

0119

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



November 29, 2005

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

RE: Revisions to Chapter 3, Windy Gap Process Update - Dugout Canyon Mine, Canyon Fuel Company, LLC, C/007/039, Carbon County, Utah

Dear Ms. Grubaugh-Littig:

Attached please find four copies of pages 3-18 and 3-19, Chapter 3, of the M&RP. The Windy Gap Process pertaining to water consumption by the Dugout Mine has been updated per a request by Jerriann Ernsten from UDOGM.

A copy of this submittal has been delivered to the Price field office.

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

Sincerely yours,

A handwritten signature in cursive script that reads "Vicky S. Miller".

Vicky S. Miller

cc: Dave Spillman  
Pete Hess

**RECEIVED**

**NOV 30 2005**

**DIV. OF OIL, GAS & MINING**

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change  New Permit  Renewal  Exploration  Bond Release  Transfer

**Permittee:** Canyon Fuel Company, LLC

**Mine:** Dugout Canyon Mine

**Permit Number:** C/007/039

**Title:** Revisions to Chapter 3, Windy Gap Process Update

**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  
11/28/05

Subscribed and sworn to before me this 28 day of NOVEMBER, 2005

Vicky Sue Miller  
Notary Public

My commission Expires \_\_\_\_\_  
Attest: State of UTAH \_\_\_\_\_, 2008 ) ss:  
County of CARBON



<p><b>For Office Use Only:</b></p>	<p><b>Assigned Tracking Number:</b></p>	<p><b>Received by Oil, Gas &amp; Mining</b></p> <p style="font-size: 1.5em; color: red; font-weight: bold;">RECEIVED</p> <p style="font-size: 1.2em; font-weight: bold;">NOV 30 2005</p> <p style="color: red; font-weight: bold;">DIV. OF OIL, GAS &amp; MINING</p>
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Spring and Seeps Effects From Subsidence - Not Applicable

Alluvial Aquifer Abstractions into Mines - Not Applicable

Alluvial Well Pumpage - Not Applicable

Deep Aquifer Pumpage - Not Applicable

Postmining Inflow to Workings - Not Applicable

Direct Diversions: - Not Applicable

Dust Suppression - 1,000 gallons per truck load, 3 load per day, for 335 days = 1,005,000 gallons plus 1,000 per truck load, 1 load per day, for 193 days = 193,000. Total: 1,198,000 gallons per year.

Mine Discharge: 6 Month Average 420,537gpd = 155,260,050 gal/yr

Calculation estimates for water use in 2005 were necessary since we are using 2005 purchases and usage and the year is 2 months short.

#### Pace Canyon

"In accordance with the United States Fish and Wildlife Service's (USFWS) protocols, and inventory for the presence of threatened, endangered, and sensitive fauna and floral species was conducted on August 13, 14, and September 29, 2003. Loggerhead, shrike, burrowing owl, Northern Goshawk, Despain foot cactus, Wright fishhook cactus and Creutzfeldt crypthantha and neo-tropical migratory birds were the sensitive species of concern within the area. A thorough search of all seven well sites and associated access roads did not reveal the presence of these species (BLM, Environmental Assessment, UT-070-2003-55)." A map of the area inventoried is provided in Appendix 3-4 within the referenced environmental assessment, it should be noted that the area covered by the aforementioned environmental assessment is the same area proposed for the construction of the Pace Canyon fan facilities. In addition a sensitive plant species survey was conducted by Mt. Nebo in August 2003. To initiate the study, appropriate agencies were consulted (e.g. Utah Natural Heritage Program) and other sources were reviewed for potential plant species that are know to be rare, endemic, threatened, endangered or otherwise sensitive in the area of study. The only plant identified was canyon sweetvetch. No rare, endemic, threatened, endangered or otherwise sensitive species were found in the area proposed for disturbance.