

0059



Canyon Fuel Company, LLC
Soldier Canyon Mine
P.O. Box 1029
Wellington, Utah 84542
(435) 637-6360 Fax: (435) 637-0108

COPY

September 23, 2004

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

*Incoming OK
C/007/0039
Task ID # 2040*

RE: Addition of Information to Attachments 2-1 and 3-2 of the Methane Degassification Amendment, Canyon Fuel Company, LLC, Dugout Mine, C/007/039

Dear Ms. Grubaugh-Littig:

Enclosed please find four copies of information pertaining to topsoil pile analysis at the methane degassification wells sites and Mexican Spotted Owl survey information at the Dugout Canyon Mine.

An additional copy of the submittal has been delivered to the Price Field Office.

Please contact Vicky Miller at (435) 636-2869, if there are any questions concerning this submittal.

Sincerely yours,

Vicky S. Miller

Cc:

Dave Spillman (enclosures)
Pete Hess (enclosures)

RECEIVED

SEP 24 2004

DIV. OF OIL, GAS & MINING

For additional information

File in:

Confidential

Shelf

Expandable

Refer to Record No. 0059 Date 09232004

In C/ 00700392004 Incoming

APPLICATION FOR COAL PERMIT PROCESSING

COPY

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Canyon Fuel Company, LLC

Mine: Dugout Canyon Mine

Permit Number: C/007/039

Title: Addition of Information to Attachments 2-1 and 3-2 of the Methane Degassification Amendment

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

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

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

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

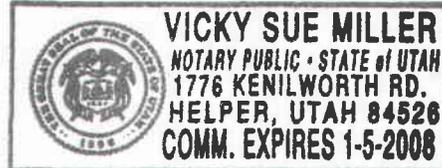
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

David Spillman
Print Name

David Spillman Engineering Manager
Sign Name, Position, Date
9/23/04

Subscribed and sworn to before me this 23 day of September, 2004

Vicky Sue Miller
Notary Public
My commission Expires: 1-5, 2008
Attest: State of UTAH } ss:
County of CARBON



| | | |
|------------------------------------|----------------------------------|--|
| <p>For Office Use Only:</p> | <p>Assigned Tracking Number:</p> | <p>Received by Oil, Gas & Mining RECEIVED SEP 24 2004 DIV. OF OIL, GAS & MINING</p> |
|------------------------------------|----------------------------------|--|

Canyon Fuel Company, LLC
Dugout Canyon Mine

Methane Degassification Amendment
September 2004

**ATTACHMENT 2-1
SOIL INVENTORY AND ASSESSMENT**

ADD TO THE BACK OF EXISTING INFORMATION

Canyon Fuel Company, LLC
Dugout Canyon Mine

Methane Degassification Amendment
September 2004

ATTACHMENT 2-1
SOIL INVENTORY AND ASSESSMENT

Report ID: 010414007

1673 Terra Avenue
Sheridan, WY 82801

Soil Analysis Report

Canyon Fuel Co

Dugout Mine

P.O. Box 1029

Wellington, UT 84542

Page 1 of 2

Client Project ID: Topsoil

Date Received: 08/18/04

Set #0104S14007

Report Date: 09/14/04

| Lab Id | Sample Id | pH | EC | Calcium meq/L | Magnesium meq/L | Sodium meq/L | SAR |
|------------|-----------|------|----------------|------------------|--------------------|-----------------|------|
| | | s.u. | @ 25°C dS/m | | | | |
| 0104S14007 | G5 #1 | 7.7 | 0.43 | 3.08 | 0.73 | 0.89 | 0.65 |
| 0104S14008 | G5 #2 | 7.6 | 0.39 | 2.62 | 0.71 | 0.84 | 0.65 |
| 0104S14009 | G6 #1 | 7.3 | 0.76 | 3.34 | 1.44 | 2.12 | 1.37 |
| 0104S14010 | G6 #2 | 7.5 | 0.44 | 2.73 | 0.88 | 1.07 | 0.80 |

These results only apply to the samples tested.

Abbreviations for extractants: PE= Saturated Paste Extract, H2Osol= water soluble, AB-DTPA= Ammonium Bicarbonate-DTPA, AAO= Acid Ammonium Oxalate

Abbreviations used in acid base accounting: T.S.= Total Sulfur, AB= Acid Base, ABP= Acid Base Potential, PyrS= Pyritic Sulfur, Pyr+Org= Pyritic Sulfur + Organic Sulfur, Neut. Pot.= Neutralization Potential

Miscellaneous Abbreviations: SAR= Sodium Adsorption Ratio, CEC= Cation Exchange Capacity, ESP= Exchangeable Sodium Percentage

Reviewed By:


Joey Sheeley, Soils Lab Supervisor

Report ID: 010414007

1673 Terra Avenue
Sheridan, WY 82801

Soil Analysis Report

Canyon Fuel Co

Dugout Mine

P.O. Box 1029

Wellington, UT 84542

Page 2 of 2

Client Project ID: Topsoil

Date Received: 08/18/04

Set #0104S14007

Report Date: 09/14/04

| Lab Id | Sample Id | TOC % | Phosphorus ppm | Nitrogen Nitrate ppm | Field Capacity % | Wilting Point % |
|------------|-----------|----------|-------------------|----------------------------|------------------------|-----------------------|
| 0104S14007 | G5 #1 | 2.3 | 4.48 | 2.94 | 23.0 | 16.4 |
| 0104S14008 | G5 #2 | 2.0 | 4.67 | 1.30 | 21.7 | 16.2 |
| 0104S14009 | G6 #1 | 3.0 | 30.9 | 6.08 | 24.0 | 15.8 |
| 0104S14010 | G6 #2 | 1.5 | 33.1 | 2.20 | 23.4 | 13.5 |

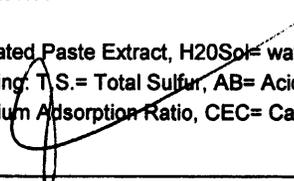
These results only apply to the samples tested.

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Miscellaneous Abbreviations: SAR= Sodium Adsorption Ratio, CEC= Cation Exchange Capacity, ESP= Exchangeable Sodium Percentage

Reviewed By:


Joey Sheeley, Soils Lab Supervisor

Report ID: 010414190

1673 Terra Avenue
Sheridan, WY 82801

Soil Analysis Report

Canyon Fuel Co

Dugout Mine

P.O. Box 1029

Wellington, UT 84542

Page 1 of 2

Client Project ID: Topsoil

Date Received: 09/07/04

Set #0104S14190
Report Date: 09/17/04

| Lab Id | Sample Id | pH | EC | Calcium | Magnesium | Sodium | SAR |
|------------|----------------|------|----------------|---------|-----------|--------|------|
| | | s.u. | @ 25°C dS/m | meq/L | meq/L | meq/L | |
| 0104S14190 | Degas Well G-4 | 6.7 | 0.63 | 4.00 | 1.02 | 0.65 | 0.41 |

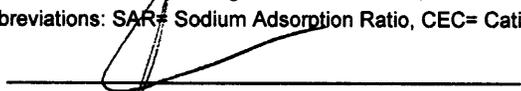
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Miscellaneous Abbreviations: SAR= Sodium Adsorption Ratio, CEC= Cation Exchange Capacity, ESP= Exchangeable Sodium Percentage

Reviewed By:


Joey Sheeley, Soils Lab Supervisor

Report ID: 010414190

1673 Terra Avenue
Sheridan, WY 82801

Soil Analysis Report

Canyon Fuel Co

Page 2 of 2

Dugout Mine

P.O. Box 1029

Wellington, UT 84542

Client Project ID: Topsoil

Date Received: 09/07/04

Set #0104S14190

Report Date: 09/17/04

| Lab Id | Sample Id | TOC % | Phosphorus ppm | Nitrogen Nitrate ppm | Field Capacity % | Wilting Point % |
|------------|----------------|----------|-------------------|----------------------------|------------------------|-----------------------|
| 0104S14190 | Degas Well G-4 | 5.9 | 41.2 | 2.08 | 34.0 | 20.0 |

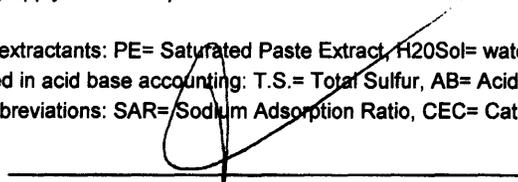
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Miscellaneous Abbreviations: SAR= Sodium Adsorption Ratio, CEC= Cation Exchange Capacity, ESP= Exchangeable Sodium Percentage

Reviewed By:


Joey Sheeley, Soils Lab Supervisor

Canyon Fuel Company, LLC
Dugout Canyon Mine

Methane Degassification Amendment
September 2004

ATTACHMENT 3-2
THREATENED, ENDANGERED, AND SENSITIVE SPECIES INFORMATION

ADD TO THE BACK OF EXISTING INFORMATION.

Canyon Fuel Company, LLC
Dugout Canyon Mine

Methane Degassification Amendment
September 2004

ATTACHMENT 3-2
THREATENED, ENDANGERED, AND SENSITIVE SPECIES INFORMATION

**CANYON FUEL COMPANY'S
2004 GOB VENT BOREHOLE PROGRAM**

SEP - 7 2004

Strix occidentalis lucida
**MEXICAN SPOTTED OWL SURVEY
DUGOUT & PACE CANYON
CARBON COUNTY**

**CONDUCTED
MAY 5 TO JULY 9, 2004**

**BY
EIS ENVIRONMENTAL & ENGINEERING CONSULTING
31 NORTH MAIN STREET
HELPER, UTAH 84526
(435) 472-3814
FAX (435) 472-8780
www.eisenviro.com**

Canyon Fuel Company
Dugout Canyon
Mexican Spotted Owl Survey
(*Strix occidentalis lucida*)

Introduction

Canyon Fuel Company has contracted EIS Environmental & Engineering Consulting (EIS) to conduct a survey for their 2004 Coal Exploration Program. The proposed area is located east of Price, Utah. This area consists of primarily of private land and a small portion managed by the Bureau of Land Management (BLM). Proposed activities include the drilling of up to six gob vent boreholes. These proposed drill holes and associated sites are required to be surveyed for the Mexican spotted owl (*Strix occidentalis lucida*). This species has been identified by the U.S Fish and Wildlife Service (USFWS) through past studies as occurring, or potentially occurring within the Canyon Fuel program area. Using established protocols, certified personnel of EIS conducted a field survey of the area. The survey for this Development Program was conducted from May 5 through July 9, 2004.

Methodology

Mexican spotted owl (*Strix occidentalis lucida*)

The inventory work on the project area was conducted from one half hour past sunset until one half hour before sunrise (period of highest owl activity) on May 5th, 13th, 20th, 29th, June 23rd, 30th, and July 9th, 2004. Following USFWS protocol, the area of concern was divided into seven calling points, each point being within 0.5 miles of the next. A calling point survey was conducted and each point was called for 20 minutes or more, unless a predator of MSO was encountered.

Calling procedures were as follows: surveyors called with their voice using the four-note hoot for one to two minutes, then listened for a return for five minutes. After five minutes, they would call using the four-note hoot and the whistle for one to two minutes, while listening for another five minutes. Finally they would call with the aggravated call, four-note hoot and/or whistle and listen for the remainder of the time. While listening for the last five minutes, a 1,000,000 candlepower spotlight was utilized to search treetops and cliff ledges for any sign of owls (i.e., eye-shine, whitewash, etc.).

Results

Although suitable habitat did exist within the project area, a thorough search did not reveal the presence of any Mexican spotted owls. However, during nearly every night of survey Northern saw whets were noted.

Field inventory sheets are included in Attachment 1.

Field Sheets

EIS Environmental & Engineering Consulting Mexican Spotted Owl Inventory Form

Inventory Area: Pace Canyon

Date 05/05/04

Page 1 of 1

Management Unit _____

District _____

Quad Map Name(S): _____

Survey Type: Nighttime ; Daytime _____ Survey # 1 Complete Survey? Yes

Outing # 1 Aborted? _____ Results Northern Saw Whet % Area Surveyed 100%

Observers: M. Coonrod N. Coonrod

| Call Point | Survey Method | Time | | | Call Method | Moon Vis? | Raptor Response | | | | | | | | | | | | |
|------------|---------------|-------|------|-------|-------------|-----------|-----------------|-----|-----|----------|------|-----------------------|-----------------|---------|-----|-----|----------|---------|--|
| | | Start | End | Total | | | A/V | Sex | Age | Spp | Time | Bearing | | Weather | | | UTM Zone | | |
| | | | | | | | | | | | | 1 st | 2 nd | Wind | Cld | PPT | E | N | |
| Nw1 | CP | 2110 | 2140 | 20 | V | N | A | U | U | ACE C | 2110 | ALL OVER THE PLACE | | 0 | 0 | 0 | 543113 | 4392381 | |
| Nw2 | CP | 2150 | 2210 | 20 | V | N | A | U | U | ACE C | 2150 | ALL OVER THE PLACE | | 0 | 0 | 0 | 542783 | 4392886 | |
| Nw3 | CP | 2218 | 2239 | 20 | V | Y | | | | | | | | 0 | 0 | 0 | 542860 | 4393494 | |
| Nw4 | CP | 2300 | 2320 | 20 | V | Y | A | U | U | ACE C | 2300 | ALL OVER THE PLACE | | 0 | 0 | 0 | 543540 | 4393295 | |
| Nw5 | CP | 2340 | 2400 | 20 | V | Y | A | U | U | ACE C | 2340 | ALL OVER THE PLACE | | 0 | 0 | 0 | 543639 | 4392525 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
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- Date: should be MM/DD/YY format
- Outing #: For cases where it takes multiple outings to complete the survey.
- Call Point: Label point on map and reference it here. CP-Call point, CC-Continuous Calling, LF-Leap Frog
- Survey Method:
- Time - Should be in Military Time
- Call Method: V-Vocal, R-Recorded
- Raptor Response A/V: A=Audio / V=Visual
- Sex: M, F, U
- Age: J=juvenile, S=subadult, A=adult
- Spp: Species (4 letter abbreviation)
- Wind: 0-smoke rises
1-smoke drifts
2-wind felt on face
3-leaves/small twigs in constant motion
4-raises dust
- 5-small trees in leaf sway
6-Large trees in leaf sway
- Cloud: 0-100%
- PPT: Precipitation
0=none, 1=fog, 2=light rain, 3=heavy rain, 4=light snow, 5=heavy snow
- UTM: E=6digits, N=7 digits
- don't forget to attach a map.

EIS Environmental & Engineering Consulting / Mexican Spotted Owl Inventory Form

Inventory Area: Pace Canyon Date 05/13/04 Page 1 of 1

Management Unit _____ District _____ Quad Map Name(S): _____

Survey Type: Nighttime X; Daytime _____ Survey # 2 Complete Survey? Yes

Outing # 1 Aborted? _____ Results Northern Saw Whet % Area Surveyed 100%

Observers: K. NASH D. KENNICK

| Call Point | Survey Method | Time | | | Call Method | Moon Vis? | Raptor Response | | | | | | | | | | | |
|------------|---------------|-------|------|-------|-------------|-----------|-----------------|-----|-----|----------|------|--------------------|-----------------|---------|-----|-----|----------|---------|
| | | Start | End | Total | | | A/V | Sex | Age | Spp | Time | Bearing | | Weather | | | UTM Zone | |
| | | | | | | | | | | | | 1 st | 2 nd | Wind | Cld | PPT | E | N |
| Nw3 | CP | 2042 | 2102 | 20 | V | N | A | U | U | ACE C | 2045 | ALL OVER THE PLACE | | 0 | 0 | 0 | 542860 | 4393494 |
| Nw5 | CP | 2114 | 2134 | 20 | V | N | | | | | | | | 0 | 0 | 0 | 543639 | 4392525 |
| Nw4 | CP | 2145 | 2205 | 20 | V | N | | | | | | | | 0 | 0 | 0 | 543540 | 4393295 |
| Nw2 | CP | 2219 | 2239 | 20 | V | N | | | | | | | | 0 | 0 | 0 | 542783 | 4392886 |
| Nw1 | CP | 2242 | 2302 | 20 | V | N | A | U | U | ACE C | 2243 | ALL OVER THE PLACE | | 0 | 0 | 0 | 543113 | 4392381 |
| P8 | CP | 2317 | 2337 | 20 | V | N | | | | | | | | 0 | 0 | 0 | 545562 | 4391697 |
| P7 | CP | 2340 | 2400 | 20 | V | N | A | U | U | ACE C | 2342 | ALL OVER THE PLACE | | 0 | 0 | 0 | 544875 | 4391754 |
| P6 | CP | 0004 | 0024 | 20 | V | N | | | | | | | | 0 | 0 | 0 | 544206 | 4391732 |
| P5 | CP | 0030 | 0050 | 20 | V | N | | | | | | | | 1 | 0 | 0 | 543612 | 4391691 |
| P4 | CP | 0058 | 0118 | 20 | V | N | A | U | U | ACE C | 0059 | ALL OVER THE PLACE | | 1 | 0 | 0 | 542784 | 4391714 |
| P3 | CP | 0123 | 0143 | 20 | V | N | | | | | | | | 0 | 0 | 0 | 542124 | 4391062 |
| P2 | CP | 0148 | 0208 | 20 | V | N | | | | | | | | 0 | 0 | 0 | 541714 | 4390563 |
| P1 | CP | 0213 | 0233 | 20 | V | N | | | | | | | | 0 | 0 | 0 | 541248 | 4390059 |

IS Environmental & Engineering Consulting / Mexican Spotted Owl Inventory Form

Inventory Area: Pace Canyon Date 05/29/04 Page 1 of 1

Management Unit _____ District _____ Quad Map Name(S): _____

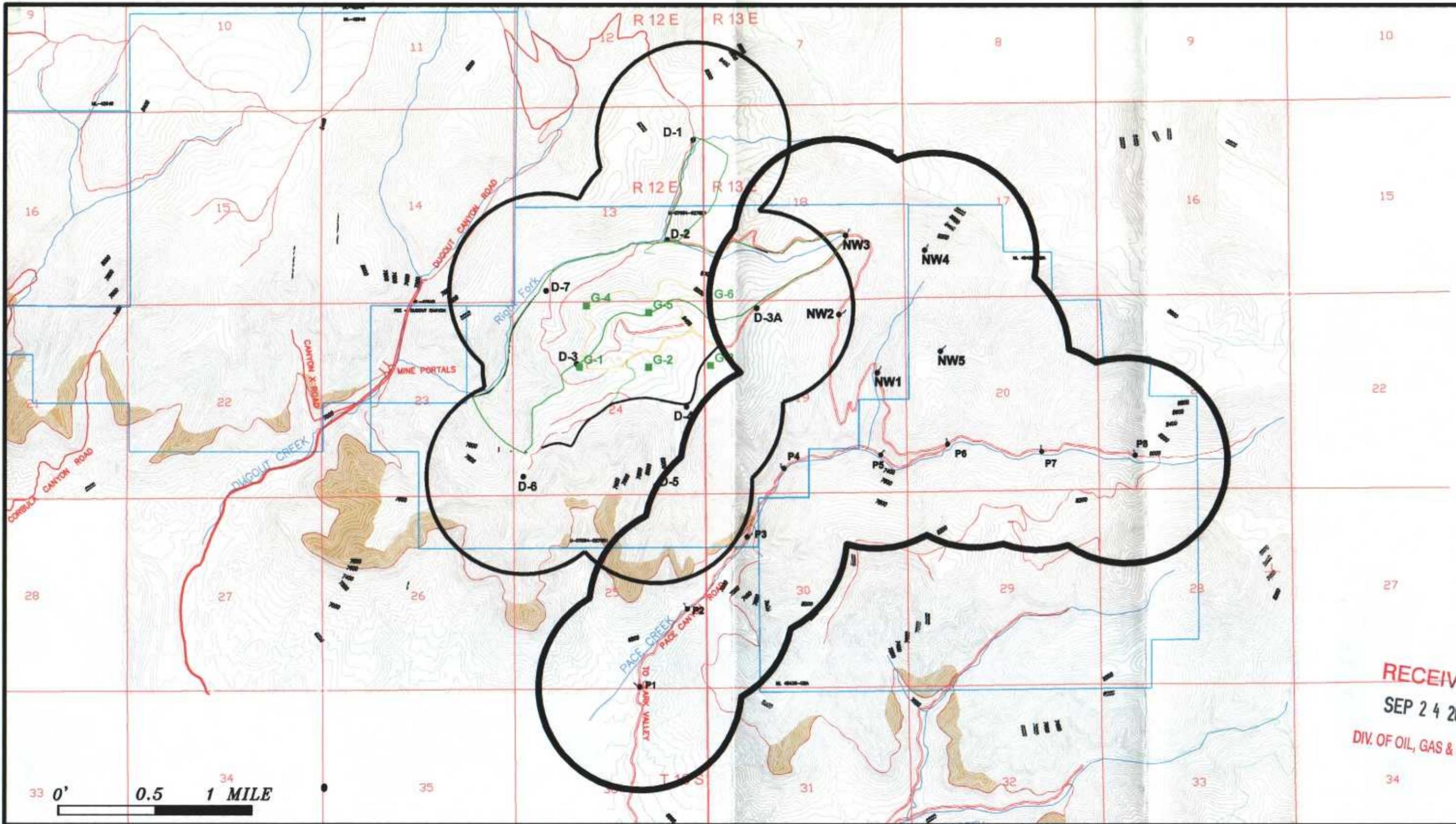
Survey Type: Nighttime X ; Daytime _____ Survey # 2 Complete Survey? Yes

Outing # 1 Aborted? _____ Results _____ % Area Surveyed 100%

Observers: DeeAnn Kennick Greg Finger

| Call Point | Survey Method | Time | | | Call Method | Moon Vis? | Raptor Response | | | | | | | | | | | | |
|------------|---------------|-------|------|-------|-------------|-----------|-----------------|-----|-----|-----|------|-----------------|-----------------|---------|-----|-----|----------|--------|---------|
| | | Start | End | Total | | | A/V | Sex | Age | Spp | Time | Bearing | | Weather | | | UTM Zone | | |
| | | | | | | | | | | | | 1 st | 2 nd | Wind | Cld | PPT | E | N | |
| D1 | CP | 2300 | 2320 | 20 | V | Y | | | | | | | | | 0 | 0 | 0 | 541617 | 4394439 |
| D2 | CP | 2326 | 2346 | 20 | V | Y | | | | | | | | | 0 | 10 | 0 | 541400 | 4393525 |
| D3A | CP | 2349 | 0009 | 20 | V | Y | | | | | | | | | 2 | 10 | 0 | 542151 | 4392910 |
| D6 | CP | 0015 | 0035 | 20 | V | N | | | | | | | | | 2 | 20 | 0 | 540395 | 4391994 |
| D5 | CP | 0043 | 0103 | 20 | V | N | | | | | | | | | 2 | 30 | 0 | 541487 | 4391724 |
| D4 | CP | 0110 | 0130 | 20 | V | N | | | | | | | | | 1 | 20 | 0 | 541579 | 4392110 |
| D7 | CP | 0135 | 0155 | 20 | V | N | | | | | | | | | 0 | 15 | 0 | 541072 | 4393289 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

- > Date: should be MM/DD/YY format
- > Outing #: For cases where it takes multiple outings to complete the survey.
- > Call Point: Label point on map and reference it here. CP-Call point, CC-Continuous Calling, LF-Leap Frog
- > Survey Method:
- > Time - Should be in Military Time
- > Call Method: V-Vocal, R-Recorded
- > Raptor Response A/V: A=Audio / V=Visual
- > Sex: M, F, U
- > Age: J=juvenile, S=subadult, A=adult
- > Spp: Species (4 letter abbreviation)
- > Wind: 0-smoke rises
1-smoke drifts
2-wind felt on face
3-leaves/small twigs in constant motion
4-raises dust
5-small trees in leaf sway
6-Large trees in leaf sway
- > Cloud: 0-100%
- > PPT: Precipitation
0=none, 1=fog, 2=light rain, 3=heavy rain, 4=light snow, 5=heavy snow
- > UTM: E=6digits, N=7 digits
- > don't forget to attach a map.



RECEIVED
 SEP 24 2004
 DIV. OF OIL, GAS & MINING

ENVIRONMENTAL INDUSTRIAL SERVICES
 Environmental & Engineering Consulting

31 North Main Street
 Helper, Utah 84526
 435-472-3814
 800-641-2927
 Fax 435-472-8780
 eis.gis@preciscom.net



- LEGEND**
- CALL POINTS STARTED 2003
 - CALL POINT 1/2 MILE BUFFER
 - CALL POINT NEW & 1 YEAR FOLLOW UP
 - CALL POINT 1/2 MILE BUFFER

| | |
|--------------------|-------------------------|
| SCALE: AS SHOWN | DATE: AUGUST 2004 |
| | DRAWN BY: KATIE NASH |

PREPARED FOR:
CANYON FUEL COMPANY

DRAWING:
MSO SURVEY