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INCOMING  
C/007039



Canyon Fuel Company, LLC  
Dugout Canyon Mine  
P.O. Box 1029  
Wellington, Utah 84542

November 2, 2004

Ms. Pamela Grubaugh-Littig  
Utah Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
Salt Lake City, UT 84114-5801

RE: Reclamation Commitments, Degassification Wells, Dugout Canyon Mine, Canyon Fuel Company, LLC, C/007/039, Carbon County, Utah

Dear Ms. Grubaugh-Littig:

Canyon Fuel Company, LLC Dugout Canyon Mine is requesting a temporary delay in redistribution of topsoil and seed at the Degas Wells G-2 and G-3. When we committed to do reclamation at these sites following completion of drilling and pumping we had not anticipated exceptions to be voiced by MSHA. MSHA's current request is that the well holes remain open until the mining panels are sealed. We have discussed with Pete Hess, the options available to either do reclamation on a portion of each site and not place topsoil or to do complete reclamation of the sites once the panels have been sealed. We anticipate sealing the panels by February 1, 2005 and to do final reclamation in 2005.

Due to recent precipitation events hydroseeding is not an option for seeding the topsoil piles (G-4, G-5 and G-6) in 2004 due to limited access (snow & mud), road conditions and the weight of the hydroseeding equipment. We are requesting that Dugout be permitted to either hydroseed/reclaim the sites in early Spring 2005 or if preferable we can wait until Fall of 2005. During 2005, per the commitment in Chapter 3, Section 340, the well sites will be planted with the seed mix listed on Table 3-2, with the seed incorporated with a small amount of wood fiber mulch and applied by hydroseeding. All commitments associated with the reclamation of the well sites will be met during final and contemporaneous reclamation in 2005.

In a conversation with Priscilla Burton on October 28<sup>th</sup>, 2004 a proposal to hand seed the disturbed areas of Wells G-2 and G-3 and the topsoil stockpiles at sites G-4, G-5 and G-6 this November was discussed. Her primary concern was getting the topsoil stockpiles seeded this Fall/Winter to protect the topsoil until it could be redistributed. Our top priority will be seeding the topsoil stockpiles, and if necessary we will access the sites on four wheelers, since the roads are currently too wet and muddy for other vehicles.

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OGM PRICE FIELD OFFICE

Post-it® Fax Note	7671	Date	11/8/04	# of pages	2
To	Pam Grubaugh-Littig	From	Pete		
Co./Dept		Co.	FFO-OGM		
Phone #	Priscilla	Phone #			
Fax #	Burton	Fax #			

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Reclamation Commitments, Degassification Wells,

Thank you for your assistance and if you have any questions or need additional information, please call me at (435) 636-2869.

Sincerely yours,



Vicky S. Miller

cc: Dave Spillman  
Pete Hess  
Priscilla Burton