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Canyon Fuel Company, LLC
Dugout Canyon Mine

Methane Degassification Amendment
July 13, 2006 ~~March 16,~~
2006

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LIST OF ATTACHMENTS

Attachment 4-1 Information Moved to Confidential Folder in 2005
Attachment 4-2 Surface Land Owner Agreement

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410 LAND USE

411 Environmental Description

A statement of the conditions and capabilities of the land to be affected by mining and reclamation operations follows in this section.

411.100 Premining Land Use

The area is utilized for the landowners private use, including hunting and as open range for livestock and wildlife.

411.110 Land Use Map and Narrative

Refer to the same section of the approved M&RP.

411.120 Land Capability

The major plant communities at the well sites are identified in Section 321. No cultivated lands lie within the well boundaries, due to the limiting terrain and lack of water for irrigation. Refer to Section 321.200, Table 3-1 of this submittal for forage production per acre for each well site.

The well site areas are located on the flatter mesa tops and rolling terrain. This type of terrain receives heavier pressure because of more available forage and easier movement by livestock.

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411.130 Land Use Description

The wells are located on land administered by Milton & Ardith Thayn Trust and zoned by Carbon County for mining and grazing (MG-1).

No industrial or municipal facilities are located on or immediately adjacent to the well sites.

411.140 Cultural and Historic Resources Information

Cultural and Historic Resource Maps - Archaeological surveys were conducted in 2003 of the well sites G-1 through G-6. Nothing was found that required future investigation. There are no cemeteries, public parks, or units of the National System of Trails or the Wild and Scenic Rivers System located within the well site boundaries. The reports can be found in Attachment 4-1 of this submittal, Appendix 4-1 and 4-3 of the M&RP and in the Confidential Folder. Well site G-7 and G-8 were inventoried by AERC in 1980 (see below), a letter from John Senulis of Senco-Phenix to SHPO has been written requesting proof of clearance for the G-7 and G-8 sites. A copy of the Senco-Phenix letter is included in the confidential folder.

Previous research in 1980 by "AERC surveyed several sample blocks in Sections 13 and 24, T13S, R12E and Sections 18, 19 and 30 T13S, R13E. They also surveyed the access road into the Snow Mine site. One archeological site (42CB292) was located. The site was described as "Coal mine located in Pace Canyon consists of one known mine portal which has been closed. Site of historic Snow Mine in Pace Canyon which was active in 1906 but had its primary production period from 1932-1940." The site was relatively pristine at the time and still contained a standing coal loadout and foundation with depth potential. Avoidance was recommended pending further historic research. As noted the site has since been extensively modified" (Attachment 4-1, Senco-Phenix, June 24, 2003, SPUT-455, page 2).

Access to the degas holes will not impact or disturb what remains of the archeological site (42CB292). The road in the bottom of Pace Canyon passes the archeological site, but the closed portal is not visible from the road, therefore there is nothing to draw attention to the site.

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The loadout referenced in the survey no longer exist at the site.

During June 2005 a Class III intensive walkover survey was performed of the access roads and degas well sites G-9 thru G-13 and site DUG0105/DUG0205 (G-14) by Senco-Phenix. The well sites are being permitted in groups. Wells G-8 thru G-10 are the group currently being presented for consideration for approval. In the canyon where degas well sites G-9 and G-10 are located near site 42CB2435. The major portion of the site has been removed and there is little potential for further information. The site is not considered eligible for the NRHP. Reference the Confidential Binder for further information pertaining to the aforementioned survey. Per the survey "No other cultural resources were located and the potential for undetected remains is remote. A finding of no effect is appropriate and archeological clearance without stipulations is recommended" by Senco-Phenix to SHPO for the G-8 thru G-14 degas well sites. Site 42CB1595 was recommended for archeological clearance without stipulations by Senco-Phenix to SHPO *and was not recommended as eligible for the NRHP.*

The sites of G-11 and G-16 were previously used for coal exploration holes. No "areas of critical environmental concern" or "native american religious concerns" were identified for either site in the archeological inventory of the area conducted by Senco-Phenix Archeological Consulting Services in June 20, 2001 (SPUT-387, Confidential Binder) and no cultural or historical properties were listed by NRHP. Site G-11 was labeled as "DT-2" and site G-16 was labeled as "E" in SPUT-387.

Sites G-15 (DUG0204), G-17 (DUG0304) were previously used for coal exploration holes. An archeological inventory of the area was conducted by Senco-Phenix Archeological Consulting Services in 2001 (SPUT-387, Confidential Binder) and no historical or cultural resources were identified for listing by NRHP/SHPO per the BLM EA UT-070-2004-49, provided for incorporation into Attachment 3-3. Site G-15 was labeled as "DUG0204" and site G-17 was labeled as "DUG0304" in the Environmental Assessment prepared by the BLM for the drilling of these exploration holes. The areas for the exploration holes were presumably cleared by the BLM prior to the drilling of the exploration holes.

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In SPUT-387 the drill pad areas are not labeled with a number but are designated as being inventoried by a blue outline on the drawing provided in the sput. A IMACS site form was prepared and submitted to SHPO for a site at well pad G-17 (42CB1596), this site was "Determined NR ineligible and non-significant for National Register Status.

A drawing has been prepared by archeological consultants "Senco-Phenix" designating areas including roads surveyed for archeological and cultural resources. The drawing entitled "Previous Archeological Surveys, July 2006" is included in the confidential binder. The road used for access to all degas drill sites have been surveyed.

Dugout Canyon agrees to notify the Division and State Historical Preservation Office (SHPO) of previously unidentified cultural resources discovered in the course of operations. Dugout Canyon also agrees to have any such cultural resources evaluated in terms of NRHP eligibility criteria. Protection of eligible cultural resources will be in accordance with Division and SHPO requirements. Dugout Canyon will also instruct its employees that it is a violation of federal and state law to collect individual artifacts or to otherwise disturb cultural resources.

411.200 Previous Mining Activity

Dugout Canyon has no knowledge of the removal of coal or other minerals in the well site areas.

412 Reclamation Plan

412.100 Postming Land-Use Plan

All uses of the land prior to the wells construction/operation and the capacity of the land to support prior alternate uses will remain available throughout the life of the sites.

Dugout Canyon intends the postmining land use to be livestock and wildlife grazing and other uses as dictated by the land owner (hunting, roads, etc.). Final reclamation activities will be

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completed in a manner to provide the lands able to parallel the premining land use.

~~A post mining land use change application will be filed with the Division for well sites G-11 and G-12 allowing the release to the landowner once the venting has been completed and the land owner's stipulations met, relieving the mine of revegetation responsibilities. Refer to Attachment 5-3 of this amendment for a copy of the land owner's request letter.~~

~~Well sites G-11 and G-12, will be released to the land owner once the venting has been completed and the land owner's stipulations met, relieving the mine of revegetation responsibilities. Refer to Attachment 2-3 of this amendment for a copy of the land owner's request letter.~~

412.200 Land Owner or Surface Manager Comments

Milton & Ardith Thayn Trust is the landowner. Canyon Fuel Company, LLC has a surface land owner agreement with the Thayne Trust for the drilling of degassification holes (Attachment 4-2). Prior to drilling the landowner will be contacted and the requirements related to drilling as outlined in the surface land owner agreement will be met. A copy of the letter will be included in Attachment 4-2.

413 Performance Standards

413.100 Postmining Land Use

Postmining land uses are discussed in Section 412.100. The postmining lands will be reclaimed in a timely manner and capable of supporting such uses (see Chapters 2, 3, 5, and 7).

413.200 Determining Premining Uses of Land

Refer to Section 411.100.

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413.300 Criteria for Alternative Postmining Land Uses

No alternative postmining land uses have been planned.

414 Alternative Land Use

No alternative postmining land uses have been planned.

420 AIR QUALITY

421 Air Quality Standards

Dugout Canyon activities will be conducted in compliance with the requirements of the Federal Clean Air Act and the Utah Air Conservation Rules.

422 Compliance Efforts

See Fugitive Dust Control Plan, Section 424.

423 Monitoring Program

Refer to the same section in the approved M&RP.

424 Fugitive Dust Control Plan

Operational areas that are used by mobile equipment will be water sprayed to control fugitive dust. The application of water will be of sufficient frequency and quantity to maintain the surface material in a damp/moist condition unless it is below freezing.

425 Additional Division Requirements

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Refer to the same section of the approved M&RP.

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CHAPTER 4
LAND USE AND AIR QUALITY

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Information for Confidential Folder/Binder 2006

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**ATTACHMENT 4-2
SURFACE LAND OWNER AGREEMENT**

add to the back of existing information