33, SW1/4, SW1/4SE1/4;
  - sec. 34, W1/2NW1/4;

- Description No. 2
- T. 42 S., R. 13 W.,
  - sec. 19, E1/2SE1/4, SW1/4SE1/4
  - sec. 33, E1/2SE1/4

- Description No. 3
- T. 4 S., R. 2 W.,
  - sec. 6, E1/2E1/2E1/2SE1/4NE1/4SE1/4
- T. 14 S., R. 10 E.,
  - sec. 13, portion of the W1/2SW1/4SE1/4, E1/2SE1/4SW1/4
- T. 29 S., R. 3 W.,
  - sec. 28, SW1/4NE1/4, E1/2NW1/4, SW1/4NW1/4, N1/2SW
  - sec. 33, N1/2 NE1/4
  - sec. 34, SW1/4SW1/4

The lands described above total 2551.532 acres, more or less.

In exchange the United States will acquire the following described land from Enterprises:

- T. 41 S., R. 13 W.,
  - sec 28, portions of SE1/4, E1/2SW1/4, SW1/4NE1/4, SE1/4N
  - NE1/4NW1/4, SW1/4NW1/4;

Land to be acquired by the United States is critical Desert Tortoise habi boundaries of the Washington County Habitat Conservation Plan (HCP) are: public lands is in conformance with the Virgin River Management Framev amended, the Mountain Valley MFP, as amended, the Price River MFP, ar Resource Management Plan (RMP). The public interest will be served by m:

A copy of the decision may be obtained by writing the Utah State Office at t calling (801)539-4107.

For a period of 45 days from the date of publication of this notice, interested written comments or objections to the Branch Chief, Lands, Utah State C address.

Dated: October 10, 1997  
Teresa L. Catlin, Br.  
Published in the Sun Advocate October 14, 1997.