

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



February 10, 2009

Coal Regulatory Program  
Utah Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
Salt Lake City, UT 84114-5801

RE: Revision to Mining and Reclamation Plan – **Confidential Folder** Appendix 3-3 of Chapter 3,  
Dugout Canyon Mine, Canyon Fuel Company, LLC, C/007/039, Carbon County, Utah

Dear Sirs:

Enclosed please find four copies of changes associated with Appendix 3-3 of the Confidential Folder. Attached are a copy of the letter from the Division of Wildlife Resources (DWR) dated January 29, 2009 concerning raptor surveys in the southeastern region and a chart showing the compilation of the information collected by the DWR in the area of the Dugout Canyon Mine from 1995 to 2008.

In the past, the permittee joined other coal mine operators in collecting raptor nest information to assist the DWR in collecting information for their raptor data base. Beginning in 2009 the permittee will only collect raptor information relevant to their permitted commitments. We felt that the information previous collected by the DWR would be beneficial to incorporate into Appendix 3-3 for historic purposes. The nest numbers on the chart correspond with nest numbers on raptor survey maps within the confidential folder or in annual reports for 1995 through 2008.

The DWR letter is provided to the Division to afford understanding of the changes in 2009 to the raptor survey data to be incorporated into the annual reports or confidential folders.

A copy of this amendment will be delivered to the UDOGM Price field office. Please call with questions (435) 636-2869.

Sincerely yours,

Vicky S. Miller

cc: Dave Spillman

File in:  
C/0070039/2009/*Incoming*

Refer to:  
 Confidential *10006*  
 Shelf  
 Expandable *Incoming*

Date: *2/10/09* For additional information

**RECEIVED**  
**FEB 12 2009**  
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 Mining and Reclamation Plan, Confidential Folder Appendix 3-3 of Chapter 3

**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.

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

Subscribed and sworn to before me this 10 day of February, 2009

Vicky Sue Miller  
Notary Public

My commission Expires: \_\_\_\_\_, 2012 }  
Attest: State of UTAH } ss:  
County of CARBON



<b>For Office Use Only:</b>   	<b>Assigned Tracking Number:</b>  	<b>Received by Oil, Gas &amp; Mining</b>  <div style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">RECEIVED</div> <div style="text-align: center; color: black; font-weight: bold; font-size: 1.2em;">FEB 12 2009</div> <div style="text-align: center; color: red; font-weight: bold; font-size: 1.1em;">DIV. OF OIL, GAS &amp; MINING</div>
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