

C0070039
Incoming
#3944 *OK*


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

October 21, 2011

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

RE: Archeological/Cultural Resource Surveys – SPUT-607 and SPUT-616 for SHPO Clearance,
Dugout Canyon Mine, Canyon Fuel Company, LLC, C/007/039, Carbon County, Utah

Dear Sirs:

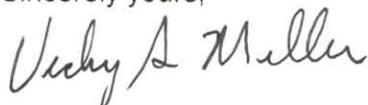
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The SPUT-607 and SPUT-616 reports cover potential waste rock expansion locations that could be used.

One of the copies is for incorporation into the “confidential folder” in Chapter 4, behind the Appendix 4-1 tab. The second copy is for SHPO’s review, this copy has a “Utah SHPO” cover sheet attached to the front of the report and the third copy should be stamped incorporated and returned to Dugout Canyon Mine to be included in their “confidential” permit binder.

If you have any questions please call me at (435) 636-2869.

Sincerely yours,



Vicky S. Miller

cc: Dave Spillman

RECEIVED
OCT 25 2011
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: Archeological and Cultural Resource Surveys for SHPO Clearance - CONFIDENTIAL

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

SPUT-607 and SPUT-616

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# _____
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Explain: _____

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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 21 day of OCTOBER, 2011

Vicky Sue Miller
Notary Public

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



<p>For Office Use Only:</p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas & Mining</p> <p style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">RECEIVED</p> <p style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">OCT 25 2011</p> <p style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">DIV. OF OIL, GAS & MINING</p>
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Canyon Fuel Company, LLC
Dugout Canyon Mine
P.O. Box 1029
Wellington, Utah 84542



October 21, 2011

Coal Regulatory Program
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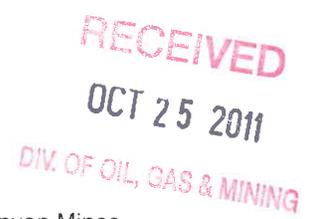
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Sincerely yours,

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Vicky S. Miller

cc: Dave Spillman



APPLICATION FOR COAL PERMIT PROCESSING

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Permit Number: C/007/039

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David Spillman
Print Name

David Spillman, Engineering Manager
Sign Name, Position, Date

Subscribed and sworn to before me this 21 day of OCTOBER, 2011

Vicky Sue Miller
Notary Public
My commission Expires: _____
Attest: State of UTAH _____) ss:
County of CARBON



For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining

RECEIVED
OCT 25 2011

DIV. OF OIL, GAS & MINING



SENCO-PHENIX

**An Intensive Cultural Resource Survey and Inventory
of the Proposed New Waste Rock Disposal Site and Settlement Pond
along Dugout Canyon Road**

CARBON COUNTY, UTAH

PERFORMED FOR
**Dugout Canyon Mine of
Canyon Fuel Company, LLC**

In Accordance with
Utah State Guidelines
Antiquities Permit #U11SC0725p

SPUT-616
September 26, 2011

John A. Senulis
Direct Charge of Fieldwork

CONFIDENTIAL

UTAH SHPO

COVER SHEET

Project Name: **An Intensive Cultural Resource Survey and Inventory of the Proposed New Waste Rock Disposal Site and Settlement Pond along Dugout Canyon Road**

Dugout Canyon Mine of Canyon Fuels LLC.

State # U11SC0725p

Report Date: September 26, 2011

County (ies): Carbon

Principal Investigator/ Field Supervisor: John A. Senulis/John Senulis

Records Search/Location/Dates: September 5, 7, 2011, Online UDSH website

Acreage Surveyed: 21 acres

Intensive Acres: 21

Recon/Intuitive Acres: 0

U.S.G.S. 7.5 Quad: Sunnyside Junction, Utah (1972)

Sites Reported	Number	Smithsonian Site #(s):
Archeological Sites:	1	42CB3009
Revisit (No IMACS update)	0	
Revisit (IMACS update attch.)	0	
New Sites (IMACS attached)	1	42CB3009
Archeological Site Total:	1	42CB3009
Historic Structures:		
(USHS Site Form Attached)		
Total NRHP Eligible Sites,	0	

Checklist of Required Items:

1. 1 Copy of Final Report
2. Copy of U.S.G.S. 7.5' map showing surveyed/excavated area
3. Completed IMACS Site Inventory Forms Including
 - Parts A and B or C
 - IMACS Encoding Form
 - Site Sketch Map
 - Photographs
 - Copy of USGS 7.5' Quad with Smithsonian site Number
4. Completed Cover Sheet

Abstract

An intensive cultural resource survey was performed by John and Jeanne Senulis of SENCO-PHENIX, of a proposed ca. 21 acre waste rock storage area and settlement pond in Dugout Canyon. The project area is on private Canyon Fuel land. The purpose of the survey was to identify and evaluate cultural resources which may exist within the project area.

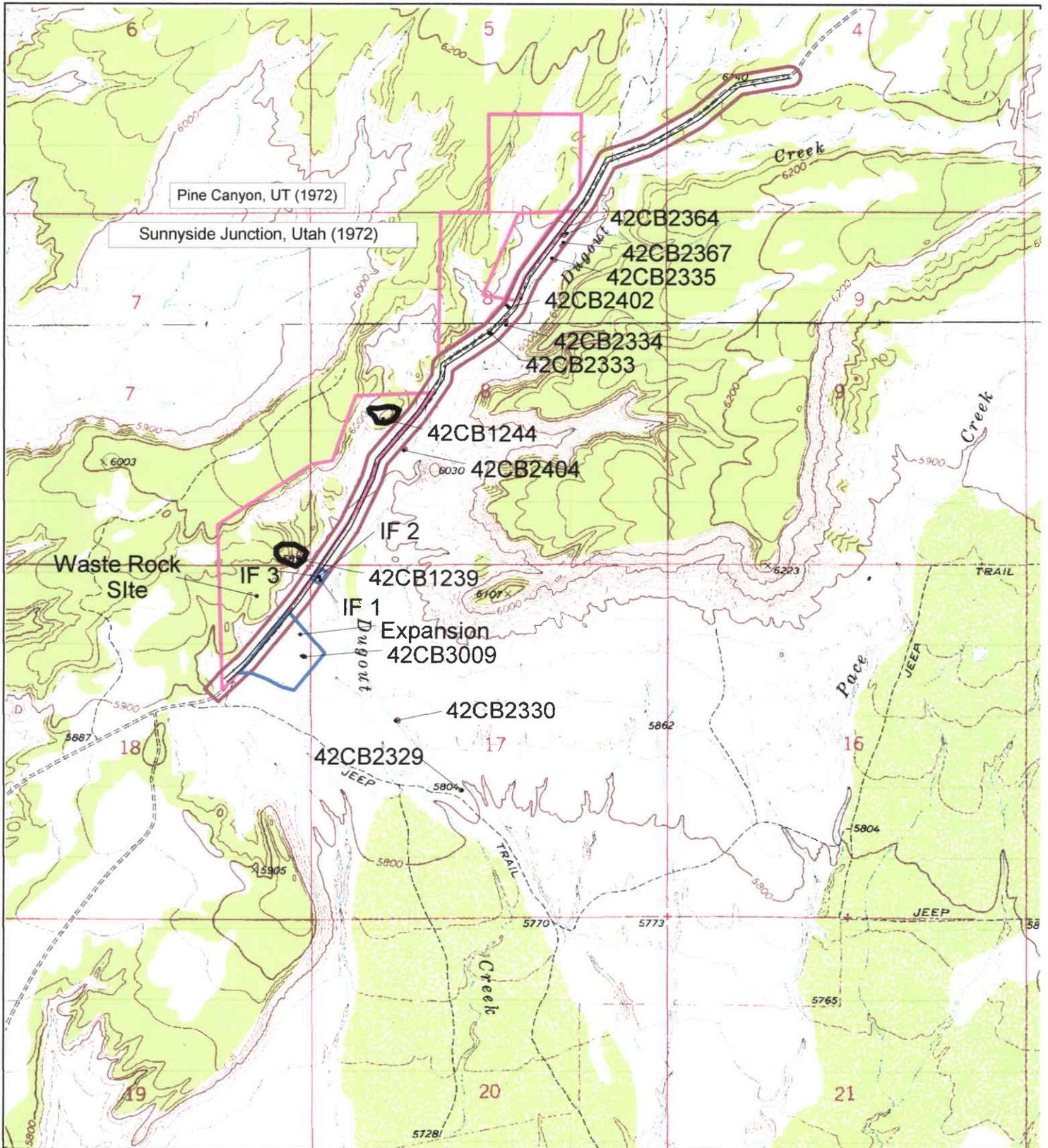
Cultural resources were located consisting of one archeological site and three isolated findings none of which is recommended for nomination to the National Register of Historic Places (NRHP):

- 42CB3009, The site is a sparse lithic scatter without depth or features. There were 5 secondary, 5 primary and 1 blade flakes. Materials were predominantly chalcedony with some quartzite. Artifacts consisted of a purple quartzite projectile point tip of unknown provenience, measuring 1 x 4 x 3mms. There was also a retouched tan chalcedony flake with retouch on both sides of one edge. It measured 29 x 25 x 9 mms. There were two chunks of black chalcedony that may indicate the rocky mound had material for tap and test activities.

There is no event (a) or person (b) that can be associated with the site so those criteria are not applicable. The site does not have structural features and is located on a flat plain with little or no depth. There is no design criterion (c) that would be applicable. The lack of depth rules out additional information and the site is also not eligible under criterion (d), information important to prehistory.

- IF 1 was 3 rusted 12 ounce evaporated milk tin cans with punch openings. They were located at 533775 meters East and 4384824 meters North.
- IF 2 was a mottled gray chalcedony secondary flake measuring 31 x 30 x 6 mms. It was located at 533780 meters East and 4384847 meters North.
- IF 3 was the purple glass base of a medicine bottle of unknown provenience. It measure ca. 1.5 x 2 inches and was 2 inches high. It had the mark of a diamond with an "I" inside. This mark was used by Illinois Glass Company between 1916 and 1929 (Toulouse p. 264) It was located at 533766 meters East and 4384835 meters North.

No other cultural resources were located and the presence of undetected remains is remote. A finding of no effect is appropriate and archeological clearance is recommended.



SENCO-PHENIX



Scale 1:24,000
1" = 2,000'

- Current Survey
- Previous Survey
- Montgomery Survey
- Eligible Sites
- Ineligible Sites

Waste Rock Disposal Site Expansion
Dugout Mine of Canyon Fuel, LLC
Sections 17, 18, T14S, R12E
September 2011
SPUT-616

Project Location

The proposed waste rock disposal area is in the East ½ of the NE ¼ of Section 18, and a portion of the NW ¼ of Section 17. The proposed sediment pond is in the NW/NW ¼ of Section 17. Both are in T14S, R12 E, Carbon County, Utah. The project area was staked and was quite evident from the topography. The proposed project is noted on the enclosed copy of U.S.G.S. 7.5' composite Quad: Pine Canyon, Utah (1972) and Sunnyside Junction, Utah (1972).

General Environment

The general area is part of the Colorado Plateau physiographic province noted by horizontal rock strata with retreating escarpments which form the canyonlands of the Colorado and Green Rivers to the south.

The project area is the northern border of the Canyonlands subdivision of the Colorado Plateau. It is bounded on the north by the Book Cliffs and on the east south and west by the foothills and valleys of the Soldier Creek division of the Price River Drainage. The Canyonlands subdivision was once part of the beds of Lakes Flagstaff and Uintah which eventually filled in with organic deposits that were compacted into Cretaceous coal and shale interspersed with layers of sandstone. Burning of some of the coal beds created the red layers that mix colorfully with the tan sandstones, black coal and the multicolored shales.

The midlatitude, semi-arid climate is typically Continental with cold winters and warm summers. Precipitation is directly related to altitude and slope and proximity to the mountain ranges.

The Price River branch of the Colorado River drainage is fed by numerous deeply dissected intermittent streams that have cut deep washes through the upland benches. Most of the deep washes have expanded or been created by the overgrazing that occurred during the latter part of the nineteenth century.

Specific Environment

The survey area is within a broad flat plain of the Dugout Creek drainage. The interior of the survey area is extremely flat. Soils are shallow tan clay loams. Vegetation consists of sparse, small sagebrush, greasewood, prickly pear and various grasses and forbs in the main area with some Pinion-Juniper in the sediment pond survey area. Dugout Creek is a permanent source of water in proximity to the project area.

Previous Research

A file search at online at the UDSH website on September 5 and 7, 2011 indicated the following projects had been performed:

1979, Garth Norman of AERC surveyed an extensive number of potential mine access roads for Eckhoff Watson and Preator both within and adjacent to the current project area. The surveyed roads included most of the Dugout Creek road. The surveyed corridor width was 30 meters (100 feet) with the center being the center of existing

road. A total of three sites were located and recorded. None of these sites are near the project area. (79-61)

1981, Diana Christensen for UARC Archeology conducted seismic line studies for Georex Geophysical. One of their lines crossed the Dugout Creek Road in the center of Section 18, T14S, R12E. No sites were located on that line near the project area.(81-26)

1981, David Robinson for Northern Research performed seismic line surveys for Mile High Exploration. One of their lines crossed Soldier Creek road with no findings. No sites were located in the project area. (81-102)

1984, La Plata Archeology surveyed 11 seismic lines for Seisport Exploration. Two of these lines crossed the Dugout Creek Road. No archeological sites were located. (84-37)

1996, SENCO-PHENIX surveyed the Dugout Creek road realignment through the project area. No cultural resources were located near the current project. (96-102)

1998, SENCO-PHENIX surveyed a borrow area within the current project area. No cultural resources were located. (98-0027)

1998, SENCO-PHENIX surveyed a borrow area south of the current project. No significant cultural resources were located. (98-169)

2005, Montgomery (MOAC) surveyed a 300 foot road corridor with larger blocks along the Dugout Canyon road. No sites were located within the current project area; A number of prehistoric sites were located upstream on the banks of Dugout Creek. None of the sites are near the current project area. (05-254)

2011, SENCO-PHENIX surveyed a block area for the first proposed waste rock storage area. No significant cultural resources were located. (11-66)

Methodology

A Class III intensive walkover survey was performed by John and Jeanne Senulis of SENCO-PHENIX on September 19, 2011. Meandering transects no further spaced than 15 meters were employed. Special attention was given to areas of subsurface soil exposure from animal burrowing, erosion and construction.

All field notes and photographs are on file at the offices of SENCO-PHENIX in Price, Utah.

Findings and Recommendations

Cultural resources were located consisting of one archeological site and three isolated findings none of which is recommended for nomination to the National Register of Historic Places (NRHP):

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These recommendations are subject to approval and modification by the DOGM Manager and the Utah SHPO.

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



October 21, 2011

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Utah Division of Oil, Gas and Mining
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David Spillman
Print Name

David Spillman, Engineering Manager
Sign Name, Position, Date

Subscribed and sworn to before me this 21 day of OCTOBER, 2011

Vicky Sue Miller
Notary Public
My commission Expires: 1-2, 2012
Attest: State of UTAH } ss:
County of CARBON



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SENCO-PHENIX

**An Intensive Cultural Resource Survey and Inventory
Of the Proposed Waste Rock Disposal Site Along
Dugout Canyon Road**

CARBON COUNTY, UTAH

PERFORMED FOR
**Dugout Canyon Mine of
Canyon Fuel Company, LLC**

In Accordance with BLM and
Utah State Guidelines
Antiquities Permit #U11SC0066p

SPUT-607
June 23, 2011

John A. Senulis

Direct Charge of Fieldwork

CONFIDENTIAL

UTAH SHPO

COVER SHEET

Project Name: **An Intensive Cultural Resource Survey and Inventory of the Proposed Waste Rock Disposal Site along Dugout Canyon Road**

Dugout Canyon Mine of Canyon Fuels LLC.

State # U11SC0066p

Report Date: June 21, 2011

County (ies): Carbon

Principal Investigator/ Field Supervisor: John A. Senulis/John Senulis

Records Search/Location/Dates: February 28, March 24, 2011, Online UDSH web site.

Acreage Surveyed: **90** acres

Intensive Acres: 90

Recon/Intuitive Acres: 0

U.S.G.S. 7.5 Quad: Pine Canyon, Utah (1972) & Sunnyside Junction, Utah (1972)

Sites Reported	Number	Smithsonian Site #(s):
Archeological Sites:	0	
Revisit (No IMACS update)	0	
Revisit (IMACS update attch.)	0	
New Sites (IMACS attached)	0	
Archeological Site Total:	0	
Historic Structures:		
(USHS Site Form Attached)		
Total NRHP Eligible Sites,	0	

Checklist of Required Items:

1. X 1 Copy of Final Report
2. X Copy of U.S.G.S. 7.5' map showing surveyed/excavated area
3. Completed IMACS Site Inventory Forms Including
 - _____ Parts A and B or C
 - _____ IMACS Encoding Form
 - _____ Site Sketch Map
 - _____ Photographs
 - _____ Copy of USGS 7.5' Quad with Smithsonian site Number
4. X Completed Cover Sheet

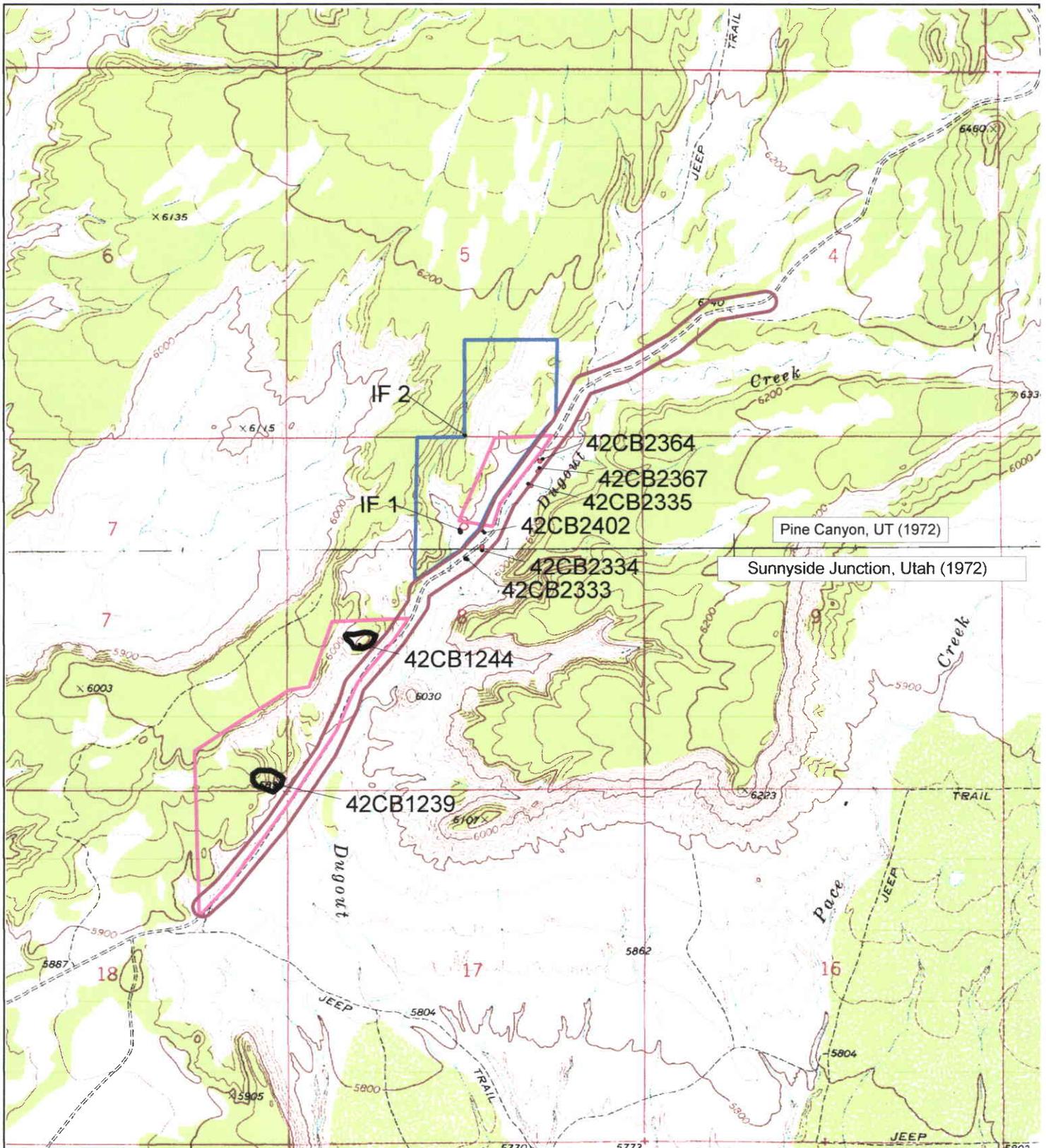
Abstract

An intensive cultural resource survey was performed by John and Jeanne Senulis of SENCO-PHENIX, of a proposed ca. 90 acre waste rock storage area in Dugout Canyon. The project area is on private Canyon Fuel land. The purpose of the survey was to identify and evaluate cultural resources which may exist within the project area.

Cultural resources were located consisting of two isolated findings neither of which is recommended for nomination to the National Register of Historic Places (NRHP):

- IF 1 was a rusted 12 ounce evaporated milk tin can with four punch openings. It was located at 534525 meters East and 4386083 meters North.
- IF 2 was 1913 GLO brass cap marked on the outer rim "U.S General Land Office Survey 1913." Inside this was "Penalty \$250 for Removal." The center had a line with "S 5 ¼" and below "S 8." It was located at 534538 meters East and 4386519 meters North.

No other cultural resources were located and the presence of undetected remains is remote. A finding of no effect is appropriate and archeological clearance is recommended.



SENCO-PHENIX

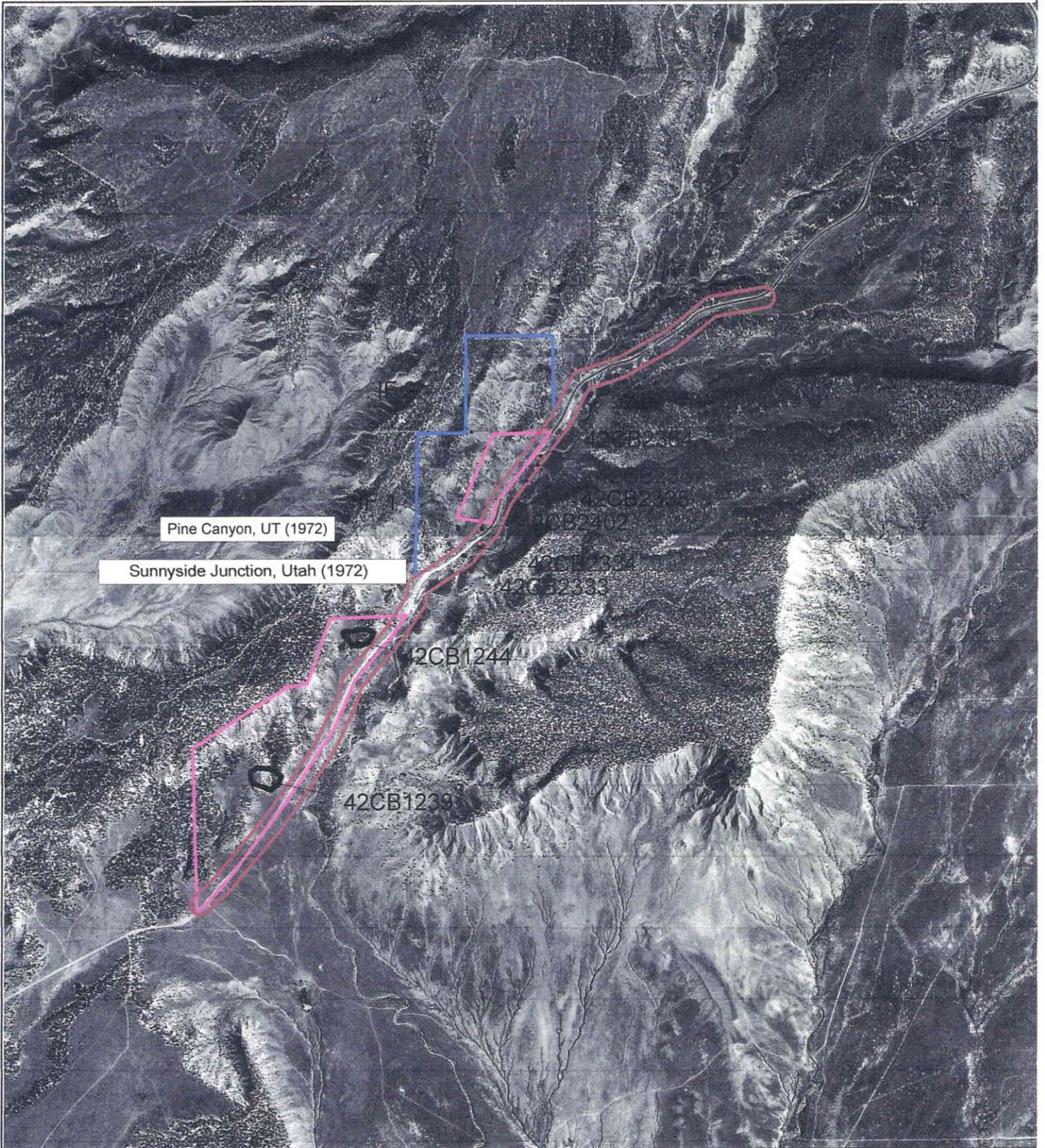


Scale 1:24,000
1" = 2,000'

- Current Survey
- Previous Survey
- Montgomery Survey

- Eligible Sites
- Ineligible Sites

Waste Rock Disposal Site
Dugout Mine of Canyon Fuel, LLC
Sections 5, 8, T14S, R12E
June 2011
SPUT-607



SENCO-PHENIX



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Waste Rock Disposal Site
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Project Location

The proposed waste rock disposal area is in the SW/SE ¼ of Section 5, and the NW/NE ¼ and, E ½ of the NE/NW ¼ and NE ¼ of the SE/NW ¼ of Section 8, T14S, R12 E, Carbon County, Utah. The project is within the head of a broad intermittent draw on the north side of the main Dugout road. The project area was staked and was quite evident from the topography. The proposed project is noted on the enclosed copy of U.S.G.S. 7.5' composite Quad: Pine Canyon, Utah (1972) and Sunnyside Junction, Utah (1972).

General Environment

The general area is part of the Colorado Plateau physiographic province noted by horizontal rock strata with retreating escarpments which form the canyonlands of the Colorado and Green Rivers to the south.

The project area is the northern border of the Canyonlands subdivision of the Colorado Plateau. It is bounded on the north by the Book Cliffs and on the east south and west by the foothills and valleys of the Soldier Creek division of the Price River Drainage. The Canyonlands subdivision was once part of the beds of Lakes Flagstaff and Uintah which eventually filled in with organic deposits that were compacted into Cretaceous coal and shale interspersed with layers of sandstone. Burning of some of the coal beds created the red layers that mix colorfully with the tan sandstones, black coal and the multicolored shales.

The midlatitude, semi-arid climate is typically Continental with cold winters and warm summers. Precipitation is directly related to altitude and slope and proximity to the mountain ranges.

The Price River branch of the Colorado River drainage is fed by numerous deeply dissected intermittent streams that have cut deep washes through the upland benches. Most of the deep washes have expanded or been created by the overgrazing that occurred during the latter part of the nineteenth century.

Specific Environment

A portion of the survey area is within a broad flat head of an intermittent drainage of Dugout Creek. The interior of the survey area is extremely rugged with steep rocky ridges. Soils range from tan and gray clay loams to very rocky and stony loams. Vegetation consists of sparse, small to medium sagebrush, greasewood, rabbitbrush and various grasses and forbs in the lower area grading into to Pinion-Juniper woodlands. Dugout Creek is a permanent source of water in proximity to the project area. There is no permanent water in the project area.

Previous Research

A file search at online at the UDSH website on February 28 and March 24, 2011 indicated the following projects had been performed:

1979, Garth Norman of AERC surveyed an extensive number of potential mine access roads for Eckhoff Watson and Preator both within and adjacent to the current project area. The surveyed roads included most of the Dugout Creek road. The surveyed corridor width was 30 meters (100 feet) with the center being the center of existing road. A total of three sites were located and recorded. None of these sites are near the project area. (79-61)

1981, Diana Christensen for UARC Archeology conducted seismic line studies for Georex Geophysical. One of their lines crossed the Dugout Creek Road in the center of Section 18, T14S, R12E. No sites were located on that line near the project area.(81-26)

1981, David Robinson for Northern Research performed seismic line surveys for Mile High Exploration. One of their lines crossed Soldier Creek road with no findings. No sites were located in the project area. (81-102)

1984, La Plata Archeology surveyed 11 seismic lines for Seisport Exploration. Two of these lines crossed the Dugout Creek Road. No archeological sites were located. (84-37)

1996, SENCO-PHENIX surveyed the Dugout Creek road realignment through the project area. No cultural resources were located near the current project. (96-102)

1998, SENCO-PHENIX surveyed a borrow area within the current project area. No cultural resources were located. (98-0027)

1998, SENCO-PHENIX surveyed a borrow area south of the current project. No significant cultural resources were located. (98-169)

2005, Montgomery (MOAC) surveyed a 300 foot road corridor with larger blocks along the Dugout Canyon road. One site was located within the current project area; 42CB2402 is a historic trash scatter. It is not recommended for nomination to the NRHP. A number of prehistoric sites were located on the banks of Dugout Creek. None of the sites are near the current project area. (05-254)

Methodology

A Class III intensive walkover survey was performed by John and Jeanne Senulis of SENCO-PHENIX on June 6, 8, 11, 2011. Meandering transects no further spaced than 15 meters were employed. Special attention was given to areas of subsurface soil exposure from animal burrowing, erosion and construction.

All field notes are on file at the offices of SENCO-PHENIX in Price, Utah.

Findings and Recommendations

Cultural resources were located consisting of two isolated findings neither of which is recommended for nomination to the National Register of Historic Places (NRHP):

- IF 1 was a rusted 12 ounce evaporated milk tin can with four punch openings. It was located at 534525 meters East and 4386083 meters North.

- IF 2 was 1913 GLO brass cap marked on the outer rim "U.S General Land Office Survey 1913." Inside this was "Penalty \$250 for Removal." The center had a line with "S 5 ¼" and below "S 8." It was located at 534538 meters East and 4386519 meters North.

No other cultural resources were located and the presence of undetected remains is remote. A finding of no effect is appropriate and archeological clearance is recommended.

These recommendations are subject to approval and modification by the DOGM Manager and the Utah SHPO.