

**COPY**



**WEST RIDGE  
RESOURCES, INC.**

P.O. Box 910, East Carbon, Utah 84520  
Telephone (435) 888-4000 Fax (435) 888-4002

Utah Division of Oil, Gas & Mining  
Utah Coal Program  
1594 West North Temple, Suite 1210  
P.O.Box 145801  
Salt Lake City, UT 84114-5801

April 26, 2010

Attn: Daron Haddock  
Permit Supervisor

Re: West Ridge Mine C/007/041  
Permit Change to Include Catchment Structures  
Response to Deficiencies, Task 3309

Dear Mr. Haddock:

Enclosed are five (6 ea.) copies of an amendment to the West Ridge MRP to include a catchment structure in the C canyon drainage below the minesite. This submittal is a response to deficiencies, Task 3099. As you are aware from previous conversations, this structure is already in-place and operational. It was constructed as part of the abatement of Citation #10033, issued on January 29, 2009. Three other similar structures, constructed at the same time, have subsequently been reclaimed.

If you have questions or comments please contact me at (435) 888-4017.

Sincerely,

David Shaver  
Resident Agent

File in:

- Confidential
- Shelf
- Expandable

Date Folder 05032010 C/ 0070041

*See: Incoming*

For additional information

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**MAY 03 2010**  
**DIV. OF OIL, GAS & MINING**

## APPLICATION FOR PERMIT PROCESSING

<input type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: <b>C/007/041</b>
Title of Proposal: <b>Change to the MRP to include Catchment structure A in C Canyon drainage below the minesite, response to deficiencies Task 3309</b>						Mine: <b>WEST RIDGE MINE</b>
						Permittee: <b>WEST RIDGE Resources, Inc.</b>

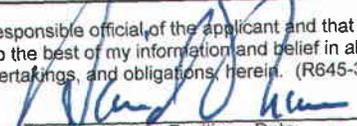
Description, include reason for application and timing required to implement: .

Instructions: If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

- |   |  |   |                             |  |
|---|--|---|-----------------------------|--|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 1. Change in the size of the Permit Area? _____ acres   | Disturbed Area? _____ acres | <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?  |                             |  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area? |                             |  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 4. Does application include operations in hydrologic basins other than as currently approved?             |                             |  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 5. Does 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 checked="" type="checkbox"/> Yes | <input 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 checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 9. Is the application submitted as a result of a Violation?   |                             |  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies? Explain:           |                             |  |
| <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?               |                             |  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information?         |                             |  |
| <input 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 checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 15. Does 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 checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 17. Does the application require or include construction, modification, or removal of surface facilities? |                             |  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 18. Does the application require or include water monitoring, sediment or drainage control measures?      |                             |  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 19. Does the application require or include certified designs, maps, or calculations?                     |                             |  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring?                             |                             |  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 21. Have reclamation costs for bonding been provided for?   |                             |  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?          |                             |  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 23. Does the application affect permits issued by other agencies or permits issued to other entities?     |                             |  |

Attach 3 complete copies of the application.

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. (R645-301-123)

  
 Signed - Name - Position - Date  
 Linda Kerns, Agent, 1/22/10

Subscribed and sworn to before me this 22<sup>nd</sup> day of January, 2010

  
 Notary Public  
 My Commission Expires: March 27, 2013  
 Attest: Utah  
 COUNTY OF Carbon



**Notary Public**  
**LINDA KERNS**  
 Commission #578211  
 My Commission Expires  
 March 27, 2013  
 State of Utah

Received by Oil, Gas & Mining

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MAY 03 2010

DIV. OF OIL, GAS & MINING

ASSIGNED TRACKING NUMBER

# Application for Permit Processing Detailed Schedule of Changes to the MRP

# COPY

Title of Application:  
Change to the MRP to include Catchment Structure A in the  
C Canyon drainage below the mine, response to deficiencies Task 3099

Permit Number: C/007/041

Mine: WEST RIDGE MINE

Permittee: WEST RIDGE RESOURCES

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit application. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the existing mining and reclamation plan. Include page, section and drawing numbers as part of the description.

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Chapter 1 text : all
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	App 1-2
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	App 1-7
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Chapter 2 text : 2-1, 2-1a, 2-1b
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Chapter 5 text : 5-iv, 5-1, 5-1a,
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	5-1b, 5-1c
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Chapter 5: App 5-15
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Coal Fines Catchment Structure
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Chapter 7 text: 7-1 thru 7-5
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Map 1-0
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Map 1-1
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
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<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

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DIV. OF OIL, GAS & MINING

# WEST RIDGE MINE

007/041

CHANGE TO  
THE MINING AND RECLAMATION PLAN

***TO INCLUDE:***

***COAL-FINES CATCHMENT STRUCTURE  
IN THE C CANYON DRAINAGE  
BELOW THE WEST RIDGE MINE***

**RESPONSE TO DEFICIENCIES**  
**TASK 3309**

SUBMITTED: APRIL 26, 2010

File in:

- Confidential
- Shelf
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Date Folder 050310 CI 0070041

See: *Incoming*

For additional information

**~WEST RIDGE MINE - PERMIT APPLICATION PACKAGE~**

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R645-301-100 PERMIT APPLICATION REQUIREMENTS: GENERAL  
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APPENDIX 1-2	Violation Information
APPENDIX 1-3	Reference List
APPENDIX 1-4	Proof of Lease Assignment
APPENDIX 1-4A	Federal Lease SL-068754, U-01215
APPENDIX 1-4B	Federal Lease UTU-78562
APPENDIX 1-4C	State Lease ML-47711
APPENDIX 1-4D	State Lease ML-49287
APPENDIX 1-4E	Penta Creek Fee Lease
APPENDIX 1-5	Current and Previous Coal Mining Permits
APPENDIX 1-6	Consultation and Coordination
APPENDIX 1-7	Ownership and Control
APPENDIX 1-8	Letter from Carbon County
APPENDIX 1-9	*****Deleted*****
APPENDIX 1-10	SITLA - Special Use Lease (Topsoil Borrow Area)
APPENDIX 1-11	Material Deposit Special Use Lease Agreement
APPENDIX 1-12	Waterline/Pump House Right of Way
APPENDIX 1-13	Correspondence Regarding Security Gate
APPENDIX 1-14	*****Moved*****
APPENDIX 1-15	Legal Description of Grassy Trail Reservoir

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**R645-301-100 CHAPTER 1**

<b>MAP NUMBER</b>	<b>DESCRIPTION</b>	<b>SCALE</b>
MAP 1-1	Location Map	1" = 4000'

**R645-301-100 PERMIT APPLICATION REQUIREMENTS: GENERAL CONTENTS**

**SCOPE**

The objective of this chapter is to set forth all relevant information concerning ownership and control of WEST RIDGE Resources, Inc., the ownership and control of the property to be affected by mining activities and all other information and documentation required under Part UMC.

**R645-301-112 IDENTIFICATION OF INTERESTS**

112.100 WEST RIDGE Resources, Inc. is a corporation organized and existing under the laws of Utah and qualified to do business in Utah.

112.200 The applicant, WEST RIDGE Resources, Inc. will also be the operator.

WEST RIDGE Resources, Inc.  
P.O. Box 910  
East Carbon, Utah 84520  
(435) 888-4000  
Bruce Hill - President

Employer Identification Number: 87-0585129

112.220 The resident agent of the applicant, WEST RIDGE Resources, Inc., is:

Dave Shaver  
WEST RIDGE Resources, Inc.  
P.O. Box 910  
East Carbon, Utah 84520

(435) 888-4000

112.230 WEST RIDGE Resources, Inc. will pay the abandoned mine land reclamation fee.

112.300      **Ownership and Control - See Appendix 1-7**

WEST RIDGE Resources, Inc. is the permittee and operator of the WEST RIDGE Mine. WEST RIDGE Resources, Inc. is a wholly owned subsidiary of ANDALEX Resources, Inc.. WEST RIDGE Resources, Inc. is a Utah corporation licensed to do business in the State of Utah. WEST RIDGE Resources, Inc. is the operating agent for the WEST RIDGE PROJECT. ANDALEX Resources, Inc. and the Intermountain Power Agency (I.P.A.) are tenants in common (co-owners) of the WEST RIDGE PROJECT, each having an undivided 50% ownership interest in the PROJECT. ANDALEX Resources, Inc. is a Delaware corporation and Intermountain Power Agency is a political subdivision of the State of Utah. All leases associated with the WEST RIDGE Mine are owned jointly (undivided 50% ownership) by ANDALEX Resources, Inc. and Intermountain Power Agency. ANDALEX Resources, Inc, is a wholly owned subsidiary of UtahAmerican Energy Inc., which in turn is a wholly owned subsidiary of Murray Energy Corporation.

112.340      See Appendix 1-5

112.350      See Appendix 1-5

112.410      See Appendix 1-5

112.420      See Appendix 1-7

112.500      Surface Owners:

Bureau of Land Management  
Utah State Office  
136 East South Temple  
Salt Lake City, Utah 84111

Glen Wells  
700 West U.S. Hwy 6  
Price, Utah 84501

Penta Creek, LLC  
140 S. Newton  
Albert Lea, MN 56007

Dave Hinkins  
155 West 100 South  
Orangeville, Utah 84537

School and Institutional Trust  
Lands Administration  
355 West North Temple, Suite 400  
Salt Lake City, Utah 84180-1204

Matt Rauhala  
1236 East Main  
Price, Utah 84501

Subsurface Owners:

Bureau of Land Management  
Utah State Office  
136 East South Temple  
Salt Lake City, Utah 84111

Penta Creek, LLC  
140 S. Newton  
Albert Lea, MN 56007

School and Institutional Trust  
Lands Administration  
355 West North Temple, Suite 400  
Salt Lake City, Utah 84180-1204

WEST RIDGE Resources, Inc. is the holder of record for federal lease SL-068754 and UTU 78562 (see Table 1-1), state lease ML 47711 and ML 49287 (see Table 1-2A) and the Penta Creek Fee lease (see Table 1-2B).

Proof of lease assignment for all leases (Federal leases SL-068754 and UTU 78562, and State leases ML 47711 and ML 49287), and the Penta Creek fee lease can be found in Appendix 1-4.

112.600 Contiguous surface owners:

Bureau of Land Management  
Utah State Office  
136 East South Temple  
Salt Lake City, Utah 84111

Dave Hinkins  
155 West 100 South  
Orangeville, Utah 84537  
Glen Wells  
700 West U.S. Hwy 6  
Price, Utah 84501

Penta Creek, LLC  
140 S. Newton  
Albert Lea, MN 56007

School and Institutional Trust  
Lands Administration  
355 West North Temple, Suite 400  
Salt Lake City, Utah 84180-1204

Contiguous subsurface owners:

School and Institutional Trust  
Lands Administration  
355 West North Temple, Suite 400  
Salt Lake City, Utah 84180-1204

Penta Creek, LLC  
140 S. Newton  
Albert Lea, MN 56007

Dave Hinkins  
155 West 100 South  
Orangeville, Utah 84537

Bureau of Land Management  
Utah State Office  
136 East South Temple  
Salt Lake City, Utah 84111

- 112.700 See Appendix 1-5
- 112.800 There are no pending interests or bids existing on lands contiguous to the present leased area.
- 112.900 After WEST RIDGE Resources, Inc. is notified that the application is approved, but before the permit is issued, WEST RIDGE Resources, Inc. will update, correct or indicate that no change has occurred in the information previously submitted under R645-301-112.100 through R645-301-112.800.

**R645-301-113 VIOLATION INFORMATION**

- 113.100 The applicant or any subsidiary, affiliate or persons controlled by or under common control with the applicant has not had a federal or state permit to conduct coal mining and reclamation operations suspended or revoked in the five years preceding the date of submission of the application.
- 113.120 The applicant etc. has not forfeited any performance bond or similar security
- 113.200 Not applicable
- 113.300 A listing of violations received by the applicant in connection with any coal mining and reclamation operation during the three year period preceding the application date is provided in Appendix 1-2. MSHA numbers for the operations can be found in Appendix 1-5. There have been no unabated violations or cessation orders issued to any affiliated companies during the previous three years.
- 113.400 After WEST RIDGE Resources, Inc. is notified that the application is approved, but before the permit is issued, WEST RIDGE Resources, Inc. will update, correct or indicate that no change has occurred in the information previously submitted under R645-301-113.

**R645-301-114 RIGHT OF ENTRY INFORMATION**

- 114.100 WEST RIDGE Resources, Inc., currently holds 4,899.92 acres of federal coal (2,650.67 acres leased under SL-068754 and 2249.25 acres leased under UTU 78562) in the Book Cliffs coal field (refer to Maps 1-0 and 5-3). A complete legal description of all Federal leases held by WEST RIDGE is found in Table 1-1. WEST RIDGE currently holds 1682.34 acres of state coal (801.24 acres under ML 47711 and 881.10 under ML 49287. A complete legal description of all State leases held by WEST RIDGE is found in Table 1-2. WEST RIDGE also holds a 382.08 acre lease on contiguous private (fee) coal lands located along the eastern side of the mineable reserve. A complete legal description of this fee lease is found in Table 1-3. None of these leases are the subject of any pending litigation. Proof of lease assignment for all leases can be found in Appendix 1-4.

WEST RIDGE Resources, Inc. bases its legal right to enter and conduct mining activities in the permit area pursuant to the language contained in the Federal Coal Lease, Part I Lease Rights Granted which reads as follows:

*"That the lessor, in consideration of the rents and royalties to be paid and the covenants to be observed as hereinafter set forth, does hereby grant and lease to the*

*lessee the exclusive right and privilege to mine and dispose of all the coal in, upon, or under the following described tracts of land, situated in the State of Utah... together with the right to construct all such works, buildings, plants, structures and appliances as may be necessary and convenient for the mining and preparation of the coal for market, the manufacture of coke or other products of coal, the housing and welfare of employees, and subject to the conditions herein provided, to use so much of the surface as may reasonably be required in the exercise of the rights and privileges herein granted."*

In addition to the coal leases, WEST RIDGE also holds several surface use permits as part of the operation, including:

1) SITLA Special Use Lease Agreement No. 1163. The substitute topsoil borrow area, which is also included within the permit area, is located on lands administered by the Utah School and Institutional Trust Lands Administration (SITLA). This area is located within the SE1/4 of section 16, T 14 S, R 13 E. SITLA has issued a long term special use permit to WEST RIDGE Resources, Inc. which provides full assurance that the topsoil resource in this area will be available for (and, indeed dedicated to) final reclamation of the West Ridge minesite if needed. This area is not contiguous with the main coal leasehold. (See Appendix 1-10 for details)

2) BLM Right-of-Way UTU-77120 This right-of-way authorizes the installation and operation of a pumping station used to facilitate the delivery of culinary water to the West Ridge Mine. This area is not contiguous with the main coal leasehold. (See Appendix 1-12 for details)

3) BLM Right-of-Way 87110 This right-of way authorizes the installation of a catchment structure in the C Canyon drainage below the mine. This catchment is designed to provide containment of unanticipated coal-fines accumulations from the mine discharge water. This catchment structure comprises 0.23 acres (Refer to Appendix 5-15 for details).

The permit area consists of the following areas:

- 1) all of federal coal leases SL-068754-U-01215 (2,650.67 acres)
- 2) all of federal coal lease UTU 78562 (2,249.25 acres),
- 3) all of state coal leases ML-47711 (801.24 acres)
- 4) all of state coal lease ML-49287 (881.10 acres)
- 5) most of the Penta Creek fee coal lease (124.92 acres)
- 6) SITLA surface lease 1163, for topsoil borrow area (9.6 acres).
- 7) BLM right-of-way UTU-77120, for pumping station (0.23 acres)
- 8) BLM right-of-way UTU-87110, for catchment structures (0.23 acres)
- 9) Carbon County authorization, road security gate (0.79 acres). See Appendix 1-13.

The total permit area is 6,718.03 acres. Refer to Map 1-1 for the permit area location. Refer to Table 1-4 for the legal description of the permit area by composite leasehold, and Table 1-5 for the legal description of the permit area in total area. Table 1-6 describes the surface ownership of the permit area.

Disturbed area within the permit area consists of the following;

1)	Minesite surface facilities	29.82 acres
2)	Pumping station	0.23 acres
3)	GVH installation	0.24 acres
4)	GVH topsoil storage	0.1 acres
5)	Catchment structure	<u>0.23 acres</u>
	<b>TOTAL</b>	<b>30.62 acres</b>

See Table 1-7 for complete legal description of disturbed areas.

114.200 Not applicable, the fee lease mineral estate is not severed from the surface estate.

**TABLE 1-1  
FEDERAL LEASE and R.O.W. PROPERTIES**

<u>PARCEL</u>	<u>ACREAGE</u>	<u>LEGAL DESCRIPTION</u>
<u>1) FEDERAL COAL LEASE SL-068754</u> (SL-068754-U-01215)	2,650.67	T 14 S, R 13 E  Section 10: NE, E2NW, N2SE, SESE Section 11: All Section 12: S2SW, NWSW Section 13: S2, NW, S2NE, NWNE Section 14: E2, N2NW, SENW Section 15: NENE Section 24: N2, N2SE, NESW
<u>2) FEDERAL COAL LEASE UTU-78562</u>	2,249.25	T 13 S, R13 E  Section 34: NESE, S2SE Section 35: All  T 14 S, R 13 E Section 1: All Section 12: Lots 1 thru 4, S2N2, NESW, SE Section 13: NENE  T 14 S, R 14 E Section 6: Lot 6, NESW Section 7: Lots 3 and 4 Section 18: Lot 1, E2NW
<u>3) PUMPING STATION</u> (BLM R.O.W. UTU-7712)	0.23	T 14 S, R 13 E  Section 21: NENE (0.23 acres thereof)

4) CATCHMENT STRUCTURE  
(BLM R.O.W. UTU-87110)

0.23

T 14 S, R 13 E

Section 15:      SESW (0.23 acres therein)

**TOTAL FEDERAL**

**4900.38**

**TABLE 1-2**  
**STATE (SITLA) LEASE and SPECIAL USE PROPERTIES**

<u>PARCEL</u>	<u>ACREAGE</u>	<u>LEGAL DESCRIPTION</u>
<u>1) STATE LEASE ML 47711</u>	801.24	T 14 S, R 13 E  Section 2: Lots 1 thru 4, S2N2, S2 (i.e. All)  T 13 S, R 13 E  Section 36: SW
<u>2) STATE COAL LEASE ML 49287</u>	881.10	T 14 S, R 13 E  Section 3: Lots 1, 2, 3, S2N2, S2  Section 10: W2NW, SW, SWSE
<u>3) STATE SURFACE LEASE SPECIAL USE PERMIT (Agreement #1163)</u>	9.6	T 14 S, R 13  Section. 16: E2NESE (9.6 acres thereof, containing substitute topsil area)
<b><u>TOTAL STATE</u></b>	<b><u>1691.94</u></b>	

**TABLE 1-3  
FEE LEASE PROPERTIES  
(PENTA CREEK)**

<u>PARCEL</u>	<u>ACREAGE</u>	<u>LEGAL DESCRIPTION</u>
<u>1) PENTA CREEK FEE LEASE</u>	382.08	T 14 S, R 14 E  Section 6:      Lot 7,    SESW  Section 7*:     Lots 1 and 2,    NENW,    E2SW,    SWSE  Section 18:     Lots 2 and 3,    NWNE

\*Less and excepting from the portion of the above legal subdivisions in Section 7, those lands under and around Grassy Trail Dam and Reservoir owned by East Carbon City and Sunnyside City, such lands being more accurately described in Appendix 1-15.

<u>TOTAL FEE LEASES:</u>	<u>382.08</u>
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**TABLE 1-4  
LEGAL DESCRIPTION OF PERMIT AREA  
(BY LEASEHOLD)**

<u>PARCEL</u>	<u>ACREAGE</u>	<u>LEGAL DESCRIPTION</u>
<u>1) FEDERAL LEASE SL-068754</u> (SL-068754-U-01215)	2,650.67	T 14 S, R 13 E  Section 10: NE, E2NW, N2SE, SESE  Section 11: All  Section 12: S2SW, NWSW  Section 13: S2, NW, S2NE, NWNE  Section 14: E2, N2NW, SENW  Section 15: NENE  Section 24: N2, N2SE, NESW
<u>2) FEDERAL LEASE UTU-78562</u>	2249.25	T 13 S, R13 E  Section 34: NESE, S2SE  Section 35: All  T 14 S, R 13 E  Section 1: All  Section 12: Lots 1 thru 4, S2N2, NESW, SE  Section 13: NENE  T 14 S, R 14 E  Section 6: Lot 6, NESW  Section 7: Lots 3 and 4  Section 18: Lot 1, E2NW
<u>3) STATE LEASE ML 47711</u>	801.24	T 14 S, R 13 E  Section 2: Lots 1 thru 4, S2N2, S2  T 13 S, R 13 E  Section 36: SW

**TABLE 1-4 (continued)**

<u>4) STATE LEASE ML 49287</u>	881.10	T 14 S, R 13 E
		Section 3: Lots 1, 2 and 3, S2N2, S2
		Section 10: W2NW, SW, SWSE
<u>5) PENTA CREEK FEE LEASE</u>	124.92	T 14 S, R 14 E
		Section 7*: SESW, SWNESW
		Section 18: Lots 2 and 3
<u>6) PUMPING STATION</u> (BLM R.O.W. UTU-7712)	0.23	T 14 S, R 13 E
		Section 21 NESENE (0.23 acres thereof, containing pumping station)
<u>7) TOPSOIL SALVAGE AREA</u> (SITLA special use agreement #1163)	9.6	T 14 S, R 13 E
		Section 16: E2NESE (9.6 acres thereof, containing substitute topsoil area)
<u>8) CATCHMENT STRUCTURE</u> (BLM R.O.W. UTU-87110)	0.23	T 14 S, R 13 E
		Section 15: SESW (0.23 acres thereof, containing catchment structure)
<u>9) SECURITY GATE</u> (Carbon County authorization)	0.79	T 14 S, R 13 E
		Section 15: NWSENE (0.79 acres thereof, containing security gate)
<b><u>TOTAL PERMIT AREA</u></b>	<b><u>6718.03</u></b>	

\*Less and excepting from the portion of the above legal subdivisions in Section 7, those lands under and around Grassy Trail Dam and Reservoir owned by East Carbon City and Sunnyside City, such lands being more accurately described in Appendix 1-15.

**TABLE 1-5  
LEGAL DESCRIPTION OF PERMIT AREA  
(TOTAL AREA)**

T13S, R13E	Section 34	NESE, S2SE
	Section 35	All
	Section 36	SW
T14S, R13E	Section 1	All
	Section 2	All
	Section 3	Lots 1, 2 and 3, S2N2, S2
	Section 10	All
	Section 11	All
	Section 12	All
	Section 13	All
	Section 14	E2, N2NW, SENW
	Section 15	NENE, NWSENE (part thereof, containing security gate) SESW (part thereof, containing catchment structure A)
	Section 16	E2NESE (part thereof, containing substitute topsoil area)
	Section 21	NESENE (part thereof, containing pumping station)
Section 24	N2, N2SE, NESW	
T14S, R14E	Section 6	Lot 6, NESW
	Section 7	Lots 3 and 4, SESW, SWNESW
	Section 18	Lots 1, 2 and 3, E2NW

**TOTAL PERMIT AREA = 6718.03 acres.**

**TABLE 1-6  
SURFACE OWNERSHIP OF PERMIT AREA**

T(S)/R(E)	Section	BLM	Penta Creek	Hinkins	Wells	Rauhala	SITLA	Total
13/13	34	-	-	-	120	-	-	120.00
13/13	35	40	-	448.91	151.09	-	-	640.00
13/13	36	-	160	-	-	-	-	160.00
			-	-	-	-	-	
14/13	1	283.75	328.68	-	-	39.92	-	652.35
14/13	2	-	641.24	-	-	-	-	641.24
14/13	3	-	-	-	80.66	-	520.44	601.10
14/13	10	360	-	-	-	-	280	640.00
14/13	11	650.87	-	-	-	-	-	650.87
14/13	12	-	648.96	-	-	-	-	648.96
14/13	13	640	-	-	-	-	-	640.00
14/13	14	440	-	-	-	-	-	440.00
14/13	15	41.02	-	-	-	-	-	41.02
14/13	16	-	-	-	-	-	9.6	9.60
14/13	21	0.23	-	-	-	-	-	0.23
14/13	24	440	-	-	-	-	-	440.00
			-	-	-	-	-	0.00
14/14	6	76.41	-	-	-	-	-	76.41
14/14	7	74.08	50.00	-	-	-	-	124.08
14/14	18	117.25	74.92	-	-	-	-	192.17
			-	-	-	-	-	
		<b>3163.61</b>	<b>1903.80</b>	<b>448.91</b>	<b>351.75</b>	<b>39.92</b>	<b>810.04</b>	<b>6718.03</b>

**TABLE 1-7  
DISTURBED AREA WITHIN PERMIT AREA**

1) Minesite surface facilities: portions of the following, totaling 29.82 acres (all BLM)

T14S, R13E	Section 10	SESESE NESESE
T14S, R13E	Section 11	SWNESW NWSWSW NESWSW NWSWSW SWSWSW SESWSW
T14S, R13E	Section 15	NENENE NWNENE SWNENE SENENE NWSENE

2) Pumphouse: portion thereof of the following, containing 0.23 acres (all BLM)

T14S, R13E	Section 21	NESENE
------------	------------	--------

3) Gob gas vent hole (GVH) installation: portion thereof of the following, containing 0.24 acres (all SITLA)

T14S, R13E	Section 3	NESWSE
------------	-----------	--------

3) Gob gas vent hole (GVH) topsoil pile: portion thereof of the following, containing 0.1 acres (all SITLA)

T14S, R13E	Section 10	SENWNW
------------	------------	--------

4) Catchment Structure: portion thereof, containing 0.12 acres (all BLM)

T 14 S, R 13 E	Section 15:	SESW
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**TOTAL DISTURBED AREA = 30.51 acres**

**R645-301-115 STATUS OF UNSUITABILITY CLAIMS**

115.100 The proposed permit area is not within an area designated as unsuitable for mining. WEST RIDGE Resources, Inc. is not aware of any petitions currently in progress to designate the area as unsuitable for coal mining and reclamation activities.

The area in which the proposed facility will be located has been evaluated within area management plans. It has not been found unsuitable for mining activities under any categories of examination.

115.200 Not applicable.

115.300 WEST RIDGE Resources, Inc. will not be conducting mining operations within 100 feet of an occupied dwelling. WEST RIDGE Resources, Inc. has received permission from Carbon County to construct facilities and operate coal mining activities within 100 feet of a public road. Refer to the letter from Carbon County in Appendix 1-8.

**R645-301-116 PERMIT TERM**

116.100 The anticipated starting and termination dates of the coal mining and reclamation operation are as follows:

	<u>Begin</u>	<u>Complete</u>
Construction of Mining Pad, Mining Support Structures, and Portals	Apr. 1999	Dec. 1999
Begin Mining	Jan. 2000	
Terminate Mining		Dec. 2017*
Remove Facilities	Jan. 2018*	June 2018*
Regrade Area	July 2018*	Sept. 2018*
Revegetate Site	Oct. 2018*	Nov. 2018*

\*This assumes mine life extended through acquisition of adjacent state and federal coal reserves.

116.200 The initial permit application will be for a five year term with successive five year permit renewals.

**R645-301-117      INSURANCE, PROOF OF PUBLICATION AND FACILITIES OR STRUCTURES USED IN COMMON**

117.100      The Certificate of Liability Insurance is included as Attachment 1-1 in Appendix 1-1.

117.200      A copy of the newspaper advertisement of the application for a permit and proof of publication are included as Attachment 1-2 and 1-3 respectively, in Appendix 1-1. A copy of the newspaper advertisement for the Whitmore lease revision is included as Attachment 1-3 in Appendix 1-1.

117.300      Not applicable.

**R645-301-118      FILING FEE**

Verification of filing fee payment is included as Attachment 1-4 in Appendix 1-1.

**R645-301-123      NOTARIZED STATEMENT**

A notarized statement attesting to the accuracy of the information submitted can be referenced as Attachment 1-5 in Appendix 1-1.

**R645-301-130      REPORTING OF TECHNICAL DATA**

Technical reports prepared by consultants specifically for WEST RIDGE Resources, Inc. are typically presented in an appendix format and, in general, provide the name and address of the person or company (consultant) preparing the report, the name of the report, the date of collection and analysis of the data, and descriptions of the methodology used to collect and analyze the data. The body of the report usually will provide the date the actual field work was conducted and a description of the methodology used to collect and analyze the data. The format of each report may vary depending on the contents of the report and organization preparing it.

For laboratory analyses, such as Appendix 7-2 and 7-3, the company performing the analyses as well as the date of the analyses, is presented on the laboratory report rather than the cover page.

A list of consultants and their appended reports is contained in Appendix 1-6, Consultation and Coordination. Sources used in the preparation of the permit application are referenced in Appendix 1-3. References in all chapters are keyed to this main reference list.

Mining and exploration activities had been conducted in the currently proposed disturbed area prior to August 3, 1977. A road existed into C Canyon in 1952 when drill hole B-6 was drilled in the right fork. A road was also constructed up the left fork of C Canyon to a drill hole site during the same year. In addition to the drill holes, the coal outcrop in the left fork of C Canyon was exposed for sampling purposes. A small pad was built at the outcrop location and it was left in place as were the roads.

In 1986, another drill hole, 86-2, was drilled west of the first drill hole in the right fork. A minor amount of road work was done in conjunction with this second drill hole. Kaiser Coal Company obtained permission from the BLM to grade the existing road and make it passable for the drill rig. The drill hole site was reclaimed but the road, a public road, was left in place.

Through use of aerial photography and site evaluations, it is possible to document previous mining related disturbances in C Canyon. Refer to Map 5-1 for delineation of the disturbance prior to August 3, 1977.

The total of all the previously disturbed areas within the minesite disturbed area is estimated to be as follows:

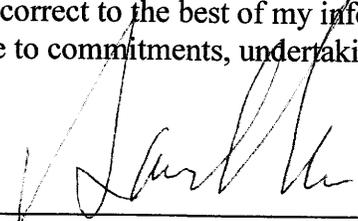
roads in right and left forks	=	1.27 acres
road culvert	=	.05 acres
water monitoring well	=	.05 acres
material storage pad	=	.05 acres
		1.62 acres

WEST RIDGE Resources, Inc. is proposing to utilize the entire previously disturbed area in their current proposal and to reclaim it upon cessation of mining operations.

In the 1950's a road was constructed in the Right Fork of Bear Canyon to access an exploratory drillhole site. This road now provides access to the site of the Bear Canyon GVH installation. (Refer to Appendix 5-14 for a detailed description of the Bear Canyon GVH facility)

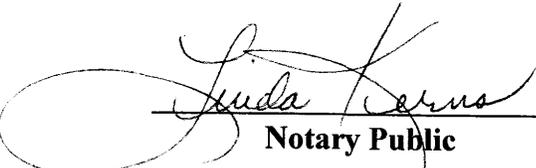
**ATTACHMENT 1-5  
VERIFICATION STATEMENT**

I hereby certify that I am a responsible official (Resident Agent) of the applicant (ANDALEX and IPA for WEST RIDGE Resources, Inc.) 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 Shaver, Resident Agent

**Signed - Name - Position - Date**

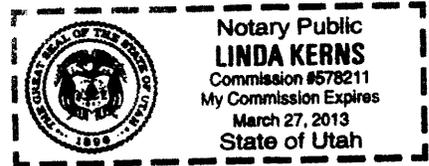
Subscribed and sworn to before me this 13 day of Nov, 2009

  
\_\_\_\_\_  
Notary Public

My commission Expires: March 27, 2013 )

Attest: STATE OF Utah ) ss:

COUNTY OF Carbon )



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## **VIOLATION INFORMATION**

Information updated to November 25 , 2009

Name of Operation	Identifying number for operation	Federal or State Permit Number	MSHA ID Number
Centennial		007/019	42-01750 42-01474 42-02028 42-01864

Date Issued	Violation Number	Name of issuing Agency	Person issued To	Permit Number	Brief Description of Violation	Status (Abated, Term. etc.)	Abatement Action	Appeal Y or N
9/27/2006	10000	DOGM			Failure to renew	9/29/2006	terminated	N
10/6/2006	10002	DOGM			Failure to submit fan plan	12/4/2006	terminated	N
2/7/2007	10003	DOGM			Non coal Waste	2/12/2007	terminated	N
7/6/2007	10007	DOGM			Vehicle in ditch	7/06/07	terminated	N
8/27/2007	10008	DOGM			vehicle in ditch	8/28/2007	terminated	N
8/27/2007	10009	DOGM			no sed pond inspection	8/27/07	terminated	N
6/18/2007	10024	DOGM			non coal waste	6/18.08	terminated	N
10/28/2008	10030	DOGM			guard shack		terminated	N

1/21/09 10032 DOGM Rocks in ditch Term N

7/2/09 10040 DOGM Failure to maintain sediment control, GVH Term N

Name of Operation	Identifying number for operation	Federal or State Permit Number	MSHA ID Number
Crandall		015/032	42-01715

Date Issued	Violation Number	Name of Issuing Agency	Person Issued To	Permit Number	Brief Description of Violation	Status (Abated, Term, etc.)	Abatement Action	Appeal Y or N
8/19/2004	Nov4-49-4-1	DOGGM			Parking in Forest	Term	moved vehicle	N
9/13/2004	Nov4-49-5-1	DOGGM			non-coal waste	Term	moved waste	N
9/8/2005	Nov5-49-2-1	DOGGM			Failure annual subsidence	Term		N
10/4/2006	#10001	DOGGM			Culvert Plugged	TErm	Unplugged	N
9/6/2007	10014	DOGGM			no sed pond inspection	TERM	Inspected	N
9/10/2007	10015	DOGGM			plugged culvert	term	unplugged	N
1/14/2008	10016	DOGGM			mine water stored in pond	Term	rerouted water	N
1/14/2008	10017	DOGGM			gravity flow from portals	Term	stopped flow	N
2/06/2008	10019	DOGGM			failure to request permit renewal	Term	submitted renewal	N

5/28/2008 10021 DOGGM Plugged culverts Term Unplugged N  
5/28/2008 10022 DOGGM Failure to maintain silt fence Term Cleaned fence N  
8/10/2009 10043 DOGGM High iron discharge in Crandall Creek N  
8/10/2009 10044 DOGGM No macroinvertebrate studies N  
10/29/2009 10046 DOGGM Failure to clean out sediment pond N

Name of Operation		Identifying number for operation		Federal or State Permit Number	MSHA ID Number			
West Ridge				007041	42-02233			
Date Issued	Violation Number	Name of Issuing Agency	Person Issued To	Permit Number	Brief Description of Violation	Status (Abated, Term. etc.)	Abatement Action	Appeal Y or N
1/22/2004	Nov4-49-1-1	DOGM			Failure to request renewal	Term		N
4/6/2005	Nov5-39-1-1	DOGM			Failure to submit 4qtr water	Term		N
7/31/2008	10025	DOGM			coal pushed on topsoil	Term		N
1/29/2009	10033	DOGM			sediment in stream	Pending		N





Name of Operation			Identifying number for operation				Federal or State Permit Number	MSHA ID Number
UMCO			74645				PA 63921301	3608375
Date Issued	Violation Number	Name of Issuing Agency	Person Issued To	Permit Number	Brief Description of Violation	Status (Abated, Term, etc.)	Abatement Action	Appeal Y or N
9/1/2004	426787	DMRM		63921301	86.13	No resolution		N
9/3/2004	426786	DMRM		63921301	89.142a(b)	No resolution		N
9/20/2004	427936	DMRM		63921301	89.142a(b)	No resolution		N
1/4/2005	445603	Air Quality		63921301	25.127.25	ADM. Close Out		N
1/13/2005	445603	Air Quality		63921301	25.127.25	ADM Close Out		N
3/18/2005	445603	Air Quality		63921301	25.127.25	ADM Close Out		N
6/10/2005	466153	DEP		63921301	25.89.21	No resolution		N
7/15/2005	448412	DEP		63921301	25.89.88	Abated		N
7/15/2005	448413	DEP		63921301	25.89.83(a)	Abated		N
10/10/2006	499479	PADEP		63921301	89.142a(f)	No resolution		Y

Name of Operation		Identifying number for operation			Federal or State Permit Number	MSHA ID Number		
Date Issued	Violation Number	Name of Issuing Agency	Person Issued To	Permit Number			Status (Abated, Term. etc.)	Abatement Action
Maple Creek		4244			63723707	36-00970		
5/7/2004	394440	MCM		63841302	89.142A.F.1	Abated		N
5/12/2004	394880	MCM		63841302	89.142A.F.1	No resolution		N
5/13/2004	395344	MCM		63841302	89.142A.F.1	No resolution		N
5/13/2004	395345	MCM		63841302	89.142A.F.1V	No resolution		N
5/13/2004	395346	MCM		63841302	89.142A.E	Abated		N
5/7/2004	394440	MCM		63841302	89.142A.F.1	Abated		N
7/7/2004	401714	MCM		63841302	89.142A.F.1	No resolution		N
7/30/2004	421806	MCM		63841302	SMCRA.18.6	Abated		N
8/26/2004	425804	MCM		63841302	89.142A.F.1	No resolution		N
8/13/2004	426148	MCM		63723707	86.13	Abated		N
9/8/2004	427302	MCM		63723707	90.102	Abated		N
9/10/2004	427564	MCM		63723707	90.102	Abated		N
9/13/2004	427565	MCM		63723707	90.102	Abated		N
9/14/2004	427566	MCM		63723707	90.102	Abated		N
9/14/2004	427567	MCM		63723707	90.112	Abated		N
10/19/2004	432068	MCM		63723707	90.102	Abated		N
7/29/2005	469866	DEP		63723707	89.142a(b)(1)(iii)	No Resolution		N
12/1/2005	478486	PADEP		63841302	89.145a(b)	No Resolution		N
12/1/2005	478487	PADEP		63841302	89.145a(f)(1)(v)	No Resolution		N
12/1/2005	478488	PADEP		63841302	89.145a(b)	No Resolution		N
1/9/2006	480660	PADEP		63841302	1396.18(f)	Abated		N
6/12/2006	491619	PADEP		6381302	89.142a(e)	No Resolution		Y



Name of Operation		Identifying number for operation		Federal or State Permit Number	MSHA ID Number			
Ohio American Coal, Inc.		N/A		N/A	3304550/3304569			
Kim Betcher								
Date Issued	Violation Number	Name of Issuing Agency	Person Issued To	Permit Number	Brief Description of Violation	Status (Abated, Term. etc.)	Abatement Action	Appeal Y or N
8/9/2006	21861	ODNR	OAEI	D-2180	outside of permit brdry	Abated	IBR	N
3/1/2007	13101	ODNR	OAEI	D-2291	mining without a permit	Abated	Permit issued	N

<b>Name of Operation</b>	<b>Identifying number for operation</b>	<b>Federal or State Permit Number</b>	<b>MSHA ID Number</b>
Energy Resources, Inc.	470	License # 1465	360 269 5

Charlie Shestak

Date Issued	Violation Number	Name of Issuing Agency	Person Issued To	Permit Number	Brief Description of Violation	Status (Abated, Term. etc.)	Abatement Action	Appeal Y or N
5/11/2004	143258	PaDEP	ERI	24010101	87.147	Abated	Corrected	N
8/26/2004	167665	PaDEP	ERI	24010101	87.140	Abated	Corrected	N
8/30/2004	168590	PaDEP	ERI	24970102	87.147	Abated	Corrected	N
7/6/2004	147120	PaDEP	ERI	33901602	89.52	Abated	Corrected	N
7/31/2006	211989	PaDEP	ERI	17841607	86.152	Abated	Corrected	N
4/11/2006	486936	PaDEP	ERI	17930120	87.157	Abated	Corrected	N



Name of Operation		Identifying number for operation			Federal or State Permit Number	MSHA ID Number		
Belmont Coal Company					D-0241/D-1020	33-04397/33-03048		
Date Issued	Violation Number	Name of Issuing Agency	Person Issued To	Permit Number	Brief Description of Violation	Status (Abated, Term. etc.)	Abatement Action	Appeal
2/24/2004	24541	DMR	Mine	D-0241	Gullies exist in regraded	Terminated	regraded	Y or N
								N

David Bartsch

Name of Operation		Identifying number for operation			Federal or State Permit Number	MSHA ID Number		
The Ohio Valley Coal Co.		Powhatan No. 6 Mine			State - D-33-01159 0360			
Date Issued	Violation Number	Name of Issuing Agency	Person Issued To	Permit Number	Brief Description of Violation	Status (Abated, Term. etc.)	Abatement Action	Appeal
8/2/2004	19662	DMRM	Mine D-0360		Failure to maintain sediment control	Terminated	Cleaned Ditch	Y or N N
5/23/2006	19656	DMRM	Mine D-0360		Failure to maintain the perimeter of diversion ditch	Terminated	Cleaned Ditch	N
11/30/2006	28473	DMRM	Mine D-0360		Undirected Drainage	Terminated	Cleaned Ditch	N
11/30/2006	28484	DMRM	Mine D-0360		Coal Blocking Diversion Ditch	Terminated	Cleaned Ditch	N

David Bartsch

Name of Operation		Identifying number for operation					Federal or State Permit Number	MSHA ID Number
Date Issued	Violation Number	Name of Issuing Agency	Person Issued To	Permit Number	Brief Description of Violation	Status (Abated, Term. etc.)	Abatement Action	Appeal Y or N
American Energy Corp								
							D-0425	33-01070
1/25/2005	21807	ODNR		D-0425	subsidised residnet ran out of water	Terminated	filled tank with water	N
4/27/2005	19686	ODNR		D-0425	Coal located outside stockpile area	Terminated	cleaned coal	N
4/29/2005	19695	ODNR		D-0425	Maintenance on pond 018	Terminated	cleaned out pond	N
4/27/2005	19697	ODNR		D-0425	drainage from property not entering sumps	Terminated	construct sumps	N
10/3/2005	21871	ODNR		D-0425	Failure to sub specific repairs ( landowner)	Active		N
6/15/2006	21860	ODNR		D-1159	Segregate Prim Farmland soils	Active	Waiting on ODNR, All information submitted	N
Aug-05	CO-1726	ODNR		D-0425	Uncontrolled discharge ( Slurry )	Active	Will submit revised Plan Mid Month	N

Name of Operation		Identifying number for operation				Federal or State Permit Number	MSHA ID Number
The American Coal Co.		Galatia Mine & Millennium Portal				IDNR Mining Permit #2 and #352	11-02752
Date Issued	Violation Number	Name of Issuing Agency	Person Issued To	Permit Number	Brief Description of Violation	Status (Abated, Term. etc.)	Appeal Y or N
9/27/2004	37-1-04	IDNR	DeNeal	Permit #2	Failure to submit groundwater report on schedule	Terminated	N
4/13/2005	37-01-05	IDNR	DeNeal	Permit #2	Failure to submit u/g mining maps	Terminated	N
5/12/2005	37-02-05	IDNR	DeNeal	Shadow Area 9	failure to complete subsidence mitigation in contemporaneous manner.	Modified	N
6/1/2005	37-03-05	IDNR	DeNeal	352	broken waterline failure to prevent minepage from passing through sediment pond before going offsite	Terminated	N

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The following companies either did not have any violations in the last three years or do not have permits.

Oklahoma Coal Company

KenAmerican Resources, Inc.

Onieda Coal, Inc.

MonValley Transportation Center, Inc.

Mill Creek Mining Co.

Pinski Corp

American Compliance Coal Inc.

Coal Resources Inc.

PA Transloading, Inc.

West Virginia Resources Inc.

WildCat Loadout

American Coal Sales Co.

Hocking Valley Resources Co..

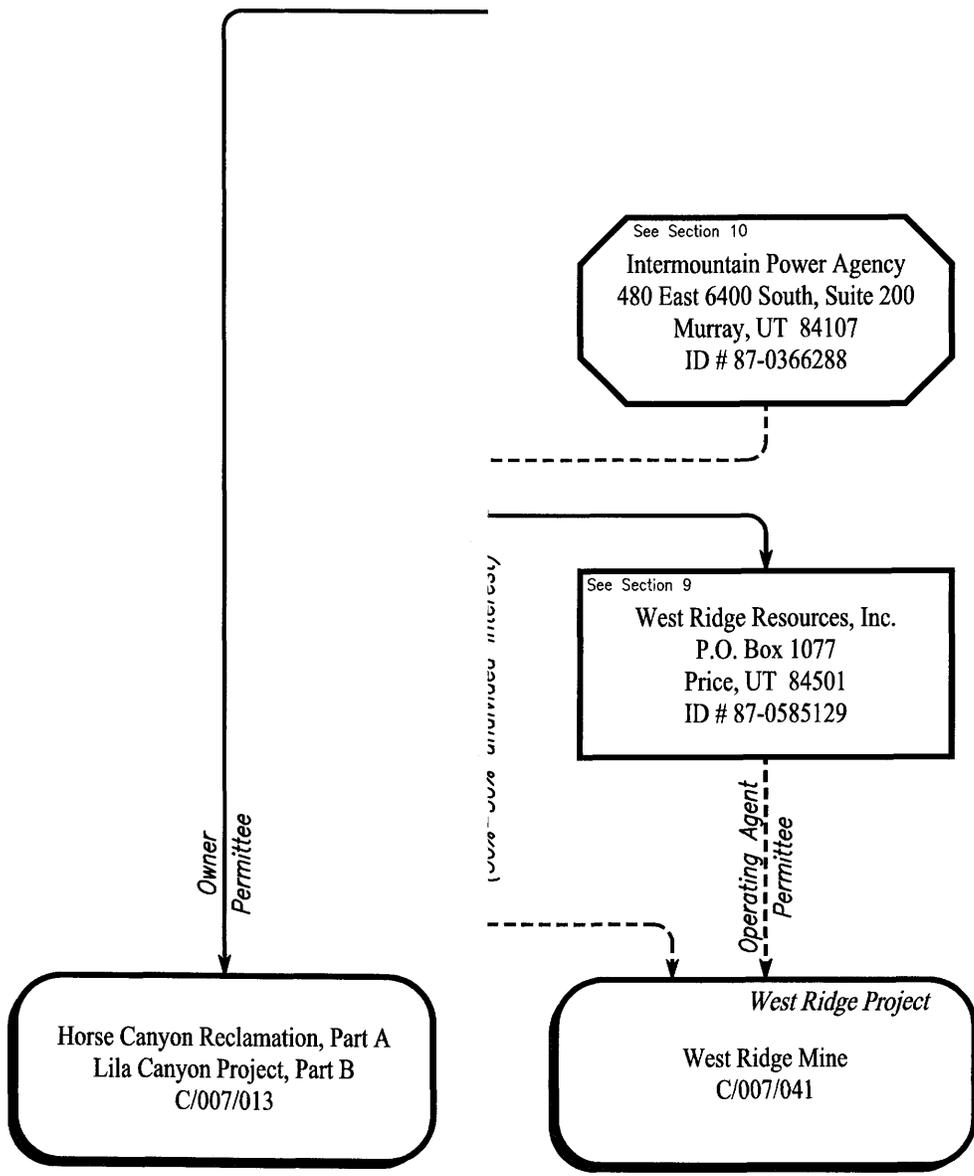
# **OWNERSHIP AND CONTROL**

**REVISED 1/12/2010**

**Section 1**

Insert  
Family Tree

Section 1



**Section 2**

**MURRAY ENERGY HOLDINGS CO.**

29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122

**Officers:**

Robert E. Murray	President & CEO	6/30/03	11/29/05
Scott Boyle	President & CEO	11/29/05	12/20/05
Michael D. Loiacono	President & CEO	1/10/05	4/23/07
Robert D. Moore	President & CEO	4/23/07	
Michael D. Loiacono	Treasurer	1/10/05	
		6/30/03	
Michael O. McKown	Secretary	6/30/03	

**Incorporation Information:**

State of Incorporation Delaware;  
Charter No. 3676958

Date of Incorporation June 27, 2003

ID # 20-0100463

**Shareholders:**

Robert Eugene Murray  
Robert Edward Murray  
Jonathan Robert Murray  
Ryan Michael Murray  
Fifth Third Bank of  
Northeast Ohio, Trustee

**Directors:**

Robert E. Murray	6/30/03	
Michael D. Loiacono	6/30/03	4/23/07
Michael O. McKown	6/30/03	
Robert D. Moore	4/23/07	

**Section 3**

**MURRAY ENERGY CORPORATION**

29325 Chagrin Boulevard, Suite 300

Pepper Pike, Ohio 44122

**Appointment of Officers**

		<u>Begin</u>	<u>End</u>
Robert E. Murray	Chairman, President & Chief Executive Officer	02/23/01 02/23/01	
John R. Forrelli	Vice President	12/18/03	12/17/04
Robert D. Moore	Vice President & Chief Financial Officer	12/17/04 04/23/07	
P. Bruce Hill	Vice President - Human Resources	12/18/03	11/05/09
Michael D. Loiacono	Treasurer	02/23/01	
Michael D. Loiacono	Chief Financial Officer	12/20/05	04/23/07
Michael O. McKown	Secretary	02/23/01	

**Incorporation Information:**

State of Incorporation	Ohio; Charter No. 1211519
Date of Incorporation	February 23, 2001
ID#	34-1956752

**Shareholder:**

	<u>Begin</u>	<u>End</u>
Murray Energy Holdings Co. (100%)	10/21/03	
Robert E. Murray	2/23/01	10/21/03

**Directors:**

Robert E. Murray	02/23/01	
Michael D. Loiacono	12/20/05	04/23/07
Henry W. Fayne	01/28/05	
Richard L. Lawson	01/28/05	
Andrew D. Weissman	10/23/03	
Robert D. Moore	04/23/07	

**Section 4**

**UTAHAMERICAN ENERGY, INC.**

P.O. Box 910

East Carbon, Utah 84520

**Officers:**

		<u>Begin</u>	<u>End</u>
David W. Hibbs	President	12/11/09	
Peter J. Vuljanic	Interim President	11/06/09	12/11/09
P. Bruce Hill	Chief Executive Officer	08/18/06	11/05/09
P. Bruce Hill	President	12/16/06	11/05/09
Douglas H. Smith	President	08/18/06	12/16/06
Clyde I. Borrell	President	07/31/98	05/19/06
Robert D. Moore	Treasurer	08/18/06	
Michael O. McKown	Secretary	08/18/06	
Marsha Baker Kocinski	Secretary	07/31/98	06/25/02
Barbara Boyce	Secretary	07/31/98	11/01/99
Jay Marshall	Manager	07/31/98	8/18/06

**Directors:**

Robert E. Murray	07/31/98	
P. Bruce Hill	08/18/06	11/05/09

**Owner:<sup>1</sup>**

Murray Energy Corp.

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<sup>1</sup> Coal Resources, Inc. is incorrectly listed as a shareholder the AVS OFT. Coal Resources, Inc has never been a shareholder of UEI.

## Section 5

### **ANDALEX RESOURCES, INC.**

P.O. Box 910

East Carbon, Utah 84520

#### Officers:

		<u>Begin</u>	<u>End</u>
David W. Hibbs	President	12/11/09	
Peter J. Vuljanic	Interim President	11/06/09	12/11/09
P. Bruce Hill	President and Chief Executive Officer	12/16/06	11/05/09
Douglas H. Smith	President	03/07/94	12/16/06
Robert D. Moore	Treasurer	08/18/06	
Michael O. McKown	Secretary	08/18/06	

#### Former Officers/Directors:

Peter B. Green	Director	01/05/98	08/18/06
Peter B. Green	CB	05/11/90	08/18/06
Peter B. Green	CEO	05/11/90	08/18/06
Ronald C. Beedie	Director	01/05/88	08/18/06
John Bradshaw	Secretary	02/05/90	08/18/06
John Bradshaw	Vice-President	02/05/90	08/18/06
Douglas H. Smith	Director	03/07/94	08/18/06
Samuel C. Quigley	Vice-President	02/24/95	08/18/06
Andalex Hungary Ltd.	Shareholder	12/28/20	08/18/06
Alexander Harold Samuel Green	Director	01/11/02	08/18/06

#### Directors:

Robert E. Murray		08/18/06	
P. Bruce Hill		08/18/06	11/05/09

#### Owner:

UtahAmerican Energy, Inc.	100%	08/18/06	
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#### MSHA Numbers

Apex Mine	42-01750
Pinnacle Mine	42-01474
Aberdeen Mine	42-02028
Wildcat Loadout	42-01864

**Section 6**

**AMCA COAL LEASING, INC.**

P.O. Box 910

East Carbon, Utah 84520

**Appointment of Officers:**

		<u>Begin</u>	<u>End</u>
David W. Hibbs	President	12/11/09	
Peter J. Vuljanic	Interim President	11/06/09	12/11/09
P. Bruce Hill	President and Chief Executive Officer	12/16/06	11/05/09
Douglas H. Smith	President	08/18/06	12/16/06
Robert D. Moore	Treasurer	12/16/06	
Michael O. McKown	Secretary	12/16/06	

**Directors:**

Robert E. Murray	08/18/06	
P. Bruce Hill	08/18/06	11/05/09

**Owner:**

UtahAmerican Energy, Inc., 100% ownership	08/18/06
---	----------

**Section 7**

**ANDALEX RESOURCES MANAGEMENT, INC.**

P.O. Box 910

East Carbon, Utah 84520

**Appointment of Officers:**

		<u>Begin</u>	<u>End</u>
Davis W. Hibbs	President	12/11/09	
Peter J. Vuljanic	Interim President	11/06/09	12/11/09
Douglas H. Smith	President	08/18/06	12/16/06
P. Bruce Hill	President and Chief Executive Officer	12/16/06	11/05/09
Robert D. Moore	Treasurer	12/16/06	
Michael O. McKown	Secretary	12/16/06	

**Directors:**

Robert E. Murray	08/18/06	
P. Bruce Hill	08/18/06	11/05/09

**Shareholders:**

UtahAmerican Energy, Inc.	100%	08/18/06
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## Section 8

### **GENWAL RESOURCES, INC.**

P.O. Box 910

East Carbon, Utah 84520

#### Officers:

		<u>Begin</u>	<u>End</u>
David W. Hibbs	President	12/11/09	
Peter J. Vuljanic	Interim President	11/06/09	12/11/09
Douglas H. Smith	President	08/18/06	12/16/06
P. Bruce Hill	President and Chief Executive Officer	12/16/06	11/05/09
Robert D. Moore	Treasurer	12/16/06	
Michael O. McKown	Secretary	12/16/06	

#### Directors:

Robert E. Murray	08/18/06	
P. Bruce Hill	08/18/06	11/05/09

#### Former Directors:

Peter B. Green		8/9/06
Ronald C. Beedie		8/9/06
Douglas H. Smith		8/18/06
Gordon Ulrich		10/30/96

#### Former Officers:

Peter B. Green	Chairman & CEO	8/9/06
Samuel C. Quigley	Vice President	8/18/06
John Bradshaw	Vice President	5/17/05
John Bradshaw	Secretary & Treasurer	8/18/06
Douglas H. Smith	President	12/16/06

#### Owner:

ANDALEX Resources, Inc. is and remains the sole shareholder of Genwal Resources, Inc.<sup>1</sup>

#### MSHA Numbers

Crandall Canyon Mine 42-01715

<sup>1</sup> Intermountain Power Agency holds, as a tenant in common, an undivided 50% interest in certain real property interests regarding the Crandall Canyon Mine.

**Section 9**

**WEST RIDGE RESOURCES, INC.<sup>I</sup>**

P.O. Box 910  
East Carbon, Utah 84520

<u>Officers:</u>		<u>Begin</u>	<u>End</u>
David W. Hibbs	President	12/11/09	
Peter J. Vuljanic	Interim President	11/06/09	12/11/09
Douglas H. Smith	President	08/18/06	12/16/06
P. Bruce Hill	President and CEO	12/16/06	11/05/09
Robert D. Moore	Treasurer	12/16/06	
Michael O. McKown	Secretary	12/16/06	

<u>Directors:</u>			
Robert E. Murray		08/18/06	
P. Bruce Hill		08/18/06	11/05/09

Owner:  
Andalex Resources, Inc.<sup>II</sup> 100%

<u>Former Directors<sup>III</sup></u>	<u>Begin Date</u>	<u>End Date</u>	
Peter B. Green	4/1/98	8/9/06	
Ronald C. Beedie	4/1/98	8/9/06	
Douglas H. Smith	4/1/98	9/18/06	
<u>Former Officers<sup>IV</sup></u>	<u>Position</u>	<u>Begin Date</u>	<u>End Date</u>
Peter B. Green	Chairman & CEO	4/15/98	8/9/06
Samuel C. Quigley	Vice President	4/15/98	8/18/06
John Bradshaw	Secretary	4/15/98	8/18/06
Douglas H. Smith	President	4/15/98	12/16/06

MSHA Number West Ridge Mine 42-022444

<sup>I</sup> WEST RIDGE Resources, Inc. ("WRRRI") was formed on March 10, 1998. No actions of WRRRI occurred before that date.

<sup>II</sup> ANDALEX Resources is (and remains) the sole shareholder of WRRRI. WRRRI and the Intermountain Power Agency hold certain real property interests as tenants in common, each owning a 50% interest therein.

<sup>III</sup> The initial directors of WRRRI (as shown above) were appointed on April 1, 1998; the "Begin Date[s]" for each such director shown on the OFT form are incorrect.

<sup>IV</sup> The initial officers of WRRRI (as shown above) were appointed on April 15, 1998; the "Begin Date[s]" for each such officer shown on the OFT form are incorrect. Also, Christopher G. Van Bever never served as an officer of WRRRI; the information shown on the OFT form to the contrary is incorrect.

**Section 10**

**INTERMOUNTAIN POWER AGENCY**

(Tenant in Common, 50% undivided interest; West Ridge Mine Permit C/007/041; Crandall Canyon Mine Permit C/015/032)<sup>I</sup>

10653 South River Front Parkway, Suite 120  
South Jordan, Utah 84095  
(801) 938-1333

Appointment of Officers:

Ray Farrell	Chairman	12/1998
R. Leon Bowler	Vice-Chairman	12/1984
Ted L. Olson	Secretary	01/2002
Russell F. Fjeldsted	Treasurer	03/2007

Directors:

	<u>Begin Date</u>	<u>End Date</u>
R. Leon Bowler	06/1977	
Ray Farrell	11/1978	
Clifford C. Michaelis <sup>II</sup>	01/1988	6/2007
Ted L. Olson	01/1990	
Russell F. Fjeldsted	01/1992	
Walter Meacham	01/1999	
Gary O. Merrill	01/2002	6/2007
Robert O. Christiansen	06/2007	
Ed Collins	06/2007	

<sup>I</sup> Intermountain Power Agency holds, as a tenant in common, an undivided 50% interest in certain real property interests regarding the West Ridge Mine and the Crandall Canyon Mine.

<sup>II</sup> Replacing controller Dan R. Eldredge, serving from April 11, 1988 to January 1990.

Name and address of IPA's general manager:

Jim Hewlett  
Intermountain Power Agency  
10653 South River Front Parkway, Suite 120  
South Jordan, Utah 84095  
Telephone (801) 938-1333  
Assumed position December 1, 2007

Resident Agent for IPA:

Mark Buchi  
Holme, Roberts, and Owen  
299 South Main, Suite 1800  
Salt Lake City, Utah 84111  
Assumed position January, 1988

IPA Designated representative to the Crandall Canyon Project and West Ridge Project Management Boards:

Nick Kezman  
Operating Agent  
Los Angeles Department of Water & Power  
111 North Hope Street, Room 1263  
Los Angeles, California 90012-2694  
Telephone (213) 367-0286

Principle Shareholders of IPA:

IPA has no shareholders. IPA is a political subdivision of the State of Utah created under the Interlocal Cooperation Act, Title II, Chapter 13, Utah Code Ann. 1953, as amended, and as such, has not issued stock.

**Section 11**

**MURRAY ENERGY AFFILIATE COMPANIES**

- A. AMCOAL HOLDINGS, INC.**  
101 Prosperous Place, Suite 125  
Lexington, Kentucky 40509
- B. THE AMERICAN COAL COMPANY**  
P. O. Box 727  
Harrisburg, Illinois 62946
- C. THE AMERICAN COAL SALES COMPANY**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122
- D. AMERICAN COMPLIANCE COAL, INC.**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122
- E. AMERICAN ENERGY CORPORATION**  
43521 Mayhugh Hill Road  
Township Highway 88  
Beallsville, Ohio 43716
- F. ANCHOR LONGWALL AND REBUILD, INC.**  
One Industrial Park Drive  
Wheeling, West Virginia 26003
- G. AVONMORE RAIL LOADING, INC.**  
125 Old Farm Drive,  
Pittsburgh, PA 15239
- H. BELMONT COAL, INC.**  
P. O. Box 146  
Powhatan, Ohio 43942
- I. CANTERBURY COAL COMPANY**  
125 Old Farm Drive  
Pittsburgh, PA 15239

- J. COAL RESOURCES HOLDINGS CO.**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122
- K. COAL RESOURCES, INC.**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122
- L. CONSOLIDATED LAND COMPANY**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122
- M. ENERGY RESOURCES, INC.**  
P. O. Box 259  
R. D.#2, Fermantown Road  
Brockway, PA 15824
- N. KENAMERICAN RESOURCES, INC.**  
101 Prosperous Place, Suite 125  
Lexington, Kentucky 40509
- O. MAPLE CREEK MINING, INC.**  
981 Route 917  
Bentleyville, Pennsylvania 15314
- P. MILL CREEK MINING COMPANY**  
P. O. Box 259  
R. D. #2, Fermantown Road  
Brockway, PA 15824
- Q. MONVALLEY TRANSPORTATION CENTER, INC.**  
P. O. Box 135  
1060 Ohio Avenue  
Glassport, Pennsylvania 15045
- R. OHIOAMERICAN ENERGY INCORPORATED**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122

- S. THE OHIO VALLEY COAL COMPANY**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122
- T. OHIO VALLEY RESOURCES, INC.**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122
- U. THE OHIO VALLEY TRANSLOADING COMPANY**  
56854 Pleasant Ridge Road  
Alledonia, Ohio 43902
- V. THE OKLAHOMA COAL COMPANY**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122
- W. ONEIDA COAL COMPANY, INC.**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122
- X. PENNAMERICAN COAL, INC.**  
125 Old Farm Drive  
Pittsburgh, PA 15239
- Y. PENNAMERICAN COAL LP**  
125 Old Farm Drive  
Pittsburgh, PA 15239
- Z. PENNSYLVANIA TRANSLOADING, INC.**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio
- AA. PINSKI CORP.**  
125 Old Farm Drive  
Pittsburgh, PA 15239
- BB. SPRING CHURCH COAL COMPANY**  
125 Old Farm Drive  
Pittsburgh, PA 15239

**CC. SUNBURST RESOURCES, INC.**

586 National Road  
Wheeling, West Virginia 26003

**DD. TDK COAL SALES, INCORPORATED**

P. O. Box 259  
R. D. #2, Fermantown Road  
Brockway, PA 15824

**EE. UMCO ENERGY, INC.**

29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122

**FF. WEST VIRGINIA RESOURCES, INC.**

953 National Road, Suite 207  
Wheeling, West Virginia 26003

**GG. WYAMERICAN ENERGY, INC.**

29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122

**A. AMCOAL HOLDINGS, INC.**  
101 Prosperous Place, Suite 125  
Lexington, Kentucky 40509

Officers:

Robert E. Murray	President	5/23/03
P. Bruce Hill	Vice President – Human Resources	10/01/98
Robert D. Moore	Treasurer	10/01/98
Michael O. McKown	Secretary	3/1/05
Jeffrey L. Cash	Assistant Treasurer	11/01/99

Incorporation Information:

State of Incorporation: Ohio;  
Charter No. 1007981

Date of Incorporation: June 12, 1998

ID #34-1867389

Shareholders: Murray Energy Corporation

Directors: Robert E. Murray

Revised 2/14/05

**B. THE AMERICAN COAL COMPANY**

P. O. Box 727

Harrisburg, Illinois 62946

Officers:

Robert E. Murray	Acting President	11/02/02
John R. Forrelli	Vice President	9/07/04
Michael O. McKown	Vice President, General Counsel and Secretary	3/15/99 3/1/05
Robert D. Moore	Treasurer	10/01/98
Jeffrey L. Cash	Assistant Treasurer and Assistant Secretary	11/01/99 6/01/01

Incorporation Information:

State of Incorporation      Delaware;  
Charter No. 2881631

Date of Incorporation      June 2, 1998

ID #73-1543124

Shareholders:              AmCoal Holdings, Inc.

Directors:                  Robert E. Murray

Revised: 2/14/05

**C. THE AMERICAN COAL SALES COMPANY**

29325 Chagrin Boulevard, Suite 300

Pepper Pike, Ohio 44122

Officers:

		<u>Begin</u>	<u>End</u>
Robert E. Murray	Chief Executive Officer	11/11/88	
B. J. Cornelius	President	9/08/95	
Edwin D. Lane	Vice President	11/01/99	3/1/05
William E. Hollars	Vice President	3/1/05	
Richard Rice	Vice President	11/11/88	11/01/99
Michael O. McKown	Secretary	3/1/05	
Steven C. Ellis	Secretary	11/10/88	3/1/05
James R. Turner, Jr.	Treasurer and Assistant Secretary	3/1/05	
Duane A. Smith	Assistant Treasurer and Assistant Secretary	6/25/01	
Brenda L. Murray	Assistant Secretary	9/8/95	6/25/01

Incorporation Information:

State of Incorporation Ohio; Charter No. 727836

Date of Incorporation June 29, 1988

ID #34-1603699

Shareholder:

Coal Resources, Inc.

Directors:

Robert E. Murray

9/08/95

Revised

5/2/07

**D. AMERICAN COMPLIANCE COAL, INC.**

29325 Chagrin Boulevard, Suite 300

Pepper Pike, Ohio 44122

Officers:

		<u>Begin</u>	<u>End</u>
Stanley T. Piasecki	President	3/1/05	
Charles E. Shestak	Vice President	03/10/03	
Michael O. McKown	Secretary	3/1/05	
Robert D. Moore	Treasurer and	6/25/01	
	Assistant Secretary	6/25/01	
Elmer A. Mottillo	Assistant Treasurer	8/22/03	

Former Officers:

Clyde I. Borrell	President	6/02/97	3/1/05
William W. Taft	Secretary	5/24/94	3/1/05

Incorporation Information:

State of Incorporation Colorado;  
Charter No. 19941059260

Date of Incorporation May 24, 1994

ID #34-1797161

Shareholder:

Murray Energy Corporation	6/1/01	
(100%)		
Robert E. Murray	5/24/94	2/23/01

Director:

Robert E. Murray	5/24/94
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Revised  
5/2/07

**E. AMERICAN ENERGY CORPORATION**

43521 Mayhugh Hill Road

Township Highway 88

Beallsville, Ohio 43716

Officers:

		<u>Begin</u>	<u>End</u>
Robert E. Murray	President	12/15/04	
Robert D. Moore	President	6/25/01	12/15/04
Michael O. McKown	Secretary	11/01/99	
James R. Turner, Jr.	Treasurer	3/1/05	
Robert D. Moore	Treasurer	6/25/01	12/15/04
Robert L. Putsock	Assistant Treasurer	1/27/04	

Incorporation Information:

State of Incorporation                      Ohio;  
Charter No. 00842695

Date of Incorporation                      April 12, 1993  
ID #31-1550443

Shareholder:                                      Murray Energy Corporation  
(100%)

Director:

Robert E. Murray	12/15/04	
P. Bruce Hill	7/02/01	12/15/04

Revised  
3/16/07

**F. ANCHOR LONGWALL AND REBUILD, INC.**

One Industrial Park Drive  
Wheeling, West Virginia 26003

Officers:

		<u>Begin</u>	<u>End</u>
P. Bruce Hill	President and Assistant Secretary	2/16/99 2/16/99	11/10/06
Chad Underkoffler	President	11/10/06	
Michael O. McKown	Secretary	11/01/99	
James R. Turner, Jr.	Treasurer	9/16/05	
Duane A. Smith	Assistant Secretary	11/01/99	

Incorporation Information:

State of Incorporation      West Virginia;  
Charter No. 00961100093212818

Date of Incorporation      April 18, 1996

ID #55-0749933

Shareholder:

I.D. # 34-1586390  
Address: 29325 Chagrin  
Boulevard  
Suite 300  
Pepper Pike, OH 44122

Coal Resources, Inc.

Director:

Charles E. Shestak      11/01/99  
P. Keith McGilton      11/01/99

Revised  
3/6/07

**G. AVONMORE RAIL LOADING, INC.**

125 Old Farm Drive,  
Pittsburgh, PA 15239

Officers:

VACANT	President	
Robert D. Moore	Treasurer	6/25/01
Michael O. McKown	Secretary	3/1/05
Robert L. Putsock	Assistant Treasurer	1/02/03
Elmer A. Mottillo	Assistant Secretary	1/02/03

Incorporation Information:

State of Incorporation	Delaware; Charter No. 0798860
Date of Incorporation Qualified	February 19, 1974 May 6, 1974 Pennsylvania; PA Entity #000302999

ID #25-1253970

Shareholder: Mill Creek Mining Company

Director: Charles E. Shestak

Revised: 2/14/05

**H. BELMONT COAL, INC.**

P. O. Box 146

Powhatan, Ohio 43942

Officers:

		<u>Begin</u>	<u>End</u>
Robert D. Moore	President	6/25/01	
Maynard St. John	Vice-President	1/02/02	6/26/02
James R. Turner, Jr.	Secretary/Treasurer	9/16/05	
Kristi D. Brown	Secretary/Treasurer	11/08/01	9/16/05

Incorporation Information:

State of Incorporation      Ohio;  
Charter No. 00842697

Date of Incorporation      April 12, 1993

ID #31-1536602

Shareholder:

Murray Energy Corporation (100%)	6/1/01	
Robert E. Murray	4/19/93	6/1/01

Director:

Duane A. Smith	4/12/93	12/15/06
Robert D. Moore	12/15/06	

**I. CANTERBURY COAL COMPANY**

125 Old Farm Drive  
Pittsburgh, PA 15239

Officers:

Robert D. Moore	President & Treasurer	05/26/07
Michael O. McKown	Secretary	05/26/07
Robert L. Putsock	Asst Treasurer	01/2/03
James R. Turner, Jr.	Asst Secretary	06/1/08

Incorporation Information:

State of Incorporation                      Pennsylvania;  
PA Entity #000055242

Date of Incorporation                      July 26, 1963

ID #25-1127473

Shareholder:                                      Mill Creek Mining Company  
(100%)

Director:    Charles E. Shestak

Revised  
3/6/07

**J. COAL RESOURCES HOLDINGS CO.**

29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122

Officers:

		<u>Begin</u>	<u>End</u>
Robert E. Murray	President and CEO	6/27/03	
Michael D. Loiacono	Treasurer	6/27/03	
	CFO	12/20/05	04/23/07
Robert D. Moore	CFO	04/23/07	
Scott A. Boyle	Chief Financial Officer	10/29/05	12/20/05
P. Bruce Hill	Secretary	3/1/05	11/01/05
Michael O. McKown	Secretary	11/01/05	
Robert L. Putsock	Assistant Secretary and Assistant Treasurer	6/25/01	
		6/25/01	

Incorporation Information:

State of Incorporation Delaware;  
Charter No. 3676954

Date of Incorporation June 27, 2003

ID #20-0100479

Shareholder:

Robert E. Murray (Class A Shares  
100%)

Robert Eugene Murray (Class B  
Shares 20%)

Robert Edward Murray (Class B  
Shares 20%)

Ryan Michael Murray (Class B  
Shares 20%)

Jonathan Robert Murray (Class B  
Shares 20%)

Fifth Third Bank of Northeast  
Ohio, Trustee (Class B Shares  
20%)

Director:

Revised  
5/10/07

Robert E. Murray 6/27/03

**K. COAL RESOURCES, INC.**  
 29325 Chagrin Boulevard, Suite 300  
 Pepper Pike, Ohio 44122

Officers:

		<u>Begin</u>	<u>End</u>
Robert E. Murray	Chairman, President and Chief Executive Officer	3/1/05	
Michael D. Loiacono	Treasurer	1/28/05	
	CFO	12/20/05	04/23/07
Robert D. Moore	CFO	04/23/07	
Scott A. Boyle	Chief Financial Officer	10/17/05	12/20/05
P. Bruce Hill	Secretary	3/1/05	11/01/05
Michael O. McKown	Secretary	11/01/05	
Robert L. Putsock	Assistant Secretary and Assistant Treasurer	6/25/01	
		6/25/01	

Incorporation Information:

State of Incorporation: Ohio;  
 Charter No. 717546

Date of Incorporation: January 29, 1988

ID #34-1586390

Shareholder:

Coal Resources Holdings Co.	10/21/03	
Robert E. Murray	1/29/88	10/21/03

Directors:

Robert E. Murray		
Henry W. Fayne		
Andrew Weissman		
Richard L. Lawson		
Michael D. Loiacono	12/20/05	04/23/07
Robert D. Moore	04/23/07	

Revised  
 5/10/07

**L. CONSOLIDATED LAND COMPANY**

29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122

Officers:

Robert D. Moore	President	8/11/04
Robert D. Moore	Treasurer and Assistant Secretary	6/25/01 6/25/01
Michael O. McKown	Secretary	3/1/05
Elmer A. Mottillo	Assistant Secretary	8/22/03

Incorporation Information:

State of Incorporation      Ohio;  
Charter No. 00842696

Date of Incorporation      April 12, 1993

ID #34-1769562

Shareholder:      Murray Energy Corporation      6/1/01  
(100%)

Director:      Robert D. Moore      8/11/04

Revised  
3/6/07

**M. ENERGY RESOURCES, INC.**

P. O. Box 259

R. D.#2, Fermantown Road

Brockway, PA 15824

Officers:

Stanley T. Piasecki	President and Chief Executive Officer	8/11/04
Elmer A. Mottillo	Treasurer	8/22/03
Michael O. McKown	Secretary	3/1/05
Charles E. Shestak	Assistant Secretary	4/30/93

Incorporation Information:

State of Incorporation      Pennsylvania;  
PA Entity #762734

Date of Incorporation      September 14, 1982

ID #31-1044044

Shareholder:              Mill Creek Mining Company

Director:                  Stanley T. Piasecki              8/11/04

Revised 2/14/05

N. **KENAMERICAN RESOURCES, INC.**

101 Prosperous Place, Suite 125  
Lexington, Kentucky 40509

Officers:

		<u>Begin</u>	<u>End</u>
Robert N. Sandidge	President	12/16/06	
Dennis W. Bryant	President/Manager	10/1/05	12/16/06
B. J. Cornelli	Senior Vice-President--Sales	11/1/05	
James R. Turner, Jr.	Treasurer	3/1/05	
Robert D. Moore	Assistant Treasurer	3/1/05	
Michael O. McKown	Secretary	2/13/06	

Incorporation Information:

State of Incorporation      Kentucky;  
Charter No. 0331655

Date of Incorporation      June 9, 1994

ID #61-1264385

Shareholder:                      Mill Creek Mining Company

Director:                              Robert E. Murray                      6/1/05

Revised  
3/6/07

**O. MAPLE CREEK MINING, INC.**

981 Route 917

Bentleyville, Pennsylvania 15314

Officers:

		<u>Begin</u>	<u>End</u>
Paul B. Piccolini	President	4/28/06	
Ronnie D. Dietz	Vice President and Treasurer	3/1/05	
Michael B. Gardner	Secretary	3/1/05	5/01/07
VACANT			
Roberta K. Heil	Assistant Secretary	11/01/99	

Incorporation Information:

State of Incorporation      Pennsylvania;  
PA Entity #2607113

Date of Incorporation      November 9, 1994

ID #25-1755305

Shareholder:      Sunburst Resources, Inc.      1/11/95

Director:      Robert E. Murray

**P. MILL CREEK MINING COMPANY**

P. O. Box 259

R. D. #2, Fermantown Road

Brockway, PA 15824

Officers:

		<u>Begin</u>	<u>End</u>
Charles E. Shestak	President	8/18/98	
James R. Turner, Jr.	Treasurer	3/1/05	
Robert D. Moore	Treasurer	6/25/01	3/1/05
Robert D. Moore	Assistant Treasurer	3/1/05	
Michael O. McKown	Secretary	3/1/05	
Michael E. Elliott	Secretary	8-18-98	3/1/05
Robert L. Putsock	Assistant Secretary and Assistant Treasurer	6/25/01 6/25/01	

Incorporation Information:

State of Incorporation      Pennsylvania;  
PA Entity #0007447787

Date of Incorporation      December 1, 1981

Certificate of Amendment      July 7, 1988;  
#8854525

ID #31-1040986

Shareholder:      Coal Resources, Inc.

Director:      Robert E. Murray      5/14/04

Revised  
3/6/07

**Q. MONVALLEY TRANSPORTATION CENTER, INC.**

P. O. Box 135  
1060 Ohio Avenue  
Glassport, Pennsylvania 15045

Officers:

Paul B. Piccolini	President	4/28/06
James R. Turner, Jr.	Secretary and Treasurer	3/1/05

Incorporation Information:

State of Incorporation	Pennsylvania; PA Entity #856918
Date of Incorporation	February 15, 1985
ID #25-1490495	

Shareholders: Pennsylvania Transloading, Inc.

Directors: Robert E. Murray and  
Michael D. Loiacono 11/01/99

**R. OHIOAMERICAN ENERGY INCORPORATED**

29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122

Officers:

D. Michael Jamison	President	5/1/05
Michael O. McKown	Secretary	5/1/05
Robert D. Moore	Treasurer	5/1/05
Elmer A. Mottillo	Assistant Treasurer	6/30/06

Incorporation Information:

State of Incorporation	Ohio
Date of Incorporation	February 1, 2005
ID # 20-3044610	Ohio Charter No. 1518533

Director: Robert E. Murray 5/1/05

Shareholder: Murray Energy Corporation 5/1/05

Revised  
3/6/07

**S. THE OHIO VALLEY COAL COMPANY**

29325 Chagrin Boulevard, Suite 300

Pepper Pike, Ohio 44122

Officers:

		<u>Begin</u>	<u>End</u>
Vacant	President	11/4/05	
Paul B. Piccolini	Vice President	1/1/07	
Ronnie D. Dietz	Treasurer,	3/1/05	
	Assistant Secretary and		
Michael B. Gardner	Corporate Comptroller		
	Secretary	3/1/05	5/01/07
Roberta K. Heil	Assistant Secretary	11/01/99	
Bonnie M. Froehlich	Assistant Secretary and	6/25/01	
	Assistant Treasurer	6/25/01	

Incorporation Information:

State of Incorporation            Ohio;  
   Charter No. 384971

Date of Incorporation            June 6, 1969

Certificate of Amendment        October 4, 1988;  
   #201274

ID #34-1041310

Shareholder:                        Ohio Valley Resources, Inc.

Director:                                Robert E. Murray

Revised  
5/2/07

**T. OHIO VALLEY RESOURCES, INC.**

29325 Chagrin Boulevard, Suite 300

Pepper Pike, Ohio 44122

Officers:

		<u>Begin</u>	<u>End</u>
Paul B. Piccolini	President	4/28/06	
John Forrelli	President	11/1/99	4/28/06
Ronnie D. Dietz	Treasurer, Assistant Secretary and Corporate Comptroller	3/1/05	
Michael D. Loiacono	Treasurer, Assistant Secretary and Corporate Comptroller	3/10/95	4/28/06
VACANT	Secretary	3/1/05	05/01/07
Stephen Ellis	Secretary	3/10/95	3/1/05

Incorporation Information:

State of Incorporation      Ohio;  
Charter No. 721514

Date of Incorporation      March 29, 1988

ID #34-1586391

Shareholders:

Murray Energy Corporation	6/1/01	
(100%)		
Robert E. Murray	3/10/95	6/1/01

Director:

Robert E. Murray

Revised  
3/6/07

**U. THE OHIO VALLEY TRANSLOADING COMPANY**

56854 Pleasant Ridge Road  
Alledonia, Ohio 43902

Officers:

		<u>Begin</u>	<u>End</u>
Vacant	President	11/4/05	
Paul B. Piccolini	Vice-President	1/1/07	
Ronnie D. Dietz	Treasurer, Assistant Secretary and Corporate Comptroller	3/1/05	
Michael B. Gardner	Secretary	3/1/05	05/01/07
Roberta K. Heil	Assistant Secretary	9/01/00	

Incorporation Information:

State of Incorporation      Ohio;  
Charter No. 727835

Date of Incorporation      June 29, 1988

ID #34-1611209

Shareholder:      Ohio Valley Resources, Inc.

Director:      Robert E. Murray      4/06/93

Revised  
3/6/07

V. THE OKLAHOMA COAL COMPANY

29325 Chagrin Boulevard, Suite 300

Pepper Pike, Ohio 44122

Officers:

		<u>Begin</u>	<u>End</u>
Paul B. Piccolini	President	4/28/06	
Gregory C. Smith	President	11/1/99	4/28/06
Michael O. McKown	Secretary	3/1/05	
Gregory A. Gorospe	Secretary	9/15/94	11/1/99
James R. Turner, Jr.	Treasurer and Assistant Secretary	3/1/05	
Kathleen Bednarek	Treasurer	6/20/00	6/26/00
Robert L. Putsock	Assistant Secretary	1/10/03	
Kathleen Bednarek	Assistant Secretary	9/3/96	6/26/00

Incorporation

Information:

State of Incorporation Oklahoma;  
Charter No. DB00477836

Date of Incorporation April 17, 1989

Licensed in Ohio February 27, 1991;  
FL 790739

ID #34-1673480

Shareholder: The American Coal Sales Company

Director: Robert E. Murray

Revised  
3/6/07



**X. PENNAMERICAN COAL, INC.**

125 Old Farm Drive  
Pittsburgh, PA 15239

Officers:

Robert D. Moore	President, Treasurer and Secretary	6/25/01 6/25/01
Robert L. Putsock	Assistant Secretary	6/25/01

Incorporation Information:

State of Incorporation      Pennsylvania;  
PA Entity #2545905

Date of Incorporation      September 13, 1993

ID #25-1722115

Shareholder:              Mill Creek Mining Co.      11/08/93

Director:                  Robert E. Murray

Revised 2/14/05

**Y. PENNAMERICAN COAL LP**

125 Old Farm Drive  
Pittsburgh, PA 15239

Partners:

Pinski Corp.	Managing Partner	8/19/96
PennAmerican Coal, Inc.	Limited Partner	7/8/98

EIN# 25-1800809  
Partnership Effective 7/8/98

Revised  
3/6/07

**Z. PENNSYLVANIA TRANSLOADING, INC.**

29325 Chagrin Boulevard, Suite 300

Pepper Pike, Ohio 44122

Officers:

Paul B. Piccolini	President	4/28/06
James R. Turner, Jr.	Treasurer	3/1/05
Michael O. McKown	Secretary	3/1/05

Incorporation Information:

State of Incorporation                      Ohio;  
Charter No. 736747

Date of Incorporation                      November 18, 1988

Qualified:                                      Pennsylvania;  
December 28, 1988

Certificate of Authority                      No. 8898868

ID #34-1603748

Shareholder:                                      Sunburst Resources, Inc.                      04/01/96  
(100%)

Director:    Robert E. Murray

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Revised  
5/10/07

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<sup>1</sup> Sunburst Resources, Inc. has always been a shareholder and has no relation to Consolidated Land Company.

**AA. PINSKI CORP.**  
125 Old Farm Drive  
Pittsburgh, PA 15239

Officers:

VACANT	President and General Manager	
Robert D. Moore	Treasurer and Secretary	6/25/01 6/25/01
Robert L. Putsock	Assistant Treasurer and Assistant Secretary	6/25/01 6/25/01

Incorporation Information:

State of Incorporation	Pennsylvania; PA Entity #002710766
Date of Incorporation	August 19, 1996
ID #25-1800870	

Shareholder: PennAmerican Coal, Inc.

Director: Charles E. Shestak

Revised 2/14/05

**BB. SPRING CHURCH COAL COMPANY**

125 Old Farm Drive  
Pittsburgh, PA 15239

Officers:

Robert D. Moore	President	05/26/07
Robert S. Moore	Treasurer	06/25/01
Michael O. McKown	Secretary	05/26/07
Robert L. Putsock	Asst Treasurer	01/02/03
James R. Turner, Jr.	Asst Secretary	06/01/08

Incorporation Information:

State of Incorporation      Pennsylvania;  
PA Entity #000696663

Date of Incorporation      November 2, 1979

ID #25-1372128

Shareholder:              Mill Creek Mining Company

Director:                  Charles E. Shestak

Revised: 2/14/05

**CC. SUNBURST RESOURCES, INC.**

586 National Road

Wheeling, West Virginia 26003

Officers:

		<u>Begin</u>	<u>End</u>
Paul B. Piccolini	President	4/28/06	
Ronnie D. Dietz	Treasurer	3/1/05	
Michael B. Gardner	Secretary	3/1/05	05/01/07

Incorporation Information:

State of Incorporation      Pennsylvania;  
PA Entity #2616384

Date of Incorporation      January 10, 1995

ID #25-1766427

Shareholder:      Ohio Valley Resources,      4/01/97  
Inc.

Director:      Robert E. Murray

Revised

3/7/07

**DD. TDK COAL SALES, INCORPORATED**

P. O. Box 259

R. D. #2, Fermantown Road

Brockway, PA 15824

Officers:

Stanley T. Piasecki	President and Chief Executive Officer	8/11/04
Elmer A. Mottillo	Treasurer	8/22/03
Michael O. McKown	Secretary	3/1/05
Charles E. Shestak	Assistant Secretary	2/01/99

Incorporation Information:

State of Incorporation      Pennsylvania;  
PA Entity #00758582

Date of Incorporation      June 28, 1982

ID #25-1422374

Shareholder:              Energy Resources, Inc.

Director:                  Stanley T. Piasecki          8/11/04

Revised: 02/14/05

**EE. UMCO ENERGY, INC.**

29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122

Officers:

		<u>Begin</u>	<u>End</u>
Paul B. Piccolini	President	4/28/06	
Ronnie D. Dietz	Treasurer and Assistant Secretary	3/1/05	
Michael B. Gardner	Secretary	3/1/05	05/01/07
	Vice-President	5/3/06	

Incorporation Information:

State of Incorporation      Pennsylvania;  
PA Entity #1072295

Date of Incorporation      December 29, 1988

ID #52-1615668

Shareholder:              Maple Creek Mining, Inc.  
and Toni J. Southern

Director:                  Robert E. Murray

Revised  
3/6/07

**FF. WEST VIRGINIA RESOURCES, INC.**  
953 National Road, Suite 207  
Wheeling, West Virginia 26003

Officers:

		<u>Begin</u>	<u>End</u>
Neil Kok	President	10/2/06	
Robert D. Moore	President	10/20/00	10/20/00
Robert E. Murray	President, CEO	12/27/91	10/20/00
Anne Besece	Treasurer and Secretary	10/2/06	
Robert L. Putsock	Treasurer and Assistant Secretary	6/25/01 6/25/01	10/2/06
Robert E. Murray	Treasurer	12/27/91	6/25/01
Michael O. McKown	Secretary	3/1/05	10/2/06
Anthony Carl Laplaca	Secretary	12/27/91	3/1/05

Incorporation Information:

State of Incorporation: West Virginia;  
Charter No.  
00913610154813604

Date of Incorporation: December 27, 1991

ID #55-0713676

Shareholder: Mill Creek Mining Company 12/27/91  
(100%)

Director: Robert E. Murray

Revised  
3/6/07

**GG. WYAMERICAN ENERGY, INC.**  
29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122

Officers:

Robert D. Moore	President, Treasurer and Secretary	5/3/06
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Incorporation Information:

State of Incorporation	Wyoming; Charter No. 1998003378171
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Date of Incorporation	September 22, 1998
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ID #34-1875051

<u>Shareholder:</u>	Murray Energy Corporation
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<u>Director:</u>	Robert E. Murray
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Revised  
3/7/07

## CHAPTER 2 R645-301-200 SOILS

*Historical Note: In the spring of 2009, the company constructed a small catchment structure in the C Canyon drainage below the minesite. The purpose of this structure was to contain coal-fines which had accumulated in the drainage channel as a result of non-compliance discharge water from the mine, and to assist in the subsequent clean-up project. After the unit was constructed it was determined that it should be included within the Mining and Reclamation Plan. Please refer to Appendix 5-15 for a complete description of this catchment structure, including history, location, right-of-entry, as-built design, operational criteria, and reclamation information.*

### R645-301-200 SOILS

NOTE: The following discussion for the remainder of R645-301-200 applies specifically to the Gob Gas Vent Hole (GVH) installation proposed in Bear Canyon. In order to facilitate the review it is presented here in its entirety rather than interspersed throughout the chapter. A more detailed and complete discussion of the Bear Canyon GVH proposal can be found in Appendix 5-14. Unless specifically noted in this following discussion, nothing related to the Bear Canyon GVH proposal affects the contents of the existing approved MRP as described hereinafter.

The location of the GVH in Bear Canyon is adjacent to the end of the existing road in the canyon. Construction of the GVH facilities will involve disturbing about 0.24 acres in the east side of the bottom of the canyon. Before any excavation begins at the GVH site, all available topsoil will be salvaged. Bob Long, CPSS, of Long Resource Consultants, Inc., has conducted an Order 1 soils survey of the site. His report is included in Appendix 2-10, and also Attachment 2 of Appendix 5-14. Three test pits were dug in the hillside and the soil resources were measured and catalogued. There is a significant layer of soil material present, which will be salvaged and stored nearby for final reclamation. Due to its location in the bottom of the canyon, and the varying steepness of the sideslope, the thickness of the soil varies considerably over the site. Also, as is typical for the Book Cliff canyons, there are a number of large boulders lying on the surface, surrounded by pockets of topsoil. Based on the results of the survey, the average depth of topsoil at the site is about 16". The area of the GVH site, including both the pad and the adjacent cutslope, is approximately 0.24 acres. Therefore, according to the soils survey, at least 515 cu. yds., or 13,878 cu. ft. of topsoil should be salvaged from the site.

Soils samples were taken by Mr. Long and have been sent to the laboratory for analysis. Once the analysis results are obtained they will be submitted to the Division and inserted as part of Appendix 2-10. Soil profile field descriptions are included in this Attachment as well. If laboratory analysis of the soils indicates a need for additives, fertilizers, or enhancement of other kinds, the Company commits to providing such at the time of final reclamation as determined by the Division. However, it is felt that this soil in its

existing condition should be adequate for final reclamation because it appears to be well developed and of sufficient quantity. In fact, it is the identical same soil removed from the site which will be replaced at the time of reclamation. The Order 1 Soils Reports concludes that "the potential for successfully reclaiming the Bear Canyon GVH location is good based on the estimated quality and quantity of topsoil that may be salvaged."

The topsoil will be carefully removed using a trackhoe which can reach up the slope from the road surface below. Large boulders will be separated from the material, and the topsoil will then be loaded into rock-trucks and hauled off-site for storage. The storage site is located approximately 3300' down-canyon from the GVH site, in a flat area adjacent to the road. This storage area is located on SITLA surface and SITLA coal lease ML49287 (see Attachment 1 of Appendix 5-14 for location). The pile will be constructed with overall dimensions of approximately 100' long, 40' wide, and 8' high, with 2:1 sideslopes (see Appendix 2-10 and/or Attachment 3 of Appendix 5-14 for details of the pile configuration). The pile will be kept low to prevent unnecessary compaction, and to help maintain viable micro-organisms. Attachment 3 shows that a pile configuration with a capacity in excess of 700 cu. yds. can easily be stored at this site.

Upon completion of topsoil salvage, the storage pile will be pocked (roughened) and reseeded with a previously approved seed mix as shown in Table 3-3, and is also included in Attachment 13 of Appendix 5-14 for ready reference. As an alternate, Attachment 13 also includes a seed mix which was used on the Crandall Canyon East Mountain drillhole reclamation project and is readily available, subject to Division concurrence of its use. A layer of wood straw will then be scattered over the surface. The pocking, re-seeding and wood straw are all measures to help minimize erosion, and promote a healthy interim re-vegetation until the time of final reclamation. A containment berm made of sub-soil material, and a siltation control structure (such as excelsior logs) will be installed around the perimeter of the pile to prevent erosional loss of topsoil material from the pile. A topsoil identification sign will be installed on the pile upon completion. An as-built drawing of the pile will be prepared and supplied to the Division, and a final assessment of the volume of salvaged material will be updated in the MRP.

During topsoil salvaging and stockpiling, the Company commits to having a monitor on site at all times. The purpose of this person will be to make sure that all topsoil resources are properly salvaged, to maintain accurate truck count of material, take photos, and generally make sure that the salvage and stockpiling operations are done according to the plan. The monitor will be someone familiar with topsoil salvaging and pre-approved by the Division.

**ENVIRONMENTAL DESCRIPTION**

The West Ridge Mine is located in eastern Carbon County, Utah on the east side of the Price River drainage basin at the western edge of the Book Cliffs. The Book Cliffs are oriented northwest-southeast in the vicinity of the proposed permit area. The mine site surface facilities is located in C Canyon (just north of B Canyon) in an east-west trending canyon incised down through the cliff face. The elevation differences in the area of the mine site range from approximately 6,800 feet amsl at the mouth of C Canyon to over 8,800 feet on top of West Ridge. Elevations of the mine site area range from 6,900 feet amsl to 7,200 feet amsl.

In addition to the mine site, a substitute topsoil borrow area has been permitted as backup soil material for reclamation at the proposed mine site. This site is located approximately 1 ½ miles west of the mine site and would only be used to supplement existing soil resources at the mine site if reclamation efforts do not prove successful utilizing the materials on site. The elevation of the proposed borrow site is about 6,500-6,600 feet. Refer to Map 2-3 for details of the proposed borrow site disturbed area and soil mapping information.

The average annual precipitation in the area of the mine site is 12-14 inches with the majority of the precipitation occurring from October to March. The mean annual air temperature is 45-47 degrees F and the average frost-free period is 80 to 120 days.

No shallow water table is present as evidenced through the soil pits dug throughout the proposed mine site area. The ephemeral streams flow only in direct response to heavy rainfall events. Valley bottoms are narrow and comprised of sands and coarse alluvial soil materials with low organic matter content. Steep hillslopes and narrow benches have been formed in the alternating sedimentary lithologic units, primarily sandstones and shales. The majority of the soils are shallow and well drained.

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## CHAPTER 5 R645-301-500 ENGINEERING

*Historical Note: In the spring of 2009, the company constructed a small catchment structure in the C Canyon drainage below the minesite. The purpose of this structure was to contain coal-fines which had accumulated in the drainage channel as a result of non-compliance discharge water from the mine, and to assist in the subsequent clean-up project. After the unit was constructed it was determined that it should be included within the Mining and Reclamation Plan. Please refer to Appendix 5-15 for a complete description of this catchment structure, including history, location, right-of-entry, as-built design, operational criteria, and reclamation information.*

### **R645-301-511      GENERAL REQUIREMENTS**

Chapter 5 contains information regarding the proposed coal mining operation and reclamation plans, a discussion of its potential impact to the environment and methods to achieve compliance with design criteria.

Reclamation plans and estimates are presented for postmining restoration of the area.

NOTE: The following discussion for the remainder of R645-301-511 applies specifically to the Gob Gas Vent Hole (GVH) installation proposed in Bear Canyon. In order to facilitate the review it is presented here in its entirety rather than interspersed throughout the chapter. A more detailed and complete discussion of the Bear Canyon GVH proposal can be found in Appendix 5-14. Unless specifically noted in this following discussion, nothing related to the Bear Canyon GVH proposal affects the contents of the existing approved MRP as described hereinafter.

The GVH facility will consist of three drillholes, four methane extractor units, and interconnecting piping. A detailed description of the drillhole installation, and the assembly and operation of the methane extractor units can be found in Attachment 7 of Appendix 5-14. The site pad will consist of a narrow strip (approximately 35' wide x 300' long) located adjacent to and parallel with the road. The drillholes will be located at the southern (down-canyon) end of the site pad. The extractor units will be located in a serial arrangement along the northern (up-canyon) end of the site pad. The total facility area will be about 0.24 acres, including the adjacent cutslopes.

Three angled holes will be drilled at angles ranging from 20 degrees to 45 degrees from vertical. Drilling will be conducted using tri-cone rotary and/or hammer. Drilling fluid will be primarily compressed air (600-800 psi) with water and Baroid Quick Foam and EZ Mud (see Attachment 15 for MSDS sheets for these products). Cuttings will pass up the annulus and be diverted to the reserve pit on the surface. Each hole will be spudded with a 19" diameter hole into which a 16" diameter conductor casing will be set and grouted to an approximate depth of 20'. Thereafter, a 12.25" hole will be drilled to within 200' of the Lower Sunnyside coal seam (an inclined depth of 200'-300'). A 9.625"

T&C casing will be set and grouted to total depth of the 12.25" bore. An 8.75" bit will be tripped in to drill out the shoe and will continue about 175' to within 25' of the coal seam horizon. Sections of 7" slotted casing will be tripped in from bottom of hole to about 40' above the bottom of the upper casing, but will not be grouted so that it can move with any additional subsidence.

Before construction starts identification signs will be posted at the site. These signs will list the company name as permit holder, the permit number, address and phone number. During the initial phase of construction, topsoil will be salvaged. Based on a recent Order 1 soils survey the current estimate of topsoil to be salvaged is approximately 515 cubic yds. (See Appendix 2-10 and also Attachment 2 of Appendix 5-14.). After the topsoil has been removed, the slope will be excavated back for a distance of about 20', leaving a 1:1 cutslope against the hillside. Based on current surveys it is estimated that about 1,357 total yds of material will be excavated from the bank. This includes the estimated 515 yds of topsoil, so the remaining amount of excavated material will be about 842 yds (see Cut Slope Excavation Volumes, Attachment 1 of Appendix 5-14 for details). Material excavated from the cutslope will be used to level off the area for the drillhole (for the drilling operation) and for the individual methane extractor units. Excess material may be used to raise the grade of the adjacent roadway. All fill areas will then be compacted for stability.

During the drilling phase of the GVH installation, the pad area will be used as an equipment lay-down area for drill steel, drill casing, drilling mud, concrete, etc. The pad will also be used to accommodate the mud pits needed during the drilling operation. The mud pit will measure approximately 30' long x 10' wide x 10' deep, and will be located immediately down-canyon, i.e., southwest of, the drillholes, as shown in Attachment 1. The pit will be lined with a 12 mil plastic liner, with a 20 mil felt underlayment. Based on the diameter and total combined length of the drillholes, and assuming a swell factor of 40% for the cuttings, the estimated volume of cuttings is 1283 cubic feet, or 47 yds. This would result in a total depth of cuttings remaining in the bottom of the pit of 4.28 ft. After the drillholes have been completed the remaining cuttings will be mixed with native material until it can be handled with heavy machinery. It will then be removed from the pit and hauled off-site to an approved disposal facility.. After the cuttings have been removed, the pit will be backfilled and eliminated. The site will then be cleaned up and fine-graded prior to installing the methane extractor units (see Attachments 1 and 7 of Appendix 5-14 for details).

After the cutslopes have been excavated, the slopes will be reclaimed (interim reclamation) by pocking, re-seeding and applying a layer of wood straw as described above. A disturbed area drainage ditch will be constructed along the toe of the cut. This ditch will be designed to handle the flow from the up-slope undisturbed area, the reclaimed cutslope, the drillpad, and the adjacent section of road. Runoff from the ditch will be routed through a series of sediment-control structures (silt fences, excelsior logs, etc.) to effectively remove sediment. (A more detailed description of the sediment

control measures associated with the site can be found in the Chapter 7, Hydrology discussion of Appendix 5-14.)

A security fence may be installed around the perimeter of the pad between the facilities and the road. The facilities will not encroach upon nor affect the road nor the road turn-around, and neither will public use of the road be affected. The Company will provide the Division with an as-built drawing of the facility upon completion of construction.

Operation of the GVH facility is expected to continue for the life of the West Ridge operation. Therefore, reclamation of the site will be done at the same time and under the same conditions as for the minesite surface facilities in C Canyon. However, if temporary cessation of mining operations occurs, the GVH well will continue to function.

Prior to final reclamation, all drillholes will be plugged and sealed in accordance with State and Federal regulations. The casings will be plugged at the bottom to hold the concrete. A lean concrete mixture will be poured into the casing until the concrete is within five (5) feet of the surface. At that time the casing will be cut off at ground level and the rest of the casing will be filled with lean concrete. The concrete will be allowed to harden before final reclamation is completed. There will be three drillholes installed and therefore plugged at reclamation. (This commitment is identical to the currently approved plan for the Tower (Centennial, C/007/014) GVH reclamation plan.) Based on current projections the holes will be drilled at 45 degree angles into the mine, and will have individual depths (lengths) of 504', 376', and 502', for a combined total depth of 1382'. Using 9-5/8" casing for all holes, the volume of concrete needed to plug all three holes would be 26 cu. yds.

On final reclamation, the pad area and cutslopes will be backfilled to approximate original contour (see Reclamation Contours, Attachment 1 of Appendix 5-14). Fill material will be obtained from the adjacent roadway and leveling pads. This is the exact same material that was excavated from the cutslope during initial construction. The cutslope will be backfilled in 18"-24" lifts and compacted with rubber-tired vehicles and/or vibratory mechanical equipment. The reclaimed slopes, at approximate original contour, will average about 1.5: 1, so slope stability will not be an issue. Because of the compaction in lifts, and the rocky nature of the backfill material (one and the same as the original native material), stability of the reclaimed slopes is sufficient to achieve approximate original contour and eliminate the potential for remnant cutslope exposures. A slope stability analysis prepared by Blackhaek Engineering concludes that "calculations show safety factors well in excess of the required 1.3 for the reclaimed cut slopes of 1.5H:1V and up to 30' in height. This is not inconsistent with the natural conditions of the area, and will allow for complete reclamation of all cut slopes created by the emergency drilling pads." (See Attachment 8 of Appendix 5-14 for the complete slope stability analysis report.) The slope will then be re-topsoiled and re-vegetated according to the same existing approved plan for the minesite in nearby Canyon, as specified in R645-301-341, and as described in the Chapter 3, Biology discussion in

Appendix 5-14.

The amount of backfill material is estimated to be up to 842 cubic yards, and the amount of replaced topsoil is estimated at about 515 cubic yards. Total reclaimed area, including both pad and cutslopes will be approximately 0.24 acres. Because the cutslopes are only about 20' maximum high, all work, both backfilling and topsoil replacement, can easily be done from the existing adjacent road-pad surface, using trackhoes with sufficient boom reach. After the reclaimed slopes have been topsoiled and reseeded, a row of excelsior logs will be installed along the full length of the toe of the slope between the slope and the remaining road. The purpose of this row of excelsior logs is to control sediment of the site until the revegetation has become established.

Bonding and reclamation costs for the Bear Canyon GVH installation can be found in Appendix 5-14 in the Chapter 8, Bonding discussion.

**R645-301-512            CERTIFICATION**

512.100            Cross Sections And Maps

Maps, cross sections, figures and tables which require certification will be certified by a qualified, registered, professional engineer or land surveyor.

Cross sections, maps and drawings will be certified prior to determination of completeness for the permit application.

512.200            Plans And Engineering Designs

A qualified registered professional engineer will certify plans and designs for impoundments and primary roads. No excess spoil or durable rock fill designs are proposed.

**R645-301-513            COMPLIANCE WITH MSHA REGULATIONS AND APPROVALS**

513.100            MSHA regulations 30 CFR 77.216-1 & 30 CFR 77.216-2 do not apply as no coal processing dams or embankments are being proposed.

513.200            MSHA regulation 30 CFR 77.216 (a) does not apply because of the restricted size of the sediment ponds and low hazard potential.

513.300            No coal processing waste is proposed to be disposed of in underground workings. Refer to R645-301-528.321.

513.400            No refuse piles are being proposed.

APPENDIX 5-15

COAL-FINES CATCHMENT STRUCTURE  
C CANYON DRAINAGE

APPENDIX 5-15

COAL-FINES CATCHMENT STRUCTURE  
C CANYON DRAINAGE

## ATTACHMENTS

Attachment 1	Location Map
Attachment 2	BLM NEPA Document (Catagorical Exclusion)
Attachment 3	BLM Right-of-Way Grant
Attachment 4	Div. Water Rights Channel Alteration Permit
Attachment 5	Catchment Structure A, As-Built Drawing
Attachment 6	Catchment Structure A, As-Constructed Photos
Attachment 7	Pre and Post-Reclamation Photos of Catchment Sites C, E and F
Attachment 8	BLM Seed Mix

## COAL-FINES CATCHMENT STRUCTURE C CANYON DRAINAGE

### 1) Introduction:

West Ridge Resources became aware of excessive coal fines in the discharge water from the West Ridge Mine, and subsequent accumulations in the C Canyon drainage beyond the permit area below the minesite, in late January, 2009. The company immediately notified the various state and federal agencies involved, namely Division of Oil, Gas & Mining (DOGGM), Division of Water Quality (DWQ), Bureau of Land Management (BLM), Utah School & Institutional Trust Lands Administration (SITLA), and Utah Division of Water Rights (DWRights). On January 29, 2009, DOGM issued Citation No. 10033 for offsite sediment. After that there were a number of on-site meetings to assess the situation, followed by several planning meetings designed to come to a consensus agreement among all the agencies as to the best plan to mitigate the discharge problem from the mine and the accumulations situation in the drainage. At the request of the various regulatory agencies, the accumulation material was sampled and analyzed for RCRA metals, volatile organic compounds, semi-volatile organics, as well as other analytes requested specifically by DOGM, to make sure that the material was not toxic, hazardous, or acid-forming. These analyses were then factored into the formulation of an acceptable containment and clean-up plan. Based on these site inspections and planning meetings, and the results of the analyses, a conceptual plan was then agreed upon. This plan consisted of an initial containment phase, followed later by a clean-up phase, and finally site reclamation. This plan was then formally submitted to DOGM and DWQ on March 27, 2009, as part of the abatement requirements for the violations issued by those agencies. The plan was subsequently accepted and the cleanup operation implemented accordingly. The elements of this plan are described below.

### 2) Containment:

Containment was accomplished by constructing four catchment structures at selected locations within the C Canyon drainage below the mine. These catchments were located at various intervals over a seven-mile stretch of the drainage, and all were accessible by way of pre-existing roads. The location of these structures, at sites A, C, E and F, is shown on Attachment 1. (It was subsequently determined that the catchments at sites B and D would not have to be utilized.)

Due to the urgency of the situation, it was agreed early-on by all parties that a containment plan should be implemented as soon as possible in order to prevent the coal-fines material from migrating any further down the C Canyon drainage. Toward this end, BLM, DWRights, and SITLA all issued expedited approvals to allow immediate construction of the catchment structures, and road access thereto. BLM issued a right-of-way for catchment Site A on Feb. 9, and for the other sites and access roads on Feb. 23; DWRights issued channel alteration permits on Feb. 3; and SITLA issued right-of-entry agreements for the access roads on Feb. 17.

In preparation for issuing the necessary rights-of-way for the catchments, BLM determined under the NEPA review that the sites qualified for a Categorical Exclusion (CX), as shown in Attachment 2. The following reasons contributed to this determination:

a) The fact that all catchment construction was to be done within the existing drainage channel and adjacent flood-plain, therefore within the zone that is subject to regular flashflood scouring events. Within this flood-plain, vegetation and topsoil resources were not well developed due to the frequent storm-related scouring within the confines of the flood-plain.

b) The fact that each unit was of relatively small size, i.e., less than 10,000 sq. ft. (0.23 acres).

c) The fact that each site was accessed by an existing road which required no upgrade or additional disturbance.

d) The fact that the BLM's current management plan did not identify any environmental issues in the area, such as T&E, visual resources, recreational resources, etc.

e) The fact that on-site cultural resource surveys determined nothing of significance.

Because of prior road authorizations, work was commenced first at Site A on Feb. 11, 2009. All construction of site A was done within the pre-existing right-of-way UTU-1256 for the adjacent road. Work then moved to Site F, the lowest unit downstream. It was felt that this site represented a reasonable line of defense against future downstream fines migration, and was therefore assigned an elevated priority for construction. This facility was completed on March 16. Construction at Site E was completed on March 23, and Site C was completed in mid-April.

All work on the catchments was done under the appropriate permits, rights-of-way, and other authorizations granted from BLM, SITLA and Division of Water Rights (stream alteration). Archeological clearances were completed where necessary. No cultural resource clearance was required for Site A because it was constructed within the right-of-way of the existing road and the area had already been cleared. Refer to Attachment 3 for BLM right-of-way grant for the catchment site. Refer to Attachment 4 for the DWRights channel alteration permit.

Each catchment structure consisted of a small stilling basin excavated out of the natural drainage channel, a small low-lying impoundment dam to contain the basin, and a series of siltation filtering devices installed within the dam. Therefore, each catchment was designed to employ elements of both settling and filtration. A bypass culvert, consisting of a 12" dia. poly-pipe, was constructed around each unit to allow the stream flow to be diverted around the stilling basin and filter boxes at times when the basins were being cleaned or the filters were being replaced. Refer to Attachment 5 for an as-built drawing of Catchment Structure A, and to Attachment 6 for as-constructed photos of the facility.

The filtration devices consist of a series of excelsior log sediment traps, contained within steel holding boxes. These boxes are designed to hold the filter logs firmly in place and prevent the streamflow from bypassing under the logs or around the ends. The holding boxes are also designed to allow the logs to be quickly and easily replaced as needed with new ones as they fill up with accumulations.

### **3) Clean-up:**

Prior to clean-up operations, the entire C Canyon drainage channel was inspected by representatives of the various state and federal regulatory agencies and company representatives. This inspection tour took place in late April, 2009, after all the catchment structures were in place. The purpose of this inspection tour was to assess the extent and magnitude of the coal-fines accumulation material as part of formulating the final clean-up plan. Most of the accumulations were observed to be between the mine and Site A. Based on the results of the inspection tour it was determined that active cleaning techniques would be more appropriate in the channel immediately below the mine in the area of highest concentrations, while passive, non-invasive natural cleaning processes would be more appropriate in the remaining channel below Site A where the accumulations were less.

In order to facilitate the clean-up effort, the company utilized a flocculant chemical additive during the active portion of clean-up. This involved metering the chemical into the stream-flow immediately above catchment unit A. The flocculant was metered into the flow at a rate determined by previous bench testing on the material. and was only utilized during active portions of the clean-up

The clean-up operations were conducted under complete oversight from the various regulatory agencies,. Active cleaning began on June 30, 2009, at the minesite and proceeded downstream from there. Cleaning involved hand crews utilizing household sweeping brooms to dislodge and break up the accumulated material. The stream-flow then carried the material down to the first catchment structure at Site A, where it was captured and later removed. On August 26, the cleanup was completed, the channel was inspected by officials from DOGM and DWQ, and the violation was officially abated.

### **4) Reclamation:**

After the clean-up was determined successful by the government agencies involved (DOGM, DWQ and BLM), and the violation was formally abated, it was determined that catchment A should be left in-place to provide an element of insurance against unforeseen upset conditions which might possibly arise in the future involving the mine water discharge. Therefore, since this catchment would continue to remain in service as part of the mine operation, it was decided that it should be included in the SMCRA Mining and Reclamation permit and within the permit area.

It was also determined at that time that catchment structures C, E and F should be reclaimed since they were no longer needed either for containment or cleanup. The company then applied to BLM for relinquishment of the right-of-way for these sites. Based on BLM authorization, reclamation of sites C, E and F were completed in October 2009 under the terms of the right-of-way UTU-87111, and BLM signed-off on the reclamation of these areas for shortly thereafter, subject to demonstration of successful re-vegetation the following summer (2010).

In reclaiming catchments C, E and F, undisturbed segments of the channel above and below the catchment sites were used as a basis of comparison in restoring the areas to an acceptable reclaimed condition. It should be noted that these sites were originally constructed totally within the natural flood-plain of the drainage channel. This was one of the reasons the BLM issued the right-of-way under Catagorical Exclusion (CX), without requiring more extensive environmental analysis. These areas are subject to cyclic regular inundations from high-intensity high volume runoff events which add a natural dynamics toward augmenting successful future reclamation.

Successful reclamation of sites C, D and F can be used as a model for the future reclamation of site A. Therefore the reclamation plan for site A consists of what was done at the other three sites, and is described in more detail below. Pre-reclamation and post-reclamation photos of these sites are included in Attachment 7, since these sites serve as a model for future reclamation of Site A. It should be noted that these photos were taken shortly after reclamation in the fall of 2009. Although reseeding has been done at these sites as per BLM requirements, the vegetation has not yet had a chance to become re-established, but should be evident by the summer of 2010.

Reclamation of site A will begin at such time as the company and the regulatory agencies agree that it is no longer needed as a back-up facility to ensure protection to the drainage channel in the event of a future unforeseen discharge of coal-fines from the mine. This could be when the mine no longer discharges water, or when the mine undergoes final reclamation.

The BLM right-of-way for site A includes 0.23 acres. There is a pre-existing BLM road which runs through the site, which will remain in place after final reclamation. Existing disturbance associated with the installation of site A involves less than 0.12 acres, all located in the stream flood channel north of the existing road. Once started the reclamation will proceed in the following order:

- 1) The channel flow will be temporarily diverted through the by-pass pipe. The impounded water in the stilling basin will then be drained off, and any remaining coal-fines accumulation material will be cleaned out of the basin and hauled off-site to an approved disposal facility (such as ECDC).
- 2) The concrete barriers between the road and the basin, which presently serve as a public safety barricade, will be removed and utilized at another location within the company.

- 3) The steel containment structures for the filter logs will be removed and hauled off-site to an approved disposal site, such as a scrap-metal recycle facility.
- 4) The low-lying outlet dams (where the filter boxes were located) will be excavated out to the original stream bottom elevation and configuration. The excavated material will be used to help fill up the stilling basin.
- 5) The rest of the stilling basin will be backfilled with the material from the adjacent equipment storage area, and from the "excess fill storage area" located between the basin and the steep bank immediately to the north. This is the material that was originally dug out of the channel to construct the stilling basin. Additional material from the small material storage pad will also be used to blend back into the excavated channel area. In this manner the stream channel surface can be restored as it is filled back up, and the configuration of the adjacent channel flanks will also be restored at the same time.
- 6) As the re-contouring process continues, boulders and large rocks will be arranged within the channel and along the channel flanks in an attempt to mimic the pre-existing channel morphology as much as possible, and to blend in with the visual appearance of the natural channel above and below the reclamation site.
- 7) The boulder placement will be done not only for visual appearance, but also for erosional control. This will be done by placing boulders in and along the reclaimed channel to slow and control the water-flow velocity. Additional armoring will be placed along the outer bank of the curved section of channel in the area where the filter boxes were removed. The boulder placement will be done to match the natural appearance of the area.
- 8) After the channel has been restored, and the channel flanks have been reclaimed by removing the material storage pad, the by-pass pipe will be removed. The bypass pipe has been installed more-or-less parallel with the channel and buried under the pad and the existing road. Therefore, after the material pad have been reclaimed, the bypass pipe will be easily accessible. Once the channel water-flow has been returned to the newly-reclaimed channel, and the bypass pipe removed, the final re-contouring of the channel flanks will be done.
- 9) All reconstructed bank areas and flanks will be roughened and scarified in preparation for re-seeding. It should be noted that since the site was constructed within the channel and the immediate flood plain, there was no topsoil salvaging done during initial construction. There was little definable topsoil in the pre-existing site, which consisted primarily of flash-flood alluvial debris, and vegetation was sparse. However, after the pad material is removed, and the excess fill material from the "excess fill material area" is backfilled into the basin

area as part of the channel restoration, the original pre-existing flood-plain contour will be re-established.

- 10) The disturbed areas will then be re-seeded using a seed mix recommended by the BLM. See Attachment 8 for the proposed seed mix. This is the same seed mix that was used on the reclamation of catchment site C located nearby. Seed will be hand-broadcast and then raked in. After the areas have been re-seeded, a layer of wood straw will be scattered over the reclaimed areas. As required by BLM, re-seeding will be done in to fall of the year (after November) to increase the potential for successful germination.

Note: Catchment A is being left in place as a contingency for potential future cleanup events. In the meantime, the basin is likely to fill up with natural sediment material from normal precipitation events. This material will not be cleaned out unless and until the basin needs to be pressed back into service in the unlikely event of a future coal fines cleanup resulting from an inadvertent discharge. Also, the excelsior logs will not be maintained in the filter boxes until such time as they may be needed for future cleanup efforts.

### **Bonding:**

The following bonding calculations are provided:

1) Demolition: a) Remove the steel filter boxes. There are a total of four (4) of these filter boxes at the catchment site. They measure 13' long x 2' wide x 2.5' high. They are equipped with lifting lugs and can easily be removed from the site, loaded on a flatbed truck, and hauled off. They are valuable for scrap, and can easily be properly disposed of. Demolition cost is estimated to be about the same as for the powder magazines (bond item 04) at the West Ridge Mine, which have been determined at \$154 each. Therefore, the demolition cost associated with the filter boxes is estimated at  $4 \times \$154 = \$616$ .

2) Demolition: b) Removal of the bypass pipe. There is a total of 50' of 12" poly pipe installed at this site. This pipe is put together in 20' lengths with removable couplers. It is easy to dis-assemble, and can be re-used after being removed from the sites. Demolition and removal cost of this pipe is estimated to be about the same as for similar culverts (bond item 27) at the West Ridge Mine, which has been determined to be \$442.

3) Earthwork: Based on the estimated quantity of backfill required to reclaim comparable sites C, E and F, the estimated time required to backfill and grade the site is about 3 days or 24 working hours. Similar earthwork cost for the West Ridge Mine (i.e., "establish rubbleland surface" bond item) is estimated to be

$\$19,230/111 \text{ hrs} = \$173/\text{hr}$ . Therefore, it is estimated to cost about  $\$173 \times 24 \text{ hrs} = \$4,152$  for earthwork reclamation of the catchment site. This is in line with historical costs incurred in reclaiming the lower catchment sites.

4) Revegetation: The total area of the catchment site is 0.23 acres. The existing West Ridge pumphouse, which is located nearby in a similar is 0.9 acres, or 0.21 times larger, and its re-vegetation cost is presently bonded at \$4506. Therefore, the re-vegetation cost for the catchment site is estimated to be about  $0.21 \times \$4506 = \$933$ .

The total reclamation cost for the catchment site is estimated at:

Demolition	\$1,058
Earthwork	\$4,152
Re-vegetation	\$933
Direct Cost	<u>\$6,143</u>
Indirect Cost (26.8%)	\$1,646
<u>TOTAL</u>	<u>\$7,789</u>

The present West Ridge Mine reclamation bond amount is \$1,966,000 (as of November 12, 2008), and the bond posted is \$2,117,000. In other words, there is presently \$151,000 excess bonding currently in place. Therefore, the existing bond should be adequate to include the reclamation of the catchment site.

ATTACHMENT 1

LOCATION MAP

# WEST RIDGE MINE Catchment Structures Location Map



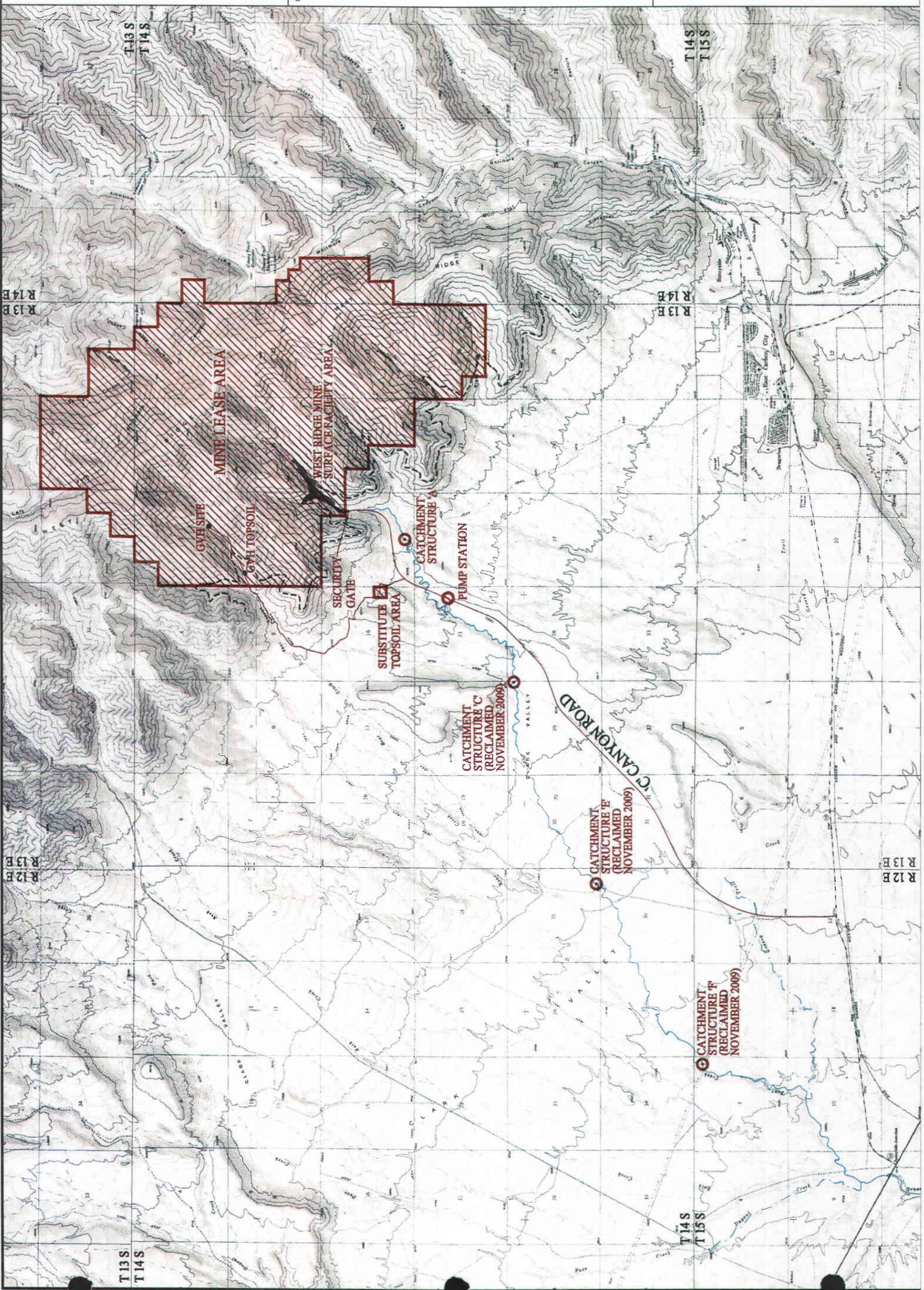
- LEGEND:**
- Lease Areas
  - Surface Facility Area
  - GVH Site
  - - - Outcrop



I CERTIFY THIS MAP TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SCALE: 1"=5000'

**WEST RIDGE**  
RESOURCES, INC.



ATTACHMENT 2

BLM NEPA DOCUMENT  
CATAGORICAL EXCLUSION

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PRICE FIELD OFFICE

CATEGORICAL EXCLUSION REVIEW AND APPROVAL

A. Background

BLM Office: Price Field Office Lease/Serial/Case File No.: UTU-87110 and UTU-87111

NEPA Number: DOI-BLM-UT-G021-2009-0046-CX

Proposed Action Title/Type: West Ridge Sediment Catchment Structures and Access Roads.

**Project Description:** The applicant proposes to develop coal fines alleviation catchment structures and use existing roads for access within the C Canyon channel. The existing roads for B and C would be upgraded as needed and the roads for E and F would be as is where is.

**Project Location:** T. 14 S., R. 13 E., SLM, Carbon County, Utah  
Section 22: NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Section 28: NW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
Section 29: NE $\frac{1}{4}$

T. 14 S., R. 12 E., SLM, Carbon County, Utah  
Section 25: SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 15 S., R. 12 E., SLM, Carbon County, Utah  
Section 03: NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

B. Land Use Plan Conformance

**Land Use Plan Name:** Price Field Office Resource Management Plan

**Date Approved/Amended:** Approved October 31, 2008

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions): This is shown on page 123 of the plan and reads as follows: "Additional ROWs could be granted consistent with RMP goals and objectives".

**C. Compliance with NEPA:**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E. Realty (19.), "Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and constructions sites where the proposal includes rehabilitation to restore the land to its natural or original condition". This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action was reviewed by Connie Leschin on Friday, February 20, 2009 and none of the extraordinary circumstances described in 516 DM 2 apply.

**Approval and Decision**

Based on a review of the project described above and field office staff recommendations attached, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed.

**D. Signature**

Authorizing Official:

  
(Signature)

Date:

2/20/09

Name: Michael Stiewig

Title: Field Manager

**Contact Person**

For additional information concerning this CX review contact:

Connie Leschin  
Realty Specialist  
BLM Price Field Office  
125 South 600 West  
Price, Utah 84501  
Phone: (435) 636-3610  
Fax: (435) 636-3657

**Attachments:**

ID Team Checklist

# INTERDISCIPLINARY TEAM ANALYSIS RECORD CHECKLIST

Project Title: West Ridge Sediment Catchment Structures and Access Roads

NEPA Log Number: DOI-BLM-UT-070-2009-0046-CX

File/Serial Number: UTU-87110, UTU-87111

Project Leader: Connie Leschin

**DETERMINATION OF STAFF: (Choose one of the following abbreviated options for the left column)**

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for significant impact analyzed in detail in the EA; or identified in a DNA as requiring further analysis

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.

Determination	Resource	Rationale for Determination*	Signature	Date
<b>CRITICAL ELEMENTS</b>				
NI	Air Quality	Sort term impact, no impact in the long term	Connie Leschin	2/20/2009
<i>NP</i>	Areas of Critical Environmental Concern		<i>[Signature]</i>	<i>2/20/09</i>
NI	Cultural Resources	Archaeologist must be present during work on sites E and F	<i>Blair Miller</i>	2/19/2009
NP	Environmental Justice		Connie Leschin	2/20/2009
<i>NP</i>	Farmlands (Prime or Unique)	<i>Prime Farmlands not in Area</i>	<i>David Waller</i>	<i>2/20/09</i>
NI	Floodplains		Jeffrey Brower	2/05/2009
NP	Invasive, Non-native Species	No Concerns	Karl Ivory	2/05/2009
NP	Native American Religious Concerns	No Known Concern	<i>Blair Miller</i>	2/19/2009
NP	Threatened, Endangered or Candidate Plant Species	No Concerns	Karl Ivory	2/05/2009
NP	Threatened, Endangered or Candidate Animal Species	No Concerns	David Waller	2/19/2009
NP	Wastes (hazardous or solid)	No Concerns	Jeffrey Brower	2/05/2009
NP	Water Quality (drinking/ground)	No Concerns	Jeffrey Brower	2/05/2009
NI	Wetlands/Riparian Zones	No Concerns	Karl Ivory	2/05/2009
<i>NP</i>	Wild and Scenic Rivers		<i>[Signature]</i>	<i>2/20/09</i>
<i>NP</i>	Wilderness		<i>[Signature]</i>	<i>2/20/09</i>

Determination	Resource	Rationale for Determination*	Signature	Date
<b>OTHER RESOURCES / CONCERNS**</b>				
NI	Rangeland Health Standards and Guidelines		<i>W. T. Swadlow</i>	2/20/09
ME	Livestock Grazing		<i>W. T. Swadlow</i>	2/20/09
NP	Woodland / Forestry	No Concerns	Karl Ivory	02/05/2009
NP	Vegetation including Special Status Plant Species other than FWS candidate or listed species	No Concerns	Karl Ivory	02/05/2009
NP	Fish and Wildlife Including Special Status Species other than FWS candidate or listed species e.g. Migratory birds.	No Concerns	David Waller	02/19/2009
NI	Soils	Construction activities will use weed free items, BLM will have input on seed mix and reclamation efforts	Dana Truman	2/17/2009
NI	Recreation	Limited dispersed rec. unaffected	<i>[Signature]</i>	2/20/09
NI	Visual Resources	URM III	<i>[Signature]</i>	2/20/09
NI	Geology / Mineral Resources/Energy Production	This action will not negatively affect Mineral Resources or Energy Production	Chris Conrad	2/10/2009
NP	Paleontology		Michael Leschin	02/17/2009
NI	Lands / Access	ROW will be issued	Connie Leschin	02/20/2009
NI	Fuels / Fire Management	Project will not affect Fuels / Management	<i>[Signature]</i>	2/20/09
NP	Socio-economics	No Concerns	C. Leschin	2/20/09
NP	Wild Horses and Burros		<i>W. T. Swadlow</i>	2/20/09
NP	Wilderness characteristics		<i>[Signature]</i>	2/20/09

**FINAL REVIEW:**

Reviewer Title	Signature	Date	Comments
NEPA / Environmental Coordinator	<i>[Signature]</i>	02/20/09	
Authorized Officer	<i>[Signature]</i>	2/20/09	

**ATTACHMENT 3**  
**BLM RIGHT-OF-WAY GRANT**

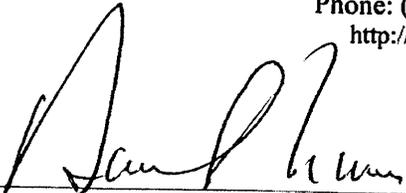


**United States Department of the Interior**  
**BUREAU OF LAND MANAGEMENT**

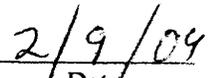
Green River District-Price Field Office  
125 South 600 West  
Price, Utah 84501

Phone: (435) 636-3600 Fax: (435) 636-3657  
<http://www.blm.gov/ut/st/en/fo/price.html>





Hand Delivered

  
Date

IN REPLY REFER TO:  
UTU-87110  
2800 (LLUTG02000)

David Shaver  
West Ridge Resources, Inc.  
PO Box 910  
East Carbon, UT 84520

Re: West Ridge - Sediment Catchment Structures (Site A)

DECISION

:

Right-of-Way Grant UTU-87110 Issued  
Rental Determined

Enclosed is a copy of right-of-way (R/W) grant (serial numbers UTU-87110) which has been approved by the Bureau of Land Management and issued under authority of Title V of the Federal Land Policy and Management Act, as amended. The rental for a linear R/W is determined according to regulations found at 43 CFR 2806.20(b). The rental for the above-referenced R/W is \$20.33 for the life of the grant, adjusted for calendar year billing. These lands are located in Carbon County, Utah.

The cost reimbursement provisions of 43 CFR 2804.14 and 2884.12, establish a cost recovery fee schedule for processing fees. It has been determined that your application falls under Category II. Under this category, you are required to pay a non-refundable application processing fee in the amount of \$386.00.

The cost reimbursement provisions of 43 CFR 2805.16 and 2885.23, establish a cost recovery fee schedule for monitoring fees. It has been determined that your application falls under Category II. Under this category, you are required to pay a non-refundable monitoring fee in the amount of \$386.00.

Therefore, the total payment required at this time is \$792.33.

The issuance of this R/W grant constitutes a final decision by the Bureau of Land Management in this matter.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2801.10 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

#### Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and
- (4) Whether the public interest favors granting the stay.

Should you appeal, you must still pay the rental requested. Failure to pay on time may result in termination of the right-of-way [see 43 CFR 2805.12(f) and 2806.13(c) or 2885.17(c)].

Please note, however, that under the regulations in 43 CFR Group 2800, this decision is effective even if an appeal is filed.

You have 30 days from receipt of this letter to submit the above-mentioned rental payment. Should the rental not be received within the time allowed, the amendment will be revoked.

If you have any questions, please contact Connie Leschin, Realty Specialist, at the above address or telephone (435) 636-3610.

Sincerely,



Michael Stiewig  
Field Manager

Enclosures

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
RIGHT-OF-WAY GRANT

SERIAL NUMBER UTU-87110

---

1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

West Ridge Resources, Inc.  
PO Box 910  
East Carbon, UT 84520

receives a right to construct, operate, maintain, and terminate a sediment catchment structure (site A) as described in the Plan of Development and Map attached, on public lands described as follows:

T 14 S., R 13 E., Salt Lake Meridian, Carbon County, Utah  
Section 15: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

- b. The right-of-way or permit area granted herein is 100 feet wide, 100 feet long and contains 0.230 acres, more or less.
- c. This instrument shall terminate 3 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

Terms and Conditions:

4. Standard

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 10 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 10th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibits A (Plan of Development) and B (Map), attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. The holder shall construct, operate, and maintain the facilities, improvements, and structures within this right-of-way in strict conformity with the plan of development which was approved and made part of this grant. Any relocation, additional construction, or use that is not in accord with the approved plan of development, shall not be initiated without the prior written approval of the authorized officer. A copy of the complete right-of-way grant, including all stipulations and approved plan of development, shall be made available on the right-of-way area during construction, operation, and termination to the authorized officer. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.
- f. The map, site plan, building design, floor plan, tower design, and electrical drawings submitted with the original proposal shall be made a part of this right-of-way grant. All construction must conform to these drawings and maps.
- g. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.

5. Applicable Laws

- a. The holder shall comply with all Federal, State, and local regulations whether or not specifically mentioned within this grant.
- b. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.
- c. The holder of this right-of-way grant or the holder's successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and the regulations of the Secretary of the Interior issued pursuant thereto.
- d. The holder shall meet Federal, State, and local emission standards for air quality.
- e. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by

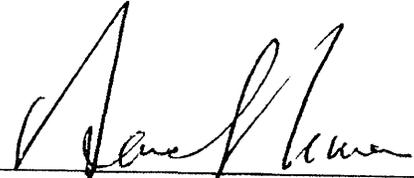
any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.

- f. The holder shall comply with the construction practices and mitigating measures established by 33 CFR 323.4, which sets forth the parameters of the "nationwide permit" required by Section 404 of the Clean Water Act. If the proposed action exceeds the parameters of the nationwide permit, the holder shall obtain an individual permit from the appropriate office of the Army Corps of Engineers and provide the authorized officer with a copy of same. Failure to comply with this requirement shall be cause for suspension or termination of this right-of-way grant.
  - g. The holder of Right-of-Way No. UTU-87110 agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
  - h. If during any phase of the construction, operation, or termination any oil or other pollutant should be discharged from containers or vehicles and impact Federal lands, the control and total removal, disposal, and cleanup of such oil or other pollutant, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of holder to control, cleanup, or dispose of such discharge on or affecting Federal lands, or to repair all damages to Federal lands resulting therefrom, the authorized officer may take such measures as he deems necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the authorized officer shall not relieve the holder of any liability or responsibility.
  - i. The holder is prohibited from discharging oil or other pollutants into or upon the navigable waters of the United States, adjoining shorelines, or the waters of the contiguous zone in violation of Section 311 of the Clean Water Act as amended, 33 U.S.C. 1321, and the regulations issued there under, or applicable laws of the State and regulations issued there under. Holder shall give immediate notice of any such discharge to the authorized officer and such other Federal and State officials as are required by law to be given such notice.
6. Miscellaneous
- a. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
  - b. The holder shall designate a representative who shall have the authority to act upon and to implement instructions from the authorized officer. The holder's representative shall be available for communication with the authorized officer within a reasonable time when construction or other surface disturbing activities are underway.
  - c. All design, material, and construction, operation, maintenance, and termination practices shall be in accordance with safe and proven engineering practices.
  - d. The holder shall provide for the safety of the public entering the right-of-way. This includes, but is not limited to barricades for open trenches, flagmen/women with communication systems for single-lane roads without intervisible turnouts, and attended gates for blasting operations.
  - e. The holder shall permit free and unrestricted public access to and upon the right-of-way for all lawful purposes except for those specific areas designated as restricted by the authorized officer to protect the public, wildlife, livestock or facilities constructed within the right-of-way.
  - f. Construction-related traffic shall be restricted to routes approved by the authorized officer. New access roads or cross-country vehicle travel will not be permitted unless prior written approval is given by the authorized officer. Authorized roads used by the holder shall be rehabilitated or maintained when construction activities are complete as approved by the authorized officer.
  - g. The holder shall inform the authorized officer within 48 hours of any accidents on federal lands.

- h. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
  - i. The holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.
  - j. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations).
  - k. The holder shall restore drainages, to the greatest extent possible, to the original bank configuration, stream bottom width, and channel gradient. Loose soil, fill, and culverts shall be removed from drainage channels as directed by the authorized officer.
7. Construction
- a. The holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.
  - b. The holder shall survey and clearly mark the centerline and/or exterior limits of the right-of-way.
  - c. If any clearing is needed, the right-of-way will be brush-hogged to prevent unnecessary disturbance. Only those areas where safety, absolute need for construction or other regulations may warrant the use of topsoil removal by blading or scalping. This right-of-way clearing shall be limited to the limits of the right-of-way. Suitable topsoil material removed in conjunction with clearing and stripping shall be conserved in stockpiles within the right-of-way.
  - d. Holder shall remove only the minimum amount of vegetation necessary for the construction of structures and facilities. Topsoil shall be conserved during excavation and reused as cover on disturbed areas to facilitate regrowth of vegetation.
  - e. Prior to fill construction, the existing surface shall be sloped to avoid sharp banks and allow equipment operations. No fills shall be made with frozen or water saturated soils. Construction equipment shall be routed evenly over the entire width of the fill to obtain a thorough compaction.
  - f. Construction holes left open over night shall be covered. Covers shall be secured in place and shall be strong enough to prevent livestock or wildlife from falling through and into a hole.
  - g. Holder shall limit excavation to the areas of construction. No borrow areas for fill material will be permitted on the site. All off-site borrow areas must be approved in writing by the authorized officer in advance of excavation. All waste material resulting from construction or use of the site by holder shall be removed from the site. All waste disposal sites on public land must be approved in writing by the authorized officer in advance of use.

- h. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
  - i. Fences, gates, brace panels and any other range improvements shall be reconstructed to appropriate Bureau standards and/or specifications as determined by the authorized officer.
  - j. When construction activity in connection with the right-of-way breaks or destroys a natural barrier used for livestock control, the gap, thus opened, shall be fenced to prevent the drift of livestock. The subject natural barrier shall be identified by the authorized officer and fenced by the holder as per instruction of the authorized officer.
  - k. Existing roads and trails on public lands that are blocked as the result of the construction project shall be rerouted or rebuilt as directed by the authorized officer.
  - l. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of four inches deep, the soil shall be deemed too wet to adequately support construction equipment.
  - m. The holder shall construct waterbars on all disturbed areas as needed. Waterbars are to be constructed to: (1) simulate the imaginary contour lines of the slope (ideally with a grade of one or two percent); (2) drain away from the disturbed area; and (3) begin and end in vegetation or rock whenever possible.
8. Maintenance
- a. A litter policing program shall be implemented by the holder, and approved of in writing by the authorized officer, which covers all roads and sites associated with the right-of-way.
  - b. Holder shall maintain the right-of-way in a safe, usable condition, as directed by the authorized officer.
9. Reclamation, Rehabilitation and Termination
- a. The holder shall re-contour the disturbed area and obliterate all earthwork by removing embankments, backfilling excavations, and grading to re-establish the approximate original contours of the land in the right-of-way.
  - b. The holder shall prepare a seedbed by either scarifying the disturbed area, distributing topsoil uniformly, or disking the topsoil.
  - c. The holder shall seed all disturbed areas that have been or are being reclaimed with a seed mixture(s) submitted to and approved by the authorized officer.
  - d. Prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a pre-termination conference. This conference will be held to review the termination provisions of the grant.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

  
\_\_\_\_\_  
(Signature of Holder)  
Project Engineer  
(Title)  
2/9/09  
\_\_\_\_\_  
(Date)

  
\_\_\_\_\_  
(Signature of BLM Authorized Officer)  
Field Manager, Price Field Office  
(Title)  
2/9/09  
\_\_\_\_\_  
(Effective Date of Grant)

**EXHIBIT A**  
**Facility Plan of Development Outline**  
**(Short Term Use Permit for Catchment Structures)**

- 1) Purpose and Need for the Facility
  - a) Actual purpose and/or need for the proposal

The West Ridge Mine has recently been issued a violation by the Utah Division of Oil, Gas & Mining for discharging coal fines (mixed in with the mine discharge water) which have accumulated along the banks of the C Canyon drainage below the mine. The mine water discharge is covered under approved UPDES permit UT0025640 issued by the Utah Division of Water Quality. West Ridge Resources proposes to remedy the situation by the following means:

- 1) Make adjustments to the underground pumping system to allow greater settling time to bring the discharge water back into compliance. This new system is expected to be installed and operational by April, 2009.
- 2) As soon as possible, under Phase 1 (Containment), install a series of in-stream catchment structures to prevent additional migration of coal fines down the drainage.
- 3) Under Phase 2 (Clean-up), install a series of sediment basins to collect the coal fines as part of the channel clean-up program scheduled for spring and summer of 2009.

This application applies specifically to item 2), the Phase 1 (Containment) in-stream catchment structures. The Phase 2 (Clean-up) sediment basins referred to in item 3) will be subject to a separate permitting application.

It should be noted that the C Canyon drainage is an ephemeral stream. The mine water discharge normally is the only component of flow. The mine is presently discharging about 700 gpm continuously into the drainage

- b) What will be constructed
  - i) New construction, reconstruction, or improvement,

West Ridge proposes to construct up to six (6 ea.) catchment structures within the drainage channel at points A, B, C, D, E and F as shown on the attached map. All points are located where there is existing road access to (and across) the drainage channel. The typical catchment structure will consist of the following:

- 1) A series of sediment control devices installed across the channel immediately downstream from the road crossing. Sediment control devices could include any combination of silt fence, straw bales, excelsior logs, etc.
- 2) A series of sediment control devices installed across the channel immediately upstream from the road crossing.

3) A shallow depression excavated in the channel above the road crossing. This depression will measure approximately 4' deep x 40' long for the width of the channel at that particular spot. This depression could be constructed through a combination of excavating down into the channel bottom, and also constructing a low dam (impoundment structure) across the channel at the downstream end of the catchment. The purpose of the depression is to allow the mine water discharge to slow down and deposit some of the existing coal fines. The catchment basin's proximity to the road crossing will also allow a tanker truck to position itself in the road-channel crossing and, with the use of a slurry pump, remove excess accumulations of coal fines deposited in the catchments.

A typical catchment structure is shown on the attached drawing. The primary purpose of these catchment structures is to prevent down-stream migration of the coal fines until the clean-up effort can begin later in the spring. A secondary purpose is to provide staging areas during the clean-up process itself, for deployment of hand crews, slurry pump trucks, vacuum trucks, and/or other operational requirements.

All sites have existing road access, although these roads would need minor upgrade to make them serviceable to the catchments.

c) Estimated needs

NA

d) Type of facility (communications site, compressor site, well pad, etc...)

In-stream catchment structures (as described above) and access road upgrade.

e) Length and width of the right-of-way and the area needed for related facilities

The size of the typical catchment structures would be about 100' long by 20' wide, which includes both the basins and the siltation control structures located downstream from the catchments.

f) Is this ancillary to an existing right-of-way

Access to all sites will be from the existing C Canyon Road, which is owned and maintained by Carbon County. Site A is located within road right-of-way UTU-01756 controlled by AMCA Coal Leasing. Site F is near the Helper-Columbia powerline which is held by Rocky Mountain Power. Due to its linear nature, there may be a right-of-way associated with the road leading to (and past) point D.

g) Is there any existing facilities (abandoned or otherwise) being used

All points are located where there is existing road access to (and across) the drainage channel.

h) List alternative locations

There are numerous other points along the drainage that could accommodate the catchment structures, but these would all require new road construction.

i) Is the use temporary or permanent

All structures and usage is temporary. The catchment structures need to be installed as soon as possible to contain the accumulations, and to facilitate the clean-up effort. Clean-up (Phase 2) is expected to begin in the spring of 2009, and should be finished by the end of the summer OF 2009.

j) Any future development that is anticipated in the area or on the site

None, other than the Phase 2 clean-up effort mentioned above.

2) Design Factors

a) Layout of facility(containing boundaries and all development proposed)

i) Cut and fill diagrams

The catch basins will be approximately 4' deep by 30' long as shown in the attached drawing.

ii) Special engineering requirements

The siltation control devices will be of an acceptable type normally associated with sediment control, such as silt fences, filter fabric, straw bales, and/or excelsior logs.

b) Schematics of buildings, yards, units, etc

See attached drawing

c) Permanent width or size

There will be no permanent structures associated with this proposal, other than minor upgrade of existing roadways.

d) New construction vs. existing

New catchment structures, upgrade of existing roads into all sites.

e) Temporary areas needed

Catchment structures at sites A through F, and road access thereto.

3) Additional Components of the Right-of-way

a) Connection to an existing Right-of-way

See answer to 1)f) above

- i Existing components on or off public land
- ii Possible future components
- iii ROW case file numbers and references

- b) Sand/Gravel supplies
  - i Source location and contact

Any sand/gravel utilized with this proposal will be obtained from a commercial source, and will be certified weed-free.

4) Government Agencies Involved

- a) Other Federal offices, i.e. FERC or USFW

BLM (land ownership), possibly EPA (DWQ oversight), possibly OSM (DOGMA oversight)

- b) State Government

Division of Oil, Gas and Mining (violation administration)  
Division of Water Quality  
Division of Water Rights (Stream channel alteration)

- c) County and other local governments

none required

5) Right-of-way location

Refer to the attached map for the proposed locations of the catchment structures

- a) Legal description

Site A	T14S,R13E	Sec 15	SESW	
Site A access road	T14S,R13E	Sec 15	SESW, SWSW	(ROW UTU-01756)
Site B	T14S,R13E	Sec 22	NWNW	
Site B access road	T14S,R13E	Sec 22	NWNW	
Site C	T14S,R13E	Sec 28	NWNW	
Site C access road	T14S,R13E	Sec 28 Sec 29	NWNW NENE, SENE	
Site D	T14S,R13E	Sec 30	NESW	

Site D access road	T14S,R13E	Sec 30 Sec 31	NESW, SESW NWNE, SWNE, NWSE
Site E	T14S,R12E	Sec 25	SESE
Site E access road	T14S,R12E	Sec 25 Sec 36***	SESE NENE, NWNE, SWNE, NWSE, SWSE
	T15S,R12E	Sec 1	NWNE, SWNE
Site F	T15S,R12E	Sec 3	NENE
Site F access road	T15S,R12E	Sec 1 Sec 2*** Sec 3	SENW, SWNW NWNW, NENW, NWNE, SWNE, SENE NENE

\*\*\* denotes SITLA land ownership

b) Acre calculation of the right-of-way by land status(federal, private, etc...)

The overall dimensions of each catchment site will vary somewhat depending on the specific of the site. However, in general, the average length of the facility would be about 70', and the average width approximately 20', for an average area of about 0.03 acres.

c) Site specific engineering surveys for critical areas (note: in addition to normal centerline survey)

- i Offsets
- ii Layout designs

d) Maps

- i USGS Topographic maps

See attached map, which is a seamless, joined version of the Sunnyside, Sunnyside Junction, and Mount Bartles USGS topo maps

- USGS Topo map name
- 1:24000 scale
- Depicts the project and any other development that could be affected or might affect the proposal in the immediate area of the project

e) Anticipated conflicts with resources

- i Public health and safety

None anticipated

- ii Air, noise, geologic hazards, mineral and energy resources, paleontological resources, soils, water, vegetation,

The C canyon drainage is a naturally ephemeral drainage and as such does not support any fish or aquatic wildlife, nor any riparian vegetation. However, the mine has been

discharging water at a steady rate for the past six years and the discharge water itself may now support some plant life along the banks in various sections. The coal fines in the mine discharge water, which has accumulated over time, is now a problem.

iii Wildlife, threatened and endangered species,

There are no known wildlife or T&E species which would be affected by this proposal

iv Cultural resources

All activity will take place along existing roads and within the natural drainage channel, so impacts to cultural resources should not be a factor.

- Cultural Survey widths are determined by the scope of projects-
  - 1) Check with the BLM Office for details.
  - 2) Certified Archaeologists need to call our office before surveying

v Visual resources, recreation activities, wilderness,

All activity will take place along existing roads and within the natural drainage channel, so impacts to visual resources, recreation or wilderness should not be a factor.

vi BLM projects,

N/A

6) Construction of the Facility

a) General overview of facility construction

Refer to discussion above, and see attached map and drawing

b) Equipment needed for construction

Grader, backhoe, small dozer, pick-up trucks, pumps

c) Site specific problems relating to surface use or special mitigation

- i Engineering drawings and specifications (if required)
- ii Special equipment
- iii Additional construction materials needed (sand, gravel, etc.) and their sources

d) Diagrams, drawings, and cross sections to help visualize the scope of the project

See attached drawing

e) Is the topography such that additional surface disturbance would occur

No

7) Describe Stabilization, Rehabilitation and Reclamation

After the Phase 1 stabilization and Phase 2 clean-up operations are completed to the satisfaction of all state and federal regulatory agencies, the catchment structures will be removed and the channel will be restored and reclaimed to its original condition. Areas disturbed along the banks will be re-seeded according to BLM requirements if needed. Siltation control devices are part of the operational plan of the catchments, and siltation control will continue to be utilized during any subsequent reclamation activities as well.

- a) Soil and ground preparation
  - b) Seed mixes
  - c) Additional preparation and procedures
  - d) Erosion control structures
  - e) Any other reclamation planned
- 8) Operation and Maintenance
- a) Will new or expanded access be needed for operation and maintenance

No

- b) Will all maintenance activities be confined to the right-of-way

Yes

- c) How will snow removal be handled (if needed)

Snow along the access roads will be push aside with a grader or truck plow if needed.

ATTACHMENT 4

DIV. WATER RIGHTS  
CHANNEL ALTERATION PERMIT



JON M. HUNTSMAN, JR.  
Governor

GARY R. HERBERT  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
*Executive Director*

### Division of Water Rights

KENT L. JONES  
*State Engineer/Division Director*

## ORDER OF THE STATE ENGINEER FOR STREAM ALTERATION APPLICATION NUMBER 09-91-02SA

This **ORDER** is issued pursuant to statute and in accord with the statutory criteria for approval of a stream alteration application that are described at UTAH CODE ANN. § 73-3-29. The State Engineer has determined that this application does meet the necessary legal criteria to **ORDER** the approval of the application based upon the following information and reasoning set forth in the Facts and Discussion.

### FACTS

1. The application was received by the Division of Water Rights ("Division") on February 10, 2009, and made available for comment on the Division's webpage, provided to adjacent property owners or other individuals who may be affected by this project as identified in the application, pertinent governmental agencies, and to other entities as warranted, for a period of at least 20 calendar days, said period concluding prior to March 2, 2009.
2. The application contains the following information:
  - The stated purpose of the proposed project is: Containment and cleanup of coal fines accumulation in drainage.
  - The stated description of the proposed project is: Coal fines from the West Ridge Mine discharge water have accumulated along the C Canyon drainage below the mine. Catchment facilities are proposed to be constructed to facilitate containment and cleanup of the coal fines.
  - The stated alternatives to the proposed project are: This plan represents the consensus of BLM and DOGM as the most reasonable option for the containment and cleanup operations.
3. The following observations were made by the Division. Based on our review, it has been determined that there does not appear to be any adverse impacts to cultural resources associated with this Stream Alteration.
4. The Division received comments or objections on the proposed project from:
  - State Historic Preservation Office (SHPO), Lori HunsakerThe comments or objections received by the Division are summarized as follows:
  - SHPO concurs with a determination of No Historic Properties Affected.



## DISCUSSION

1. Based on a review of the Division's water rights records and/or a review of the application by personnel of the Division's regional office, it is the opinion of the State Engineer that the project will not impair vested water rights.
2. It is the opinion of the State Engineer that the project will not unreasonably or unnecessarily affect recreational use or the natural stream environment.
3. It is the opinion of the State Engineer that the project will not unreasonably or unnecessarily endanger aquatic wildlife.
4. It is the opinion of the State Engineer that the project will not unreasonably or unnecessarily diminish the natural channel's ability to conduct high flows.

## ORDER

Stream Alteration Application No. 09-91-02SA, submitted in the name of West Ridge Resources, Inc. / David Shaver, applicant, for installation of instream structures and channel rehabilitation associated with C Canyon drainage (tributary to Grassy Trail Creek in Clark Valley), a natural stream located in Carbon County, Utah, is hereby APPROVED, contingent upon the conditions outlined in this **ORDER**. This approval also constitutes compliance with Section 404 (e) of the Clean Water Act (33 USC 1344) pursuant to General Permit 040 issued to the State of Utah by the U.S. Army Corp of Engineers on May 14, 2004. The applicant is hereby authorized to conduct the work detailed in the application and supporting documentation, as described in this **ORDER**. Any modification or addition to the work may require additional authorization and/or application resubmittal.

1. The expiration date of this order is **March 4, 2010**. Work affecting the bed and/or banks of the stream may not be conducted after this date. The expiration date may be extended, at the State Engineer's discretion, by submitting a written request outlining the need for the extension and the reasons for the delay in completing the proposed stream alteration.
2. A copy of this order must be kept onsite at any time the work authorized under this order is in progress.
3. Disturbed areas must be planted with a variety of appropriate vegetation (especially woody vegetation where feasible) to help hold the soil around riprap, prevent excessive erosion, and to help maintain other riverine functions. Successful revegetation efforts must be monitored and reported to this office.
4. Best Management Practices should be implemented and maintained during any streamside or instream work to minimize sedimentation, temporary erosion of stream banks, and needless damage or alteration to the streambed.

5. Approval of this application does not authorize trespass, easements, rights-of-way, or any other access and land use permits. It is the responsibility of the applicant to obtain any such authorizations as may be necessary for this proposal.
6. Excavated material and construction debris may not be wasted in any stream channel or placed in flowing waters, this will include material such as grease, oil, joint coating, or any other possible pollutant. Excess materials must be wasted at an upland site well away from any channel. Construction materials, bedding material, excavated material, etc. may not be stockpiled in riparian or channel areas.
7. Whenever an applicant causes the water turbidity in an adjacent surface water to increase 10 NTU's or more, the applicant shall notify the Division of Water Quality.
8. Erosion control, revegetation, and noxious weed control must be implemented and monitored until revegetation becomes well established. Success of these measures must also be reported prior to the compliance inspection. This is especially important for all disturbed areas, including fill, in order to prevent sediments from entering flowing water. Particular attention is required to assure that silt fencing is properly installed and left in place until after revegetation becomes established at which time the silt fence can then be carefully removed.
9. If historical or archaeological resources such as human remains (skeletons), prehistoric arrowheads/spear points, waste flakes from stone tool production, pottery, ancient fire pits, historical building foundations/remains, historical artifacts (glass, ceramic metal, etc.) are found during construction, the permit holder is advised to cease work and contact the Division of State History at 801-533-3555.
10. Ingress and egress access should be kept to a minimum.
11. Riprap must consist of only clean, properly sized angular rock, which must be keyed deeply into the streambed to prevent undercutting. A filter must be placed behind if necessary (i.e., if soils are fine grained, non-cohesive, and/or erodible). Demolition debris or refuse will not be allowed, nor material such as bricks, concrete, asphaltic material [either natural (tar sand, oil shale, etc.) or man made].
12. Cement is toxic to aquatic organisms, and its introduction into waters of the United States would constitute a violation of the Clean Water Act. Cement or concrete may not be allowed to enter stream flows. Water must be excluded from areas where concrete or cement is used until it has set. Contaminated water pumped from the construction area may not be discharged in a manner that will allow it to enter flows. Equipment used during this type of work must be washed well away from the channel.
13. The construction of small dams also falls within the State Engineer's authority to regulate dams under 73-5a of the Utah Code. The instream structure(s) may need to be reviewed for dam safety concerns. David Marble can be contacted at 801-538-7376 for more information.

14. Within 30 days after the completion of this project, the attached compliance certification form must be completed and returned to the U.S. Army Corps of Engineers. Failure to return this compliance certification form would invalidate U.S. Army Corps of Engineers General Permit 040, thereby placing the applicant in violation of Section 404 of the Clean Water Act.
15. Please submit photos at the completion of the project.

Your contact with the Division is Daren Rasmussen, who can be reached at telephone number 801-538-7414.

This **ORDER** is subject to the provisions of UTAH ADMIN. CODE R. 655-6-17 of the Division of Water Rights and to UTAH CODE ANN. §§ 63-46b-13 and 73-3-14, which provide for persons or parties with legal standing to file either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this **ORDER**. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this **ORDER**, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken within 20 days after the Request is filed.

Dated this 4 day of March, 2009.



David K. Marble, P.E.  
Assistant State Engineer

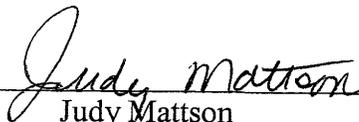
Enclosure

Mailed a copy of the foregoing Order this 4 day of March, 2009, to:

DAVID SHAVER  
WEST RIDGE RESOURCES INC  
PO BOX 910  
EAST CARBON UT 84520

Corps of Engineers  
Marc Stilson - Regional Engineer  
Richard Clark - EPA  
Kelly Beck - RDCC Coordinator  
Chris Wood - Regional Wildlife Habitat Manager  
State History

By:



Judy Mattson  
Secretary

COMPLIANCE CERTIFICATION

Regional General Permit Number: 40  
Stream Alteration Number: 09-91-02SA  
Corps Project Identification Number: \_\_\_\_\_  
(Corps Use Only)  
Permittee's Name and Address: West Ridge Resources, Inc.  
PO Box 910  
East Carbon, UT 84520  
County Location of Permitted Activity: Carbon County, UT

Within 30 days after completion of the activity authorized by this permit, please sign and return this certification to the following address:

U.S. Army Corps of Engineers  
Intermountain Regulatory Section  
533 West 2600 South, Suite 150  
Bountiful, UT 84010

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers' representative. If you fail to comply with the terms and conditions of the permit, your authorization may be suspended, modified or revoked. If you have any questions about this certification, please contact the Corps of Engineers at 801-295-8380.

\* \* \*

*I hereby certify that the work authorized by the above-referenced permit, including all the required mitigation, was completed in accordance with the terms and conditions of the permit verification.*

David Shaver 3/9/09  
Signature of Permittee Date



JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
*Executive Director*

### Division of Water Rights

JERRY D. OLDS  
*State Engineer/Division Director*

February 3, 2009

Dave Shaver  
Project Engineer  
West Ridge Resources, Inc.  
PO Box 910  
East Carbon, UT 84520

RE: EMERGENCY AUTHORIZATION: C CANYON DRAINAGE CHANNEL.

The information and stream alteration permit you submitted yesterday to our office in regards to the coal fines discharge into the C Canyon drainage has been reviewed. Due to the urgent need to construct catchment structures in the stream channel to prevent the further migration of coal fines down the drainage and the possible hazardous nature of the material, you are hereby **GRANTED** emergency authorization to begin work on this project.

The stream alteration permit will continue to be processed and any concerns submitted by other federal and state agencies with regards to the work will need to be addressed forthwith.

If you have any questions, please contact Marc Stilson at (435) 613-3750 or Daren Rasmussen at (801) 538-7377.

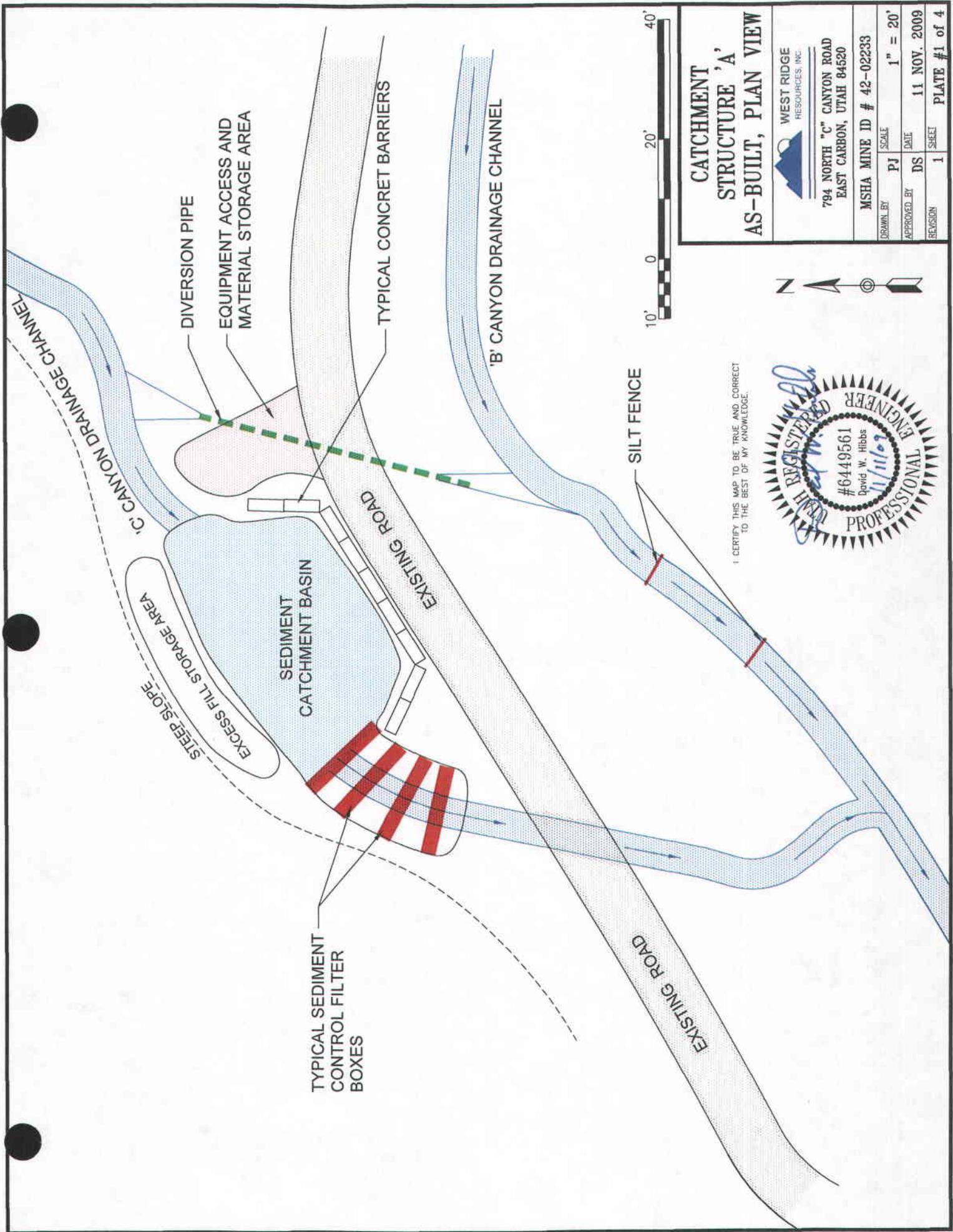
Sincerely,

  
Marc Stilson, P.E.  
Southeastern Regional Engineer



**ATTACHMENT 5**

**CATCHMENT STRUCTURE A  
AS-BUILT DRAWING**



**CATCHMENT  
STRUCTURE 'A'  
AS-BUILT, PLAN VIEW**

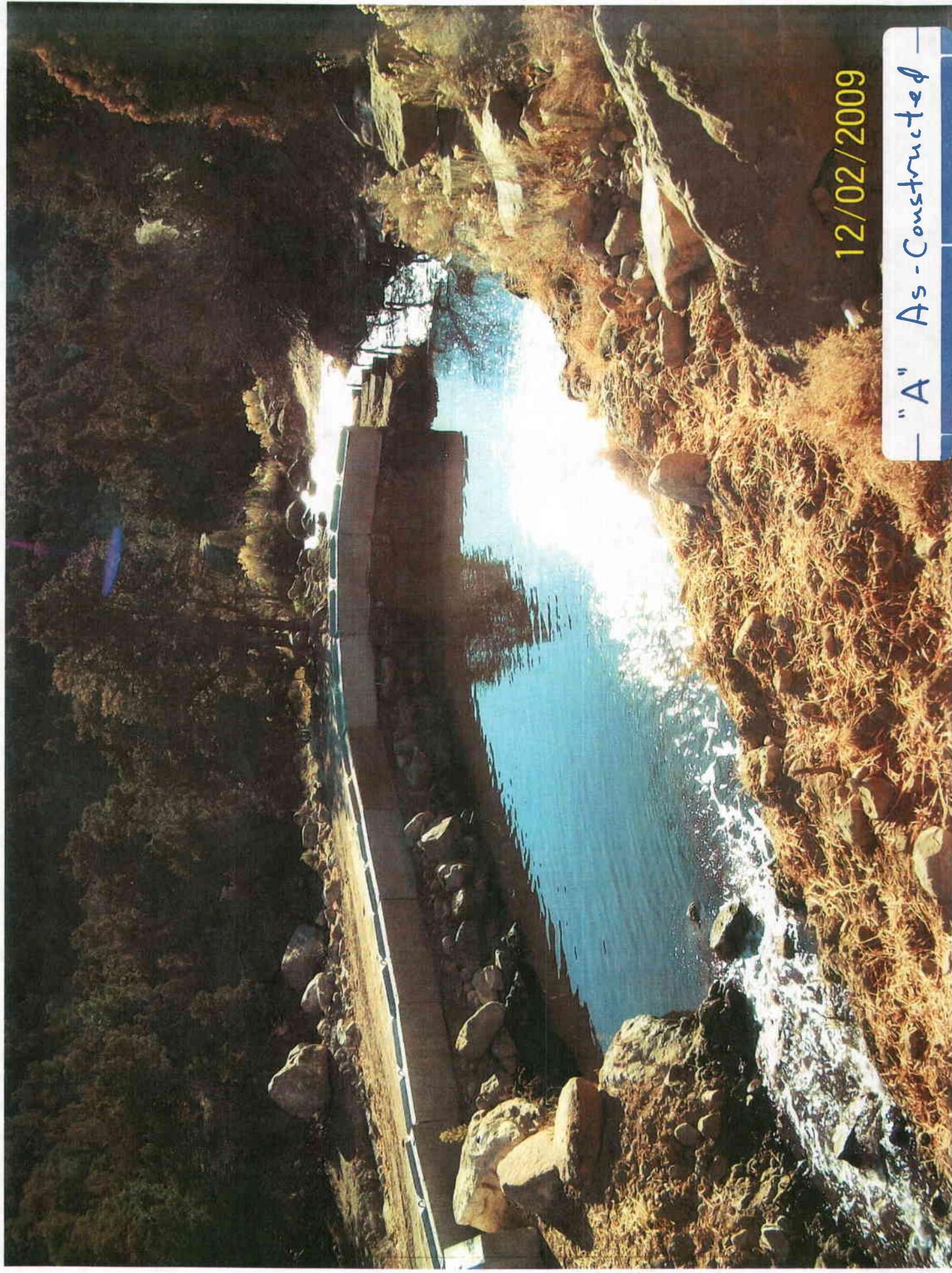
WEST RIDGE RESOURCES, INC. 794 NORTH "C" CANYON ROAD EAST CARBON, UTAH 84520 MSHA MINE ID # 42-02233	
DRAWN BY PJ	SCALE 1" = 20'
APPROVED BY DS	DATE 11 NOV. 2009
REVISION 1	SHEET 1
PLATE #1 of 4	

I CERTIFY THIS MAP TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



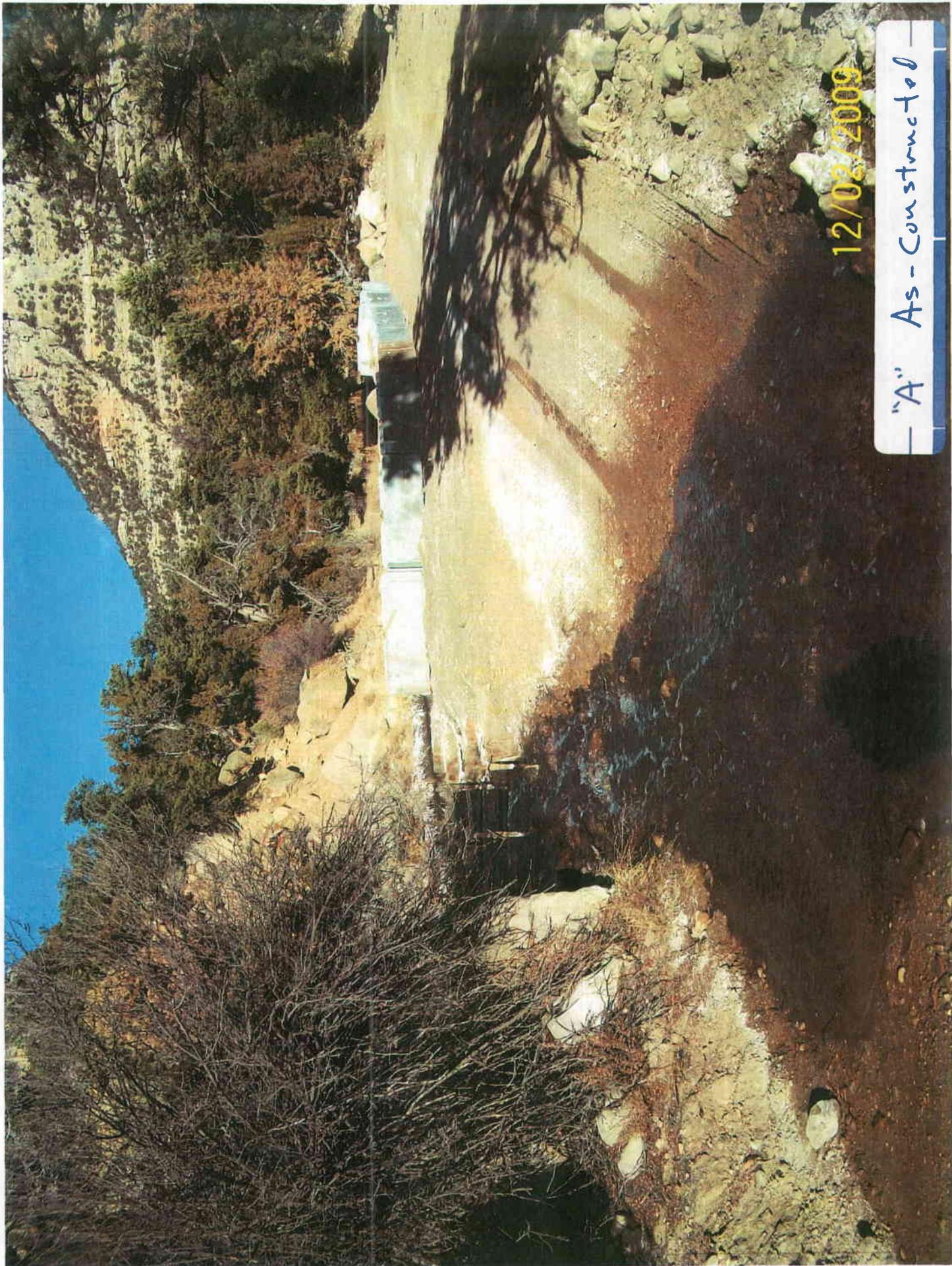
**ATTACHMENT 6**

**CATCHMENT STRUCTURE A  
AS-CONSTRUCTED PHOTOS**



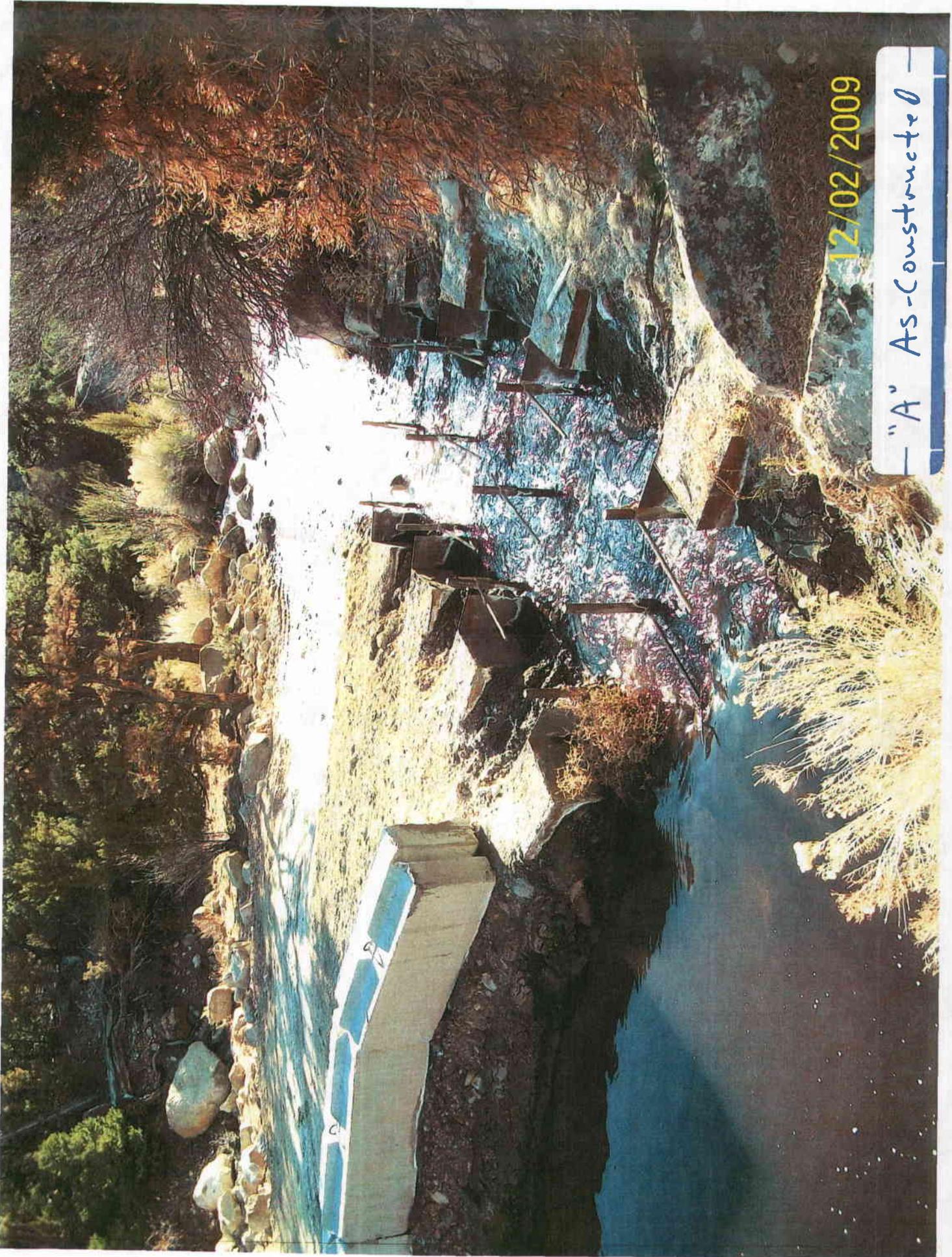
12/02/2009

— "A" As-Constructed —



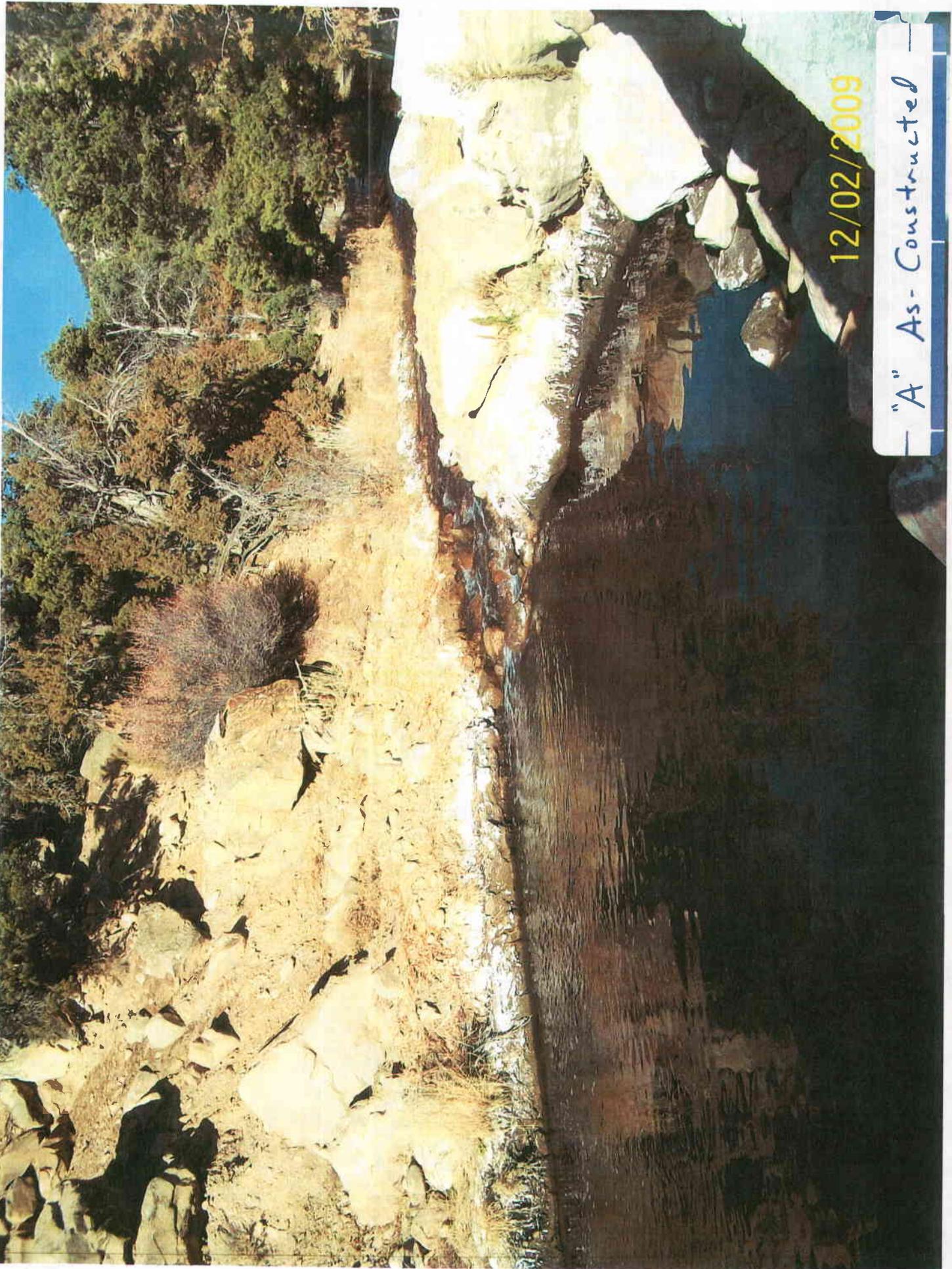
12/02/2009

— "A" As - Constructed —



12/02/2009

— "A" As-Constructed —



12/02/2009

— "A" As-Constructed —

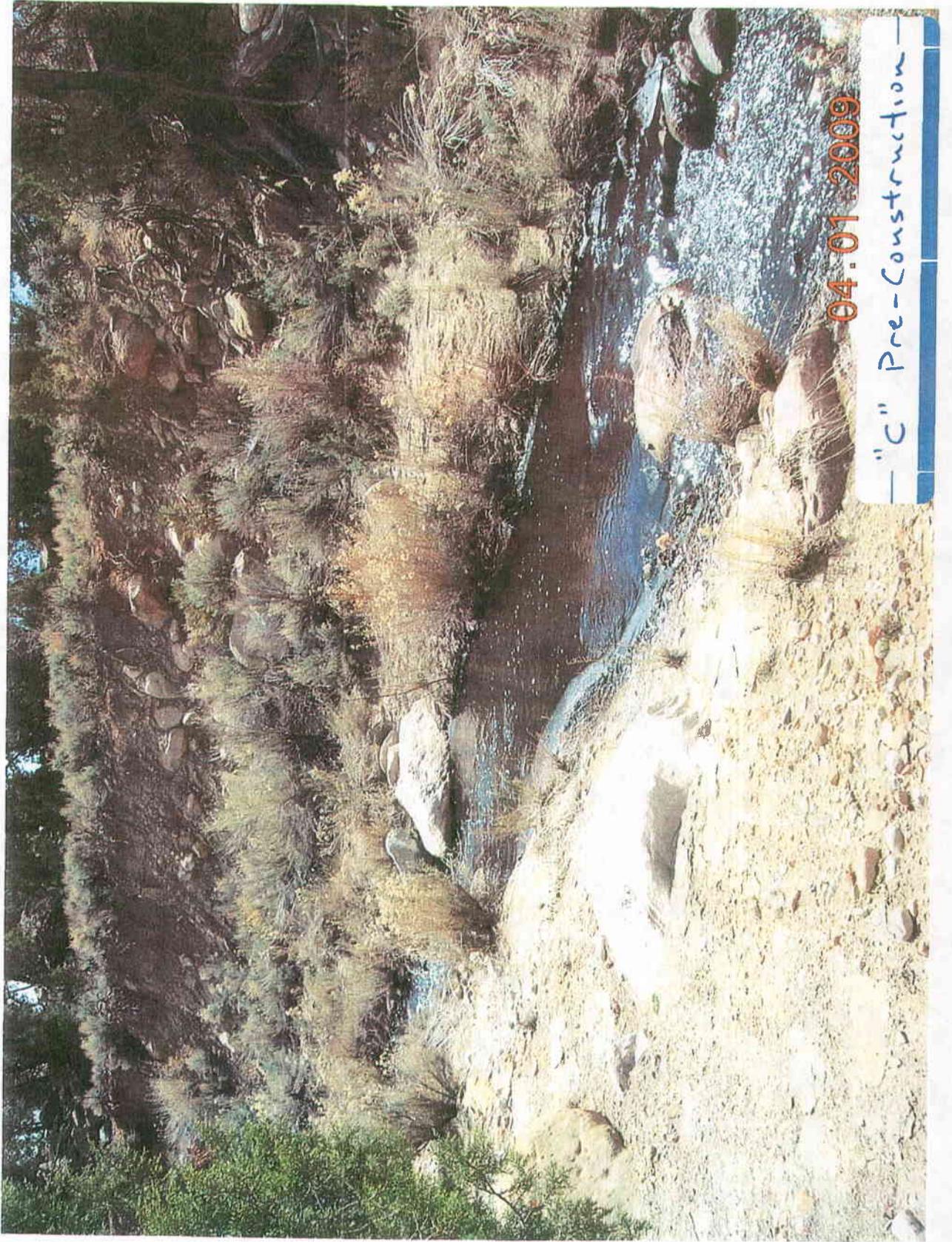
ATTACHMENT 7

PRE AND POST-RECLAMATION PHOTOS  
CATCHMENT SITES C, E AND F



04.01.2009  
"C" Pre-Construction

C



04.01.2009

— "C" Pre-Construction —

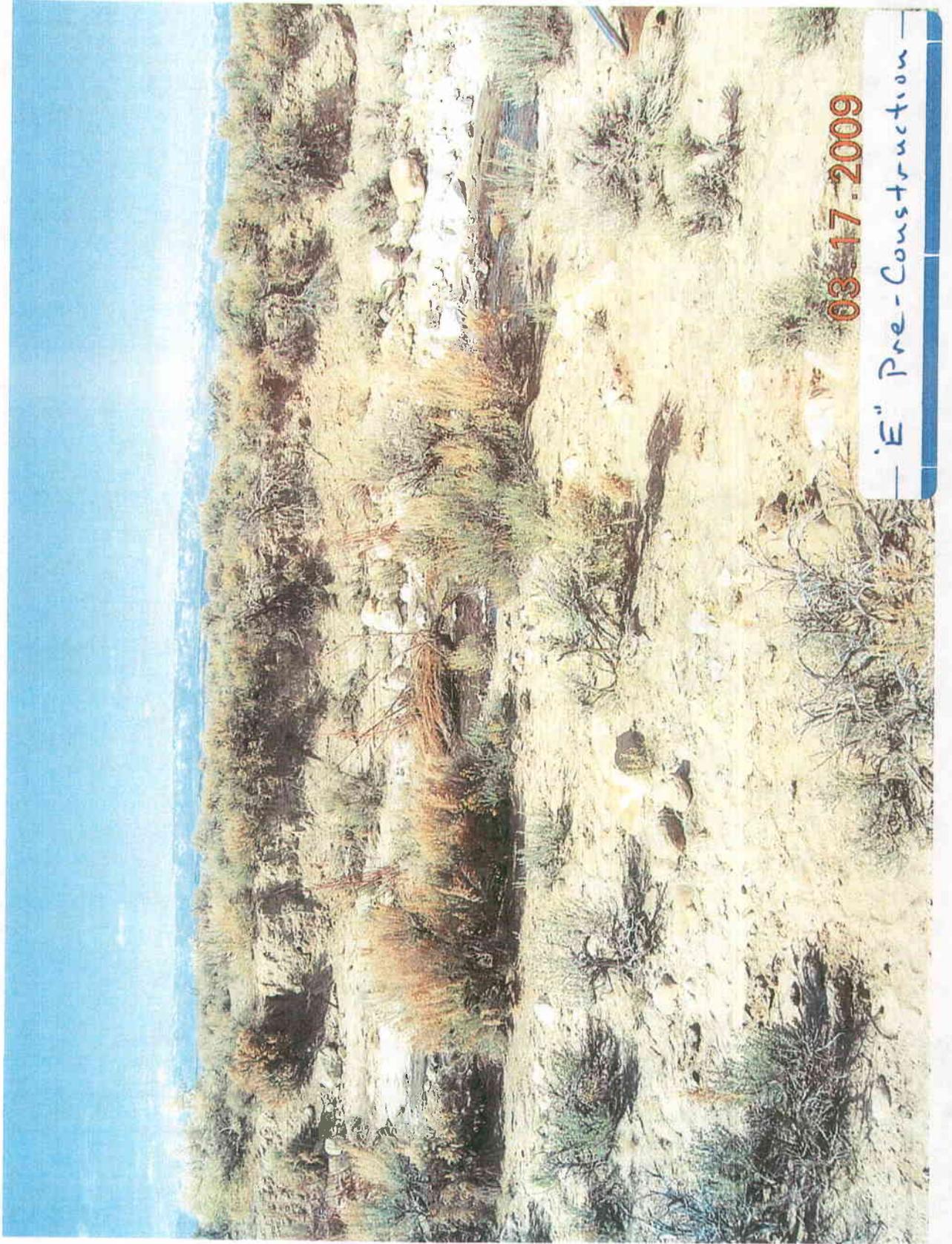
C



03 25 2009

"E" Pre-Construction

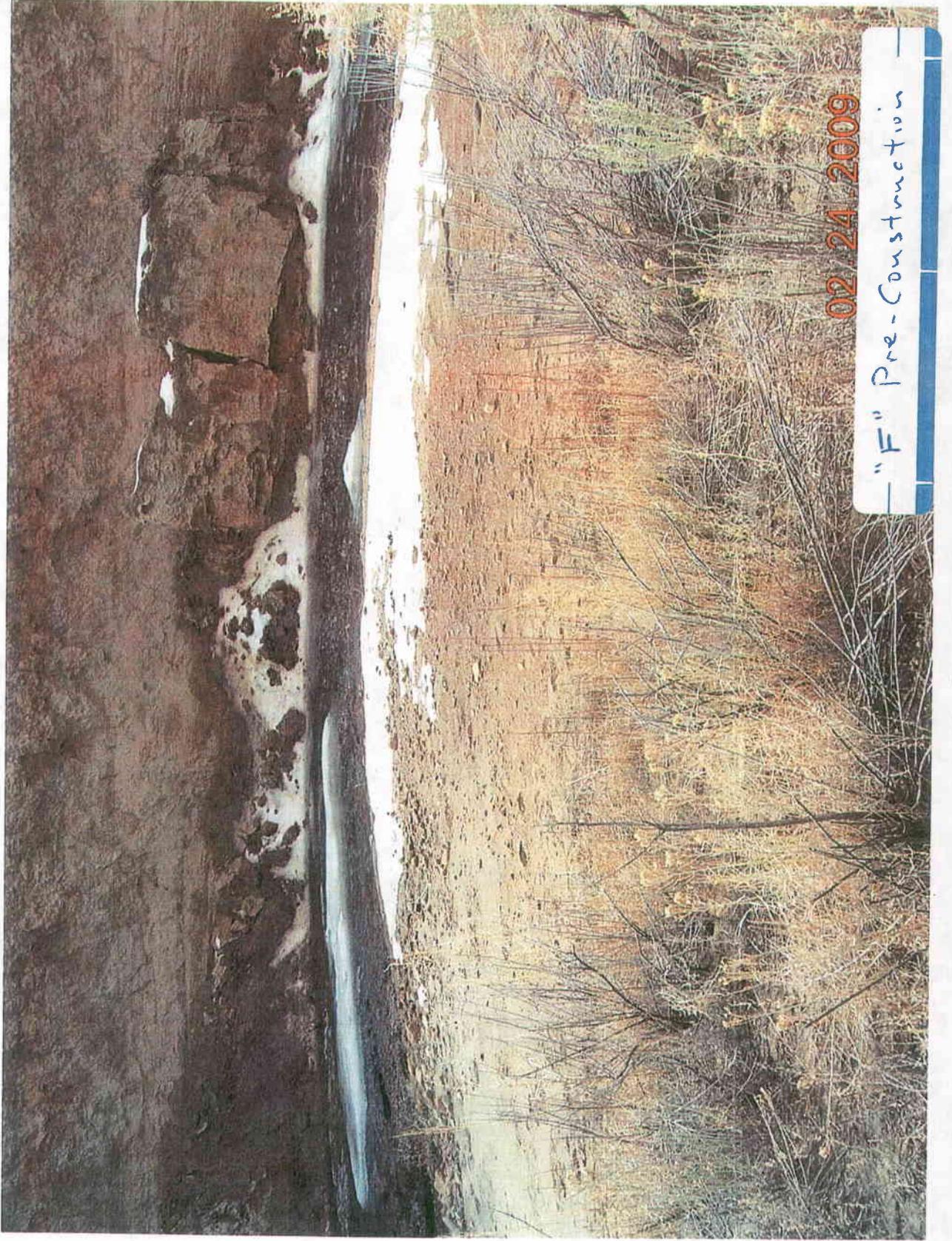
E



03-17-2009

'E' Pre-Construction

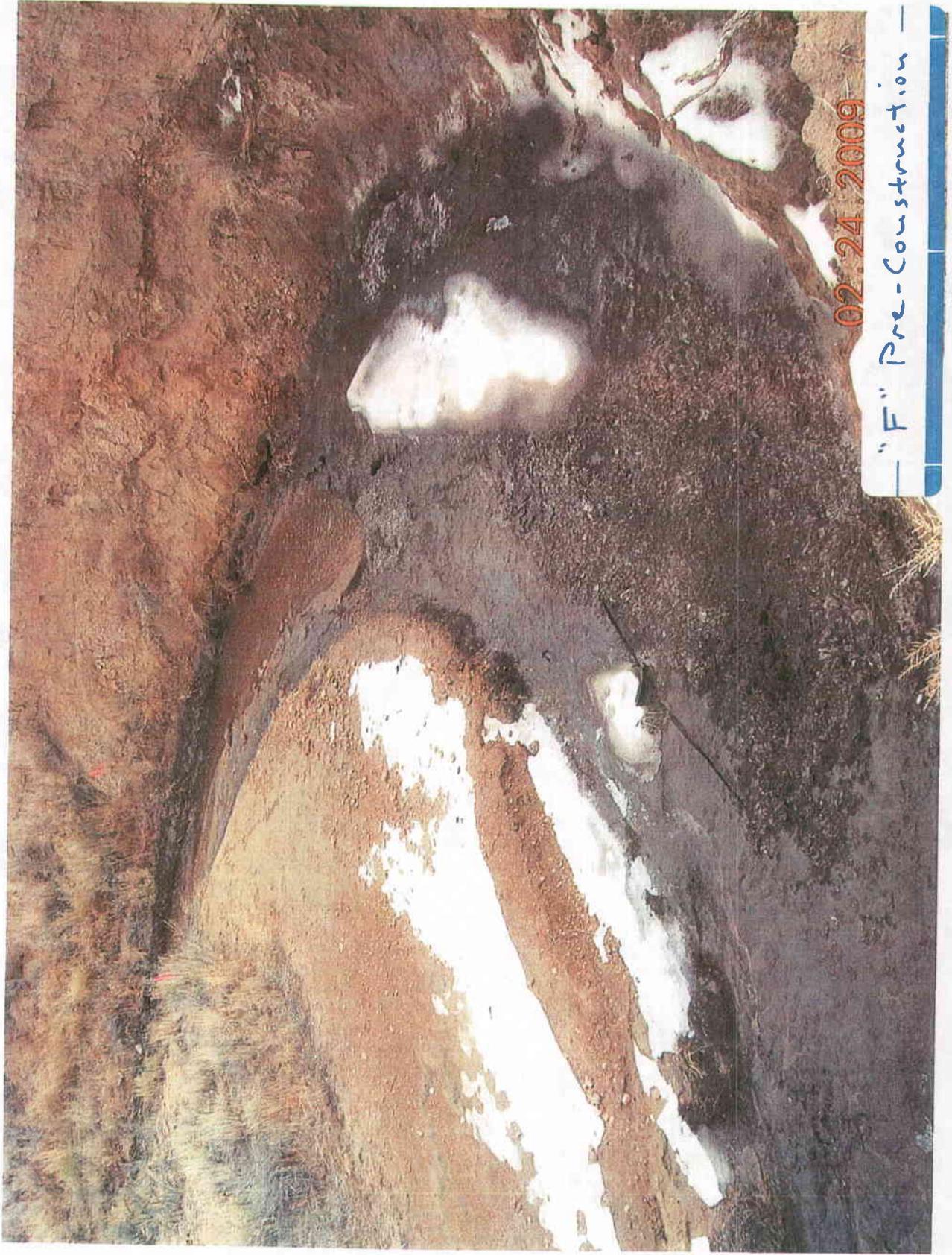
E



02 24 2009

"F" Pre-Construction

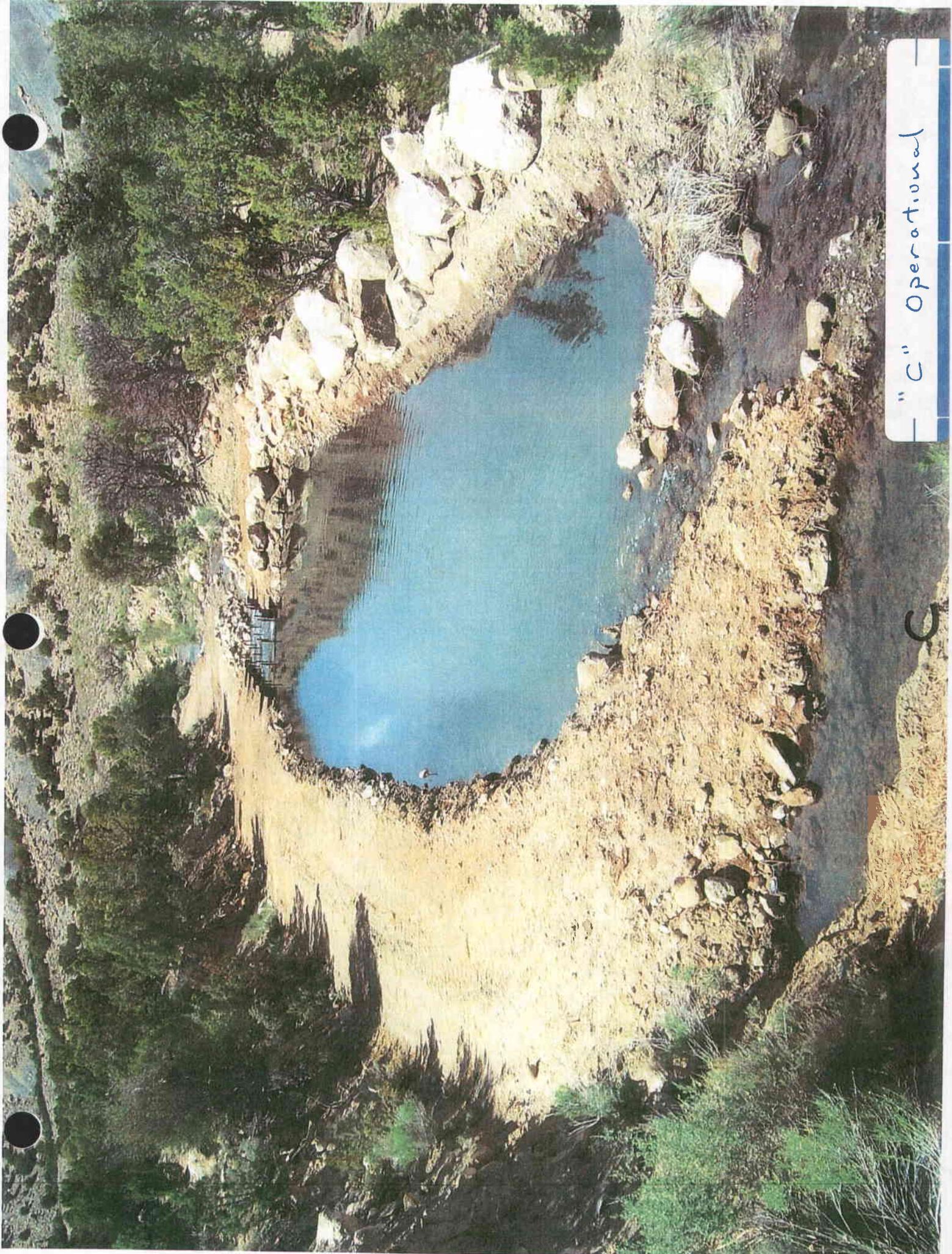
F



02-24-2009

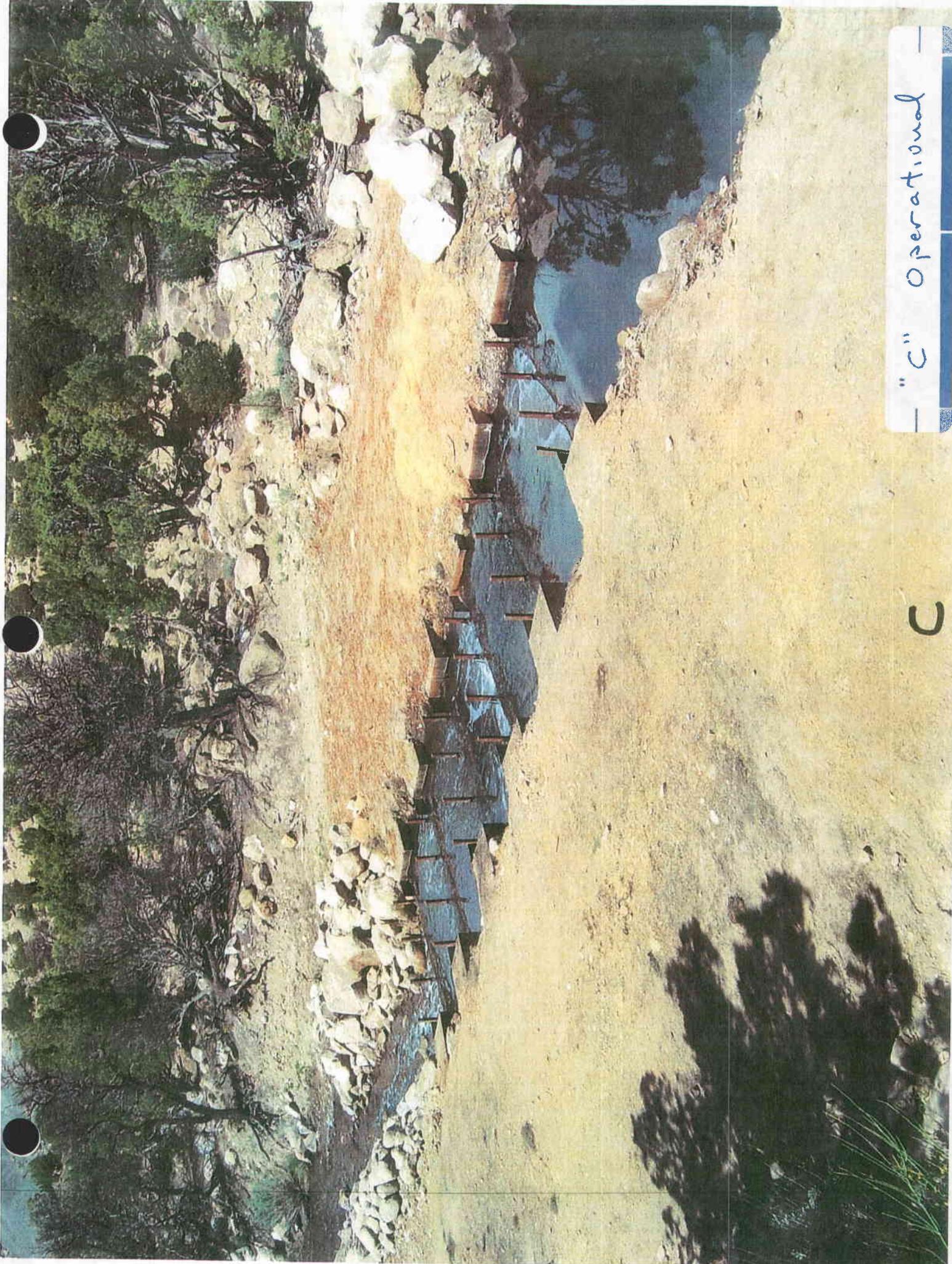
— "F" Pre-Construction —

F



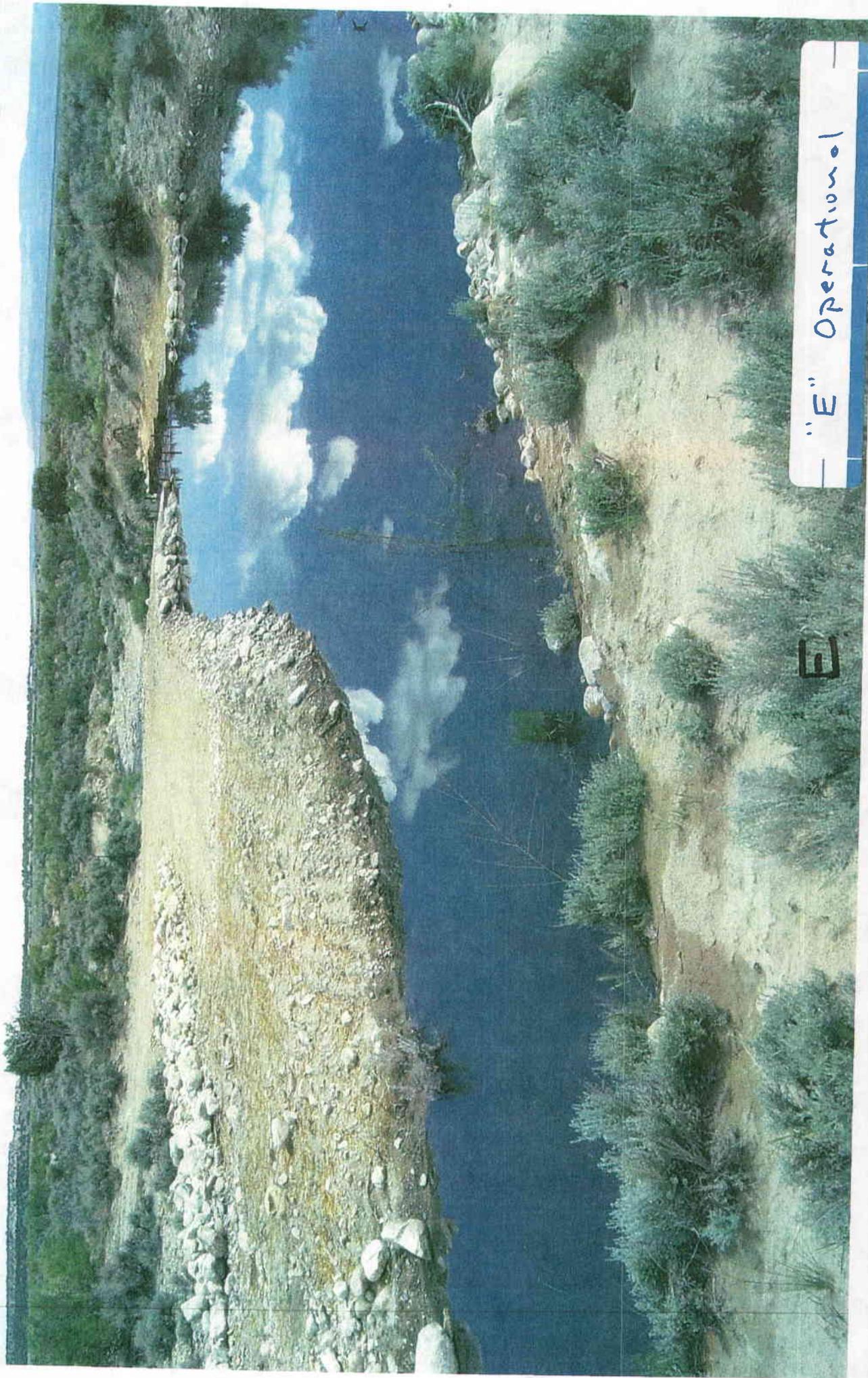
— "C" Operational —

C



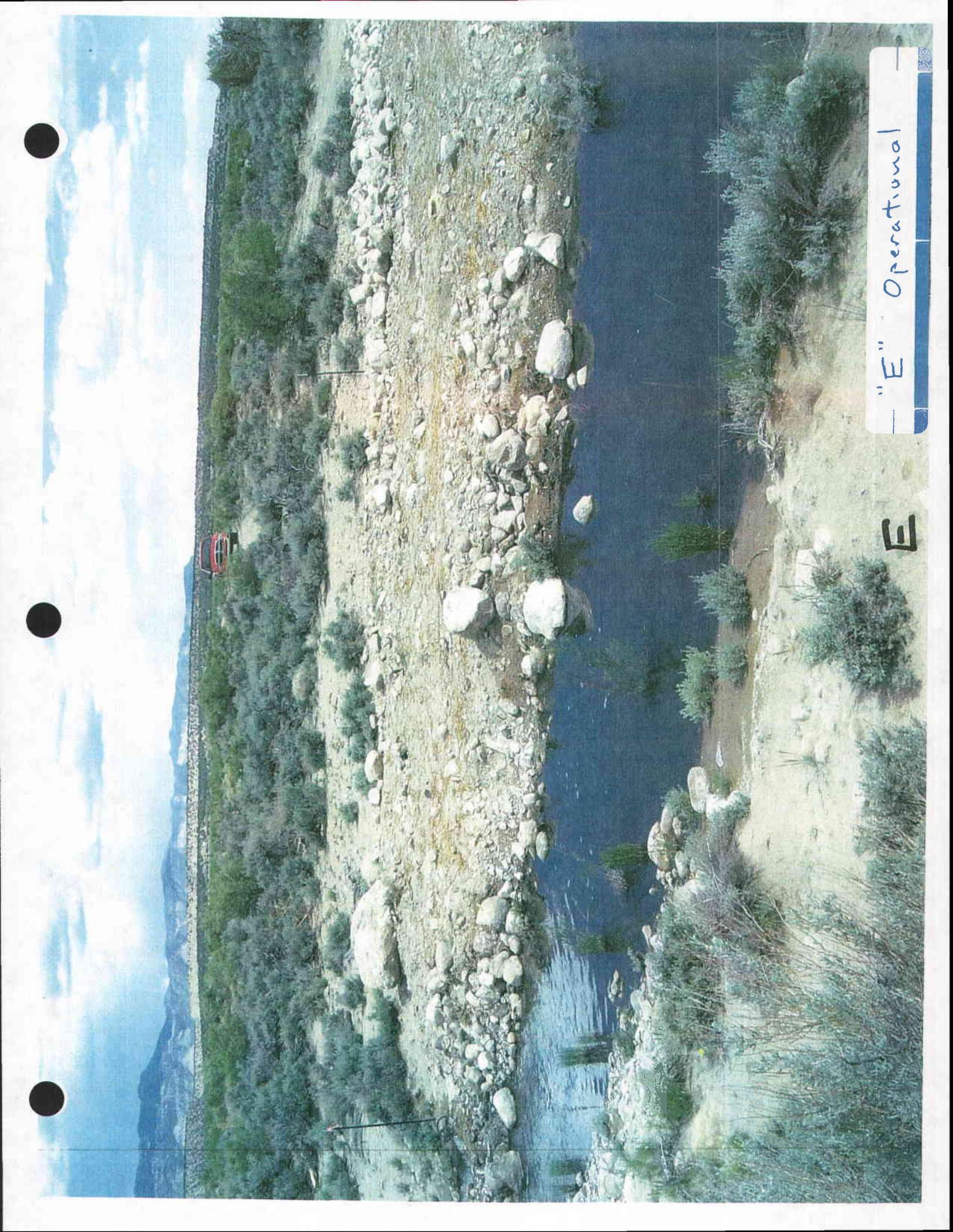
— "C" Operational —

C



— "E" Operational —

E

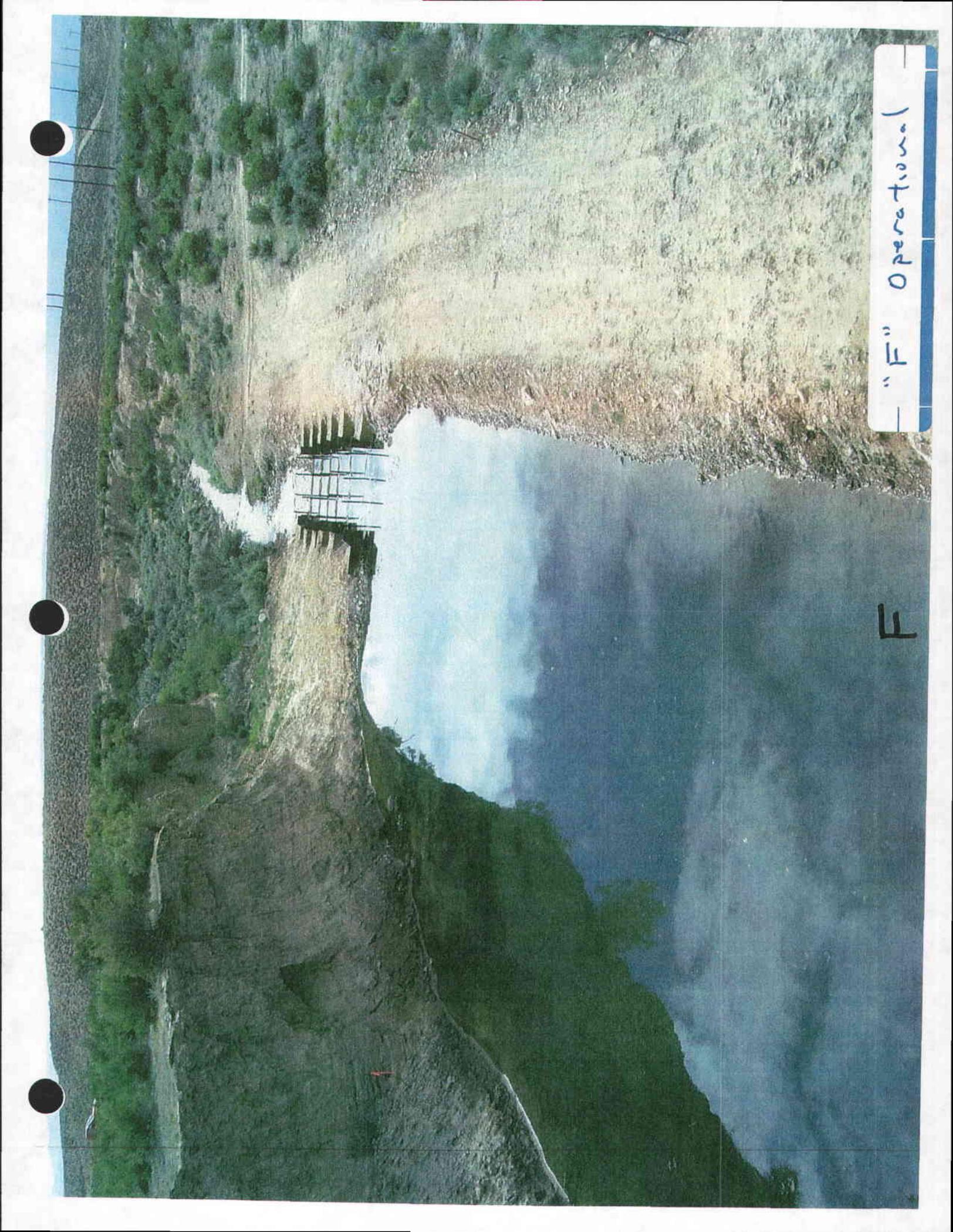


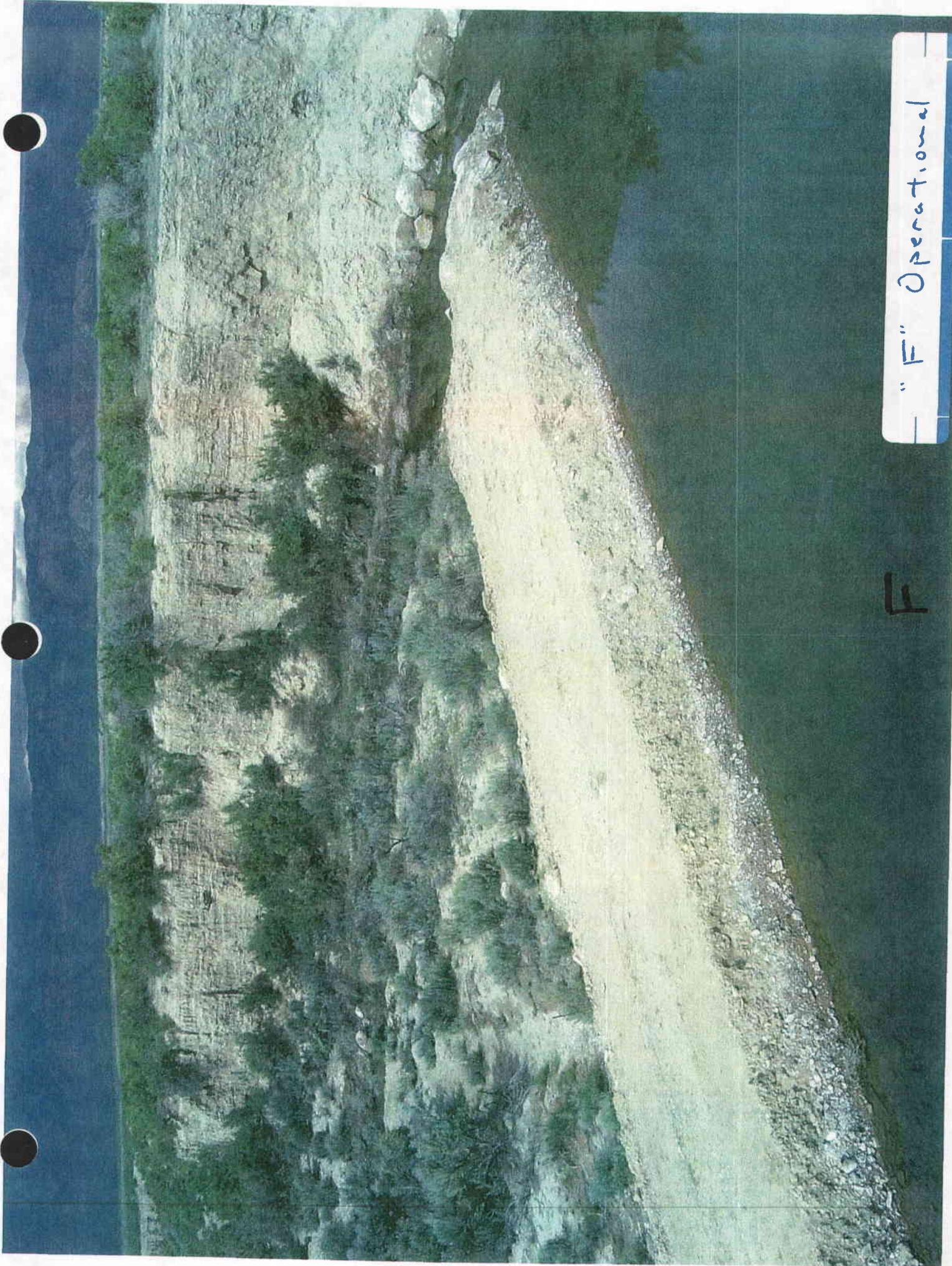
"E" Operational

E

"F" Operational

F





"F" Operational

F



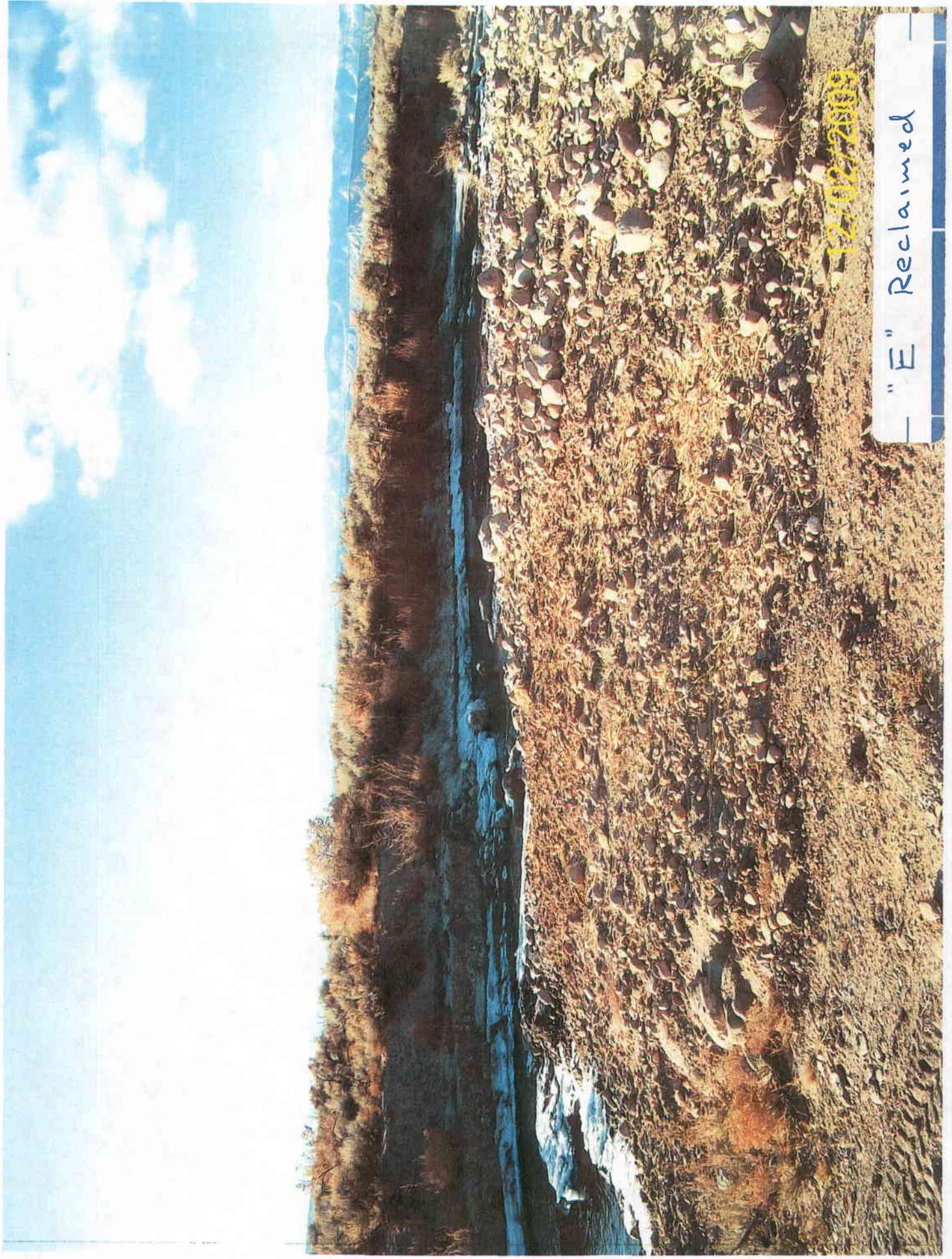
12/02/2009

— "C" Reclaimed —



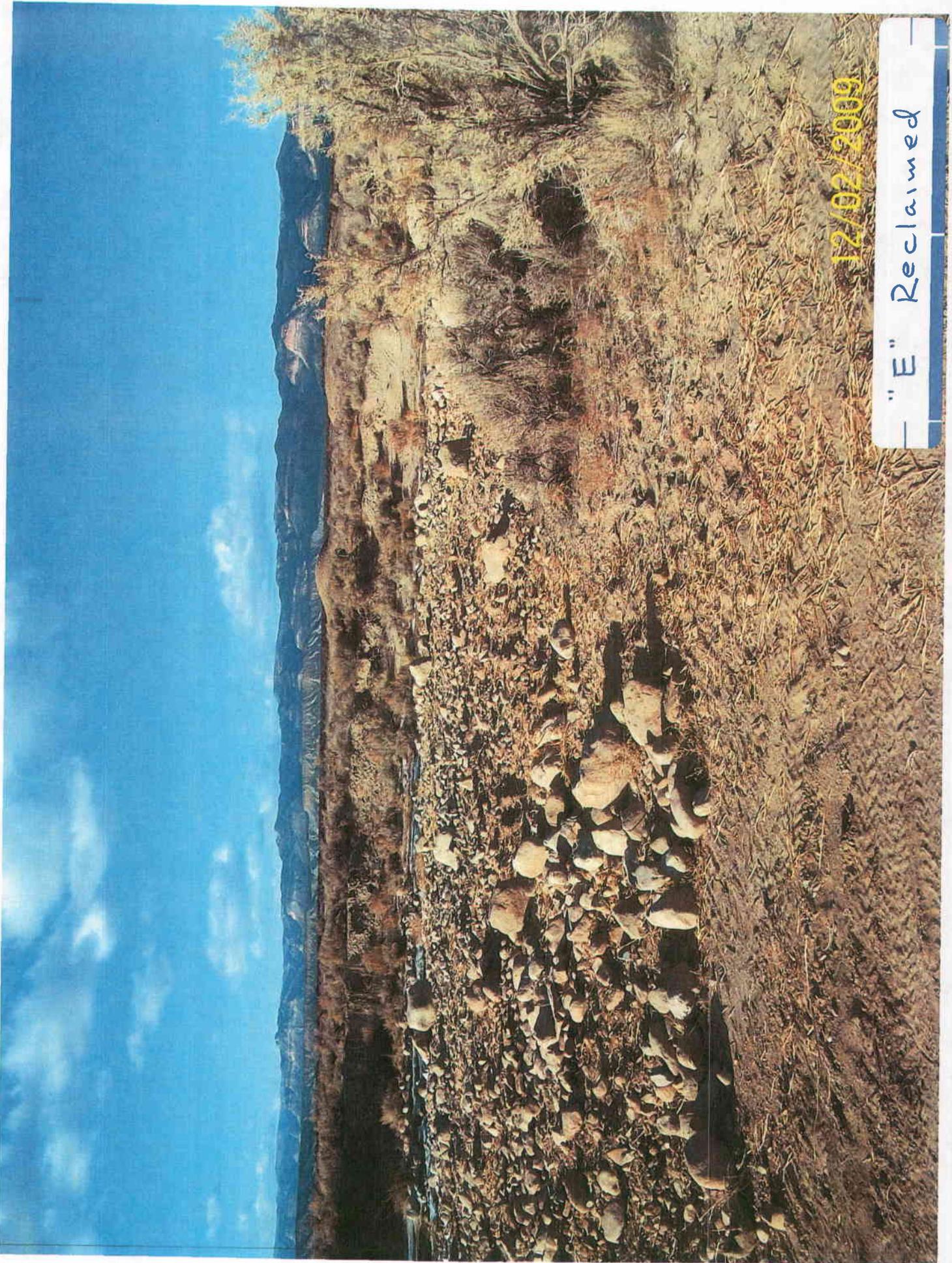
12/02/2009

-"C" Reclaimed



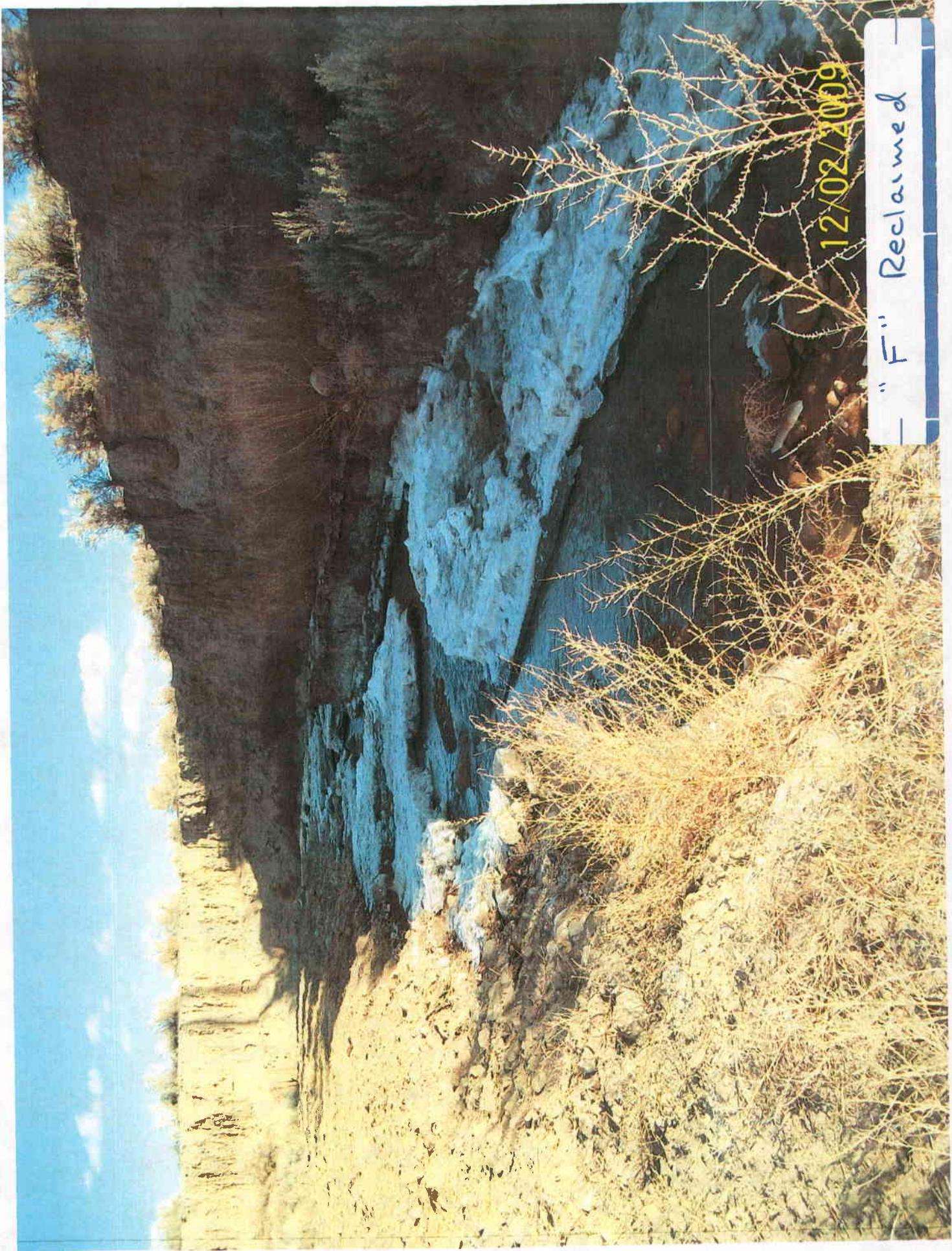
12/02/2009

— "E" Reclaimed —



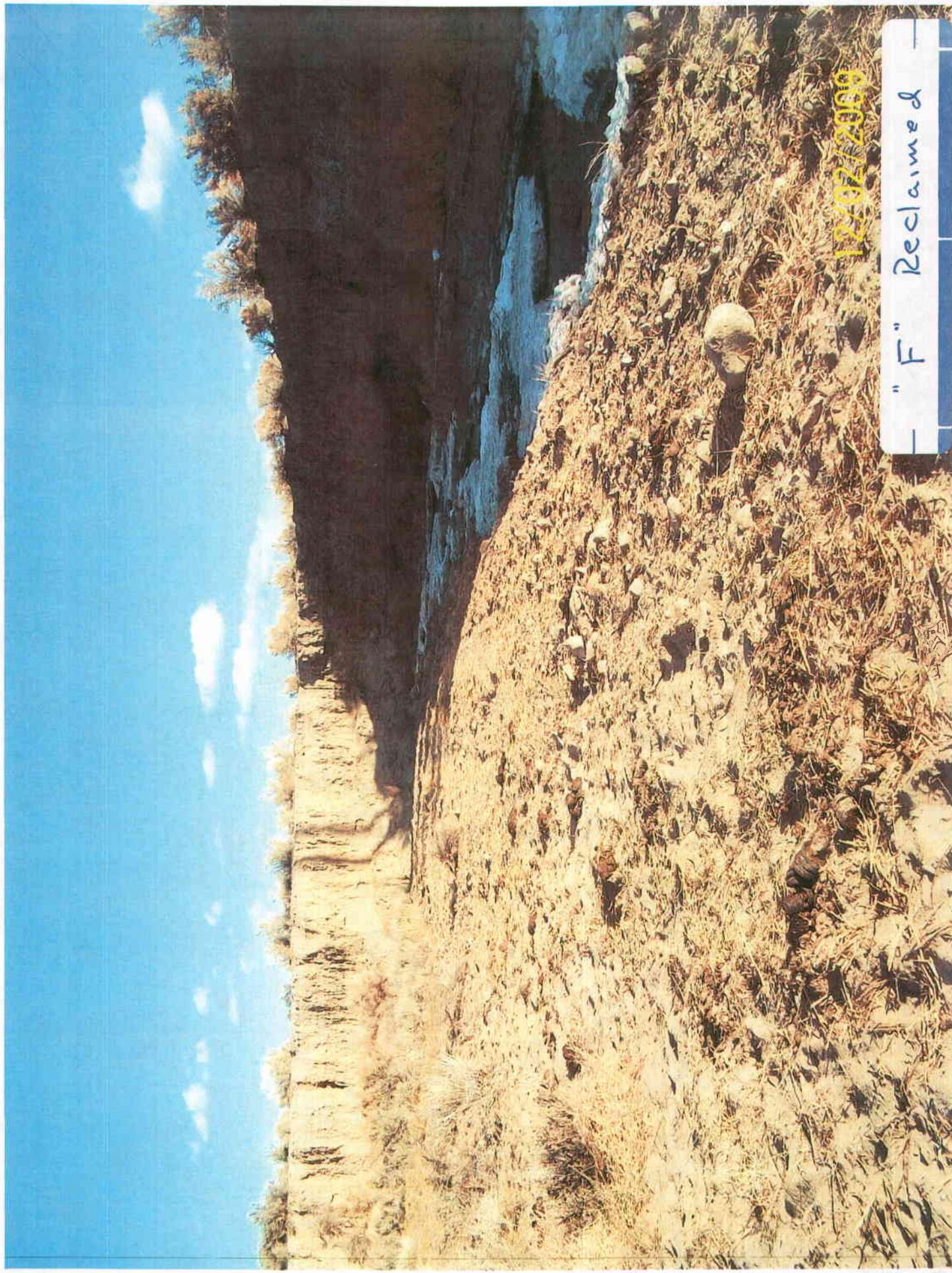
12/02/2009

— "E" Reclaimed —



12/02/2009

— "F" Reclaimed —



12/07/2000

— "F" Reclaimed —

**ATTACHMENT 8**

**BLM SEED MIX**

**Shaver, Dave**

---

**From:** Dana\_Truman@blm.gov  
**Sent:** Wednesday, June 03, 2009 9:29 AM  
**To:** Shaver, Dave  
**Subject:** Seedmix

**Attachments:** Westridge seedmix.docx



Westridge  
edmix.docx (17 KB)

Hi David

Thank you for meeting with me yesterday. To follow-up on the question of top soil storage here are a few notes. From the resource perspective, I evaluate projects and soil handling methods as to how the activity or methods affect the potential for successful reclamation. In many cases, due to the type of disturbance and timeframe of the project, stockpiling the top soil is necessary. In this case, the area of disturbance was small and temporary in nature, and the topsoil resource is relatively minimal due to the location of the project area in an intermittent drainage and the naturally rocky environment, therefore I believe that placing the topsoil in t(See attached file: Westridge seedmix.docx)he access route instead of stockpiling in a separate location is acceptable.

During your reclamation phase, any soil resources will be re-countered to match the native surroundings, thus the topsoil will be returned to the area in which it came and any compacted soil particles will be disturbed. Therefore I expect that reclamation efforts will be successful.

Here are my two suggested seed mixes; one for A, B, and C, and one for D, E, and F.

Please call me if there are any questions.

Best of luck

\*\*\*\*\*  
Dana Truman  
Range Management Specialist  
Price Field Office  
125 South 600 West  
Price, Utah 84501  
435-636-3628 (W)  
435-636-3657 (fax)

A good seedbed needs to be prepared, and restoring natural contours will be a must.

Moisture availability and soil properties will be critical factors affecting seedling establishment.

Planting should be done as a dormant fall planting.

This seed mix should be used as a guide; if changes are needed due to availability of seed or current research and updated information, confer with an authorized BLM specialist.

A, B, C	Species/Variety	CODE	Seeding Rate
			(PLS lbs/ac)
1	Ricegrass, Indian	ACHY	3.0
2	Wheatgrass, Intermediate (Topar)	HECO	2.0
3	Great Basin Wildrye (Trailhead)	LECI4	2.0
4	Small Burnet (Delar)	SAMI3	2.0
5	Fourwing Saltbush	ATCA2	0.5
6	Sagebrush	ARTRT	0.05
			<b>9.55</b>
<b>Broadcast:</b>	Y		

D, E, F	Species/Variety	CODE	Seeding Rate
			(PLS lbs/ac)
1	Ricegrass, Indian (Paloma)	ACHY	3.00
2	Bottlebrush squirreltail	ELEL5	1
3	Wildrye, Russian	PSJU3	2.50
4	Globemallow	SPCO	0.30
5	Fourwing Saltbush (Ricon)	ATCA2	0.50
6	Winterfat (Hatch)	KRLA2	0.70
			<b>8.0</b>
<b>Broadcast:</b>	Y		

**CHAPTER 7**  
**R645-301-700 HYDROLOGY**

*Historical Note: In the spring of 2009, the company constructed a small catchment structure in the C Canyon drainage below the minesite. The purpose of this structure was to contain coal-fines which had accumulated in the drainage channel as a result of non-compliance discharge water from the mine, and to assist in the subsequent clean-up project. After the unit was constructed it was determined that it should be included within the Mining and Reclamation Plan. Please refer to Appendix 5-15 for a complete description of this catchment structure, including history, location, right-of-entry, as-built design, operational criteria, and reclamation information.*

**R645-301-711          General Requirements**

This chapter includes a description of hydrology and hydrogeology of the West Ridge permit area. Specifically, this permit application includes:

- 711.100          Existing hydrologic resources according to R645-301-720.
- 711.200          Proposed operations and potential impacts to the hydrologic balance according to R645-301-730.
- 711.300          The methods and calculations utilized to achieve compliance with the hydrologic design criteria and plans according to R645-301-740.
- 711.400          Applicable hydrologic performance standards according to R645-301-750.
- 711.500          Reclamation activities according to R645-301-760.

NOTE: The following discussion for the remainder of R645-301-711 applies specifically to the Gob Gas Vent Hole (GVH) installation proposed in Bear Canyon. In order to facilitate the review it is presented here in its entirety rather than interspersed throughout the chapter. A more detailed and complete discussion of the Bear Canyon GVH proposal can be found in Appendix 5-14. Unless specifically noted in this following discussion, nothing related to the Bear Canyon GVH proposal affects the contents of the existing approved MRP as described hereinafter.

The GVH site will be located on the opposite side of the road (southeast side) from the primary canyon drainage channel. Therefore, construction and operation of the GVH facility will have no affect on the natural canyon drainage. Because of the limited size of the site (0.24 acres) and the narrow configuration within the

confines of the narrow ledges of the canyon, there is insufficient room to construct a sediment control pond. Therefore the company intends to employ a combination of alternate sediment control methods at the site. During the construction phase of the pad site, adequate rows of excelsior logs will be placed downgrade from the site to prevent construction sediment from entering the channel. Once the pad site is finished, which should take less than two weeks, a disturbed area drainage ditch will be constructed along the toe of the cut. This ditch will be designed to handle the flow from the up-slope undisturbed area, the reclaimed cutslope, the drillpad, and the adjacent section of road. This ditch will discharge into the natural drainage channel a short distance below the drillhole location. This ditch will be armored with adequately-sized rip-rap for its entire length. This rip-rap will decrease the potential for erosion in the ditch, and will also act initially as a siltation trap as a certain amount of sediment is allowed to settle into the rip-rap voids.

The total length of the drainage ditch will be approximately 350'. At 50' intervals along its length energy dissipaters will be installed in the ditch. These energy dissipaters will consist of excelsior logs laid in the ditch perpendicular to the flow direction, and anchored securely with stakes. These dissipaters will reduce the flow velocity to help reduce erosion, and will also serve as siltation filters to help remove sediment prior to reaching the natural channel. In addition, a terminal set of excelsior logs will be installed in the ditch immediately above the point where it discharges into the natural channel. The installation, consisting of four (4 ea.) closely-spaced rows of excelsior logs will serve primarily as sediment traps, rather than energy dissipaters. This set will be located conveniently close to the road to facilitate regular cleaning and maintenance. The sediment traps will be inspected routinely to make sure they are functioning properly. There will be mine personnel attending to the GVH units on a daily basis, and will be instructed to check the sediment traps on a regular basis, and especially after storm events. If they are in need of repair and/or cleaning such maintenance will be done immediately. Sediment cleaned from the traps will be hauled off-site and disposed of at an approved facility, such as the permitted Wildcat Loadout Coal Mine Refuse Disposal Site (DOGM permit C/007/033). All excelsior logs will be installed according to the manufacture's instructions.

Immediately after the cutslopes have been excavated to create the pad-site, the slopes will be pocked, and reseeded. A layer of woodstraw will then be spread over the reseeded slopes. This straw serves to not only provide microclimate conditions to encourage seed germination, it also absorbs some of the energy from falling raindrops, and therefore helps control erosion on the slopes until revegetation can become established. The pocking, which consists of irregular depressions measuring about 24" x 36" x 18" deep, helps revegetation by holding the seed and water in place, and thereby helps minimize erosion as well.

During the drilling phase of the GVH installation, the pad area will be used as an equipment lay-down area for drill steel, drill casing, drilling mud, concrete, etc. The pad will also be used to accommodate the mud pits needed during the drilling operation. The mud pit will measure approximately 30' long x 10' wide x 10' deep, and will be located immediately down-canyon, i.e., southwest of, the drillholes, as shown in Attachment 1. The pit will be lined with a 12 mil plastic liner, with a 20 mil felt underlayment. Based on the diameter and total combined length of the drillholes, and assuming a swell factor of 40% for the cuttings, the estimated volume of cuttings is 1283 cubic feet, or 47 yds. This would result in a total depth of cuttings remaining in the bottom of the pit of about 4.28 ft. After the drillholes have been completed the remaining cuttings will be mixed with native material until it can be handled with heavy machinery. It will then be removed from the pit and hauled off-site to an approved disposal facility. After the cuttings have been removed, the pit will be backfilled and eliminated. The site will then be cleaned up and fine-graded prior to installing the methane extractor units (see Attachments 1 and 7 for details). A period of approximately two weeks will be required to construct the drillpad and to drill the holes. During this time interim sediment control will be provided by several rows of excelsior logs installed at the lower end of the construction site. Sediment is not expected to be a problem because of the short construction time involved (approx. 2 weeks), the low probability of rainfall events in late November at this elevation, and the temporary installation of the excelsior logs.

After the site has been constructed the entire operational pad area, as well as the adjacent road area and turnaround, will be graveled from the channel crossing up to the end of the road. This gravel will consist of a crushed rock 1.5" x 0" road base material, laid down and then compacted to a tight surface. This graveled surface will also serve to reduce erosion on the pad (and adjacent road segment) and thereby decrease sedimentation to the natural drainage.

In summary, the site will be an alternate sediment control area. Sediment will be controlled by the following combination of treatment methods:

- 1) Armoring the entire length of the drainage ditch with rip-rap.
- 2) Installation of energy dissipaters within the ditch to slow the flow velocity.
- 3) Installation of set of sediment control excelsior logs in the ditch ahead of the discharge point.
- 4) Pocking and revegetating the cutslope, including a layer of protective wood straw.

#### 5) Graveling the pad-site and adjacent roadway

Refer to the site plan in Attachment 1 of Appendix 5-14 for the location of the drainage ditch, energy dissipaters, excelsior log siltation controls, and graveled area. See Attachment 11 of Appendix 5-14 for the drainage control calculations determined by Blackhawk Engineering. This report concludes that with "...installation of the proposed sediment and erosion controls, there should be no adverse effects to the surface hydrology of this area."

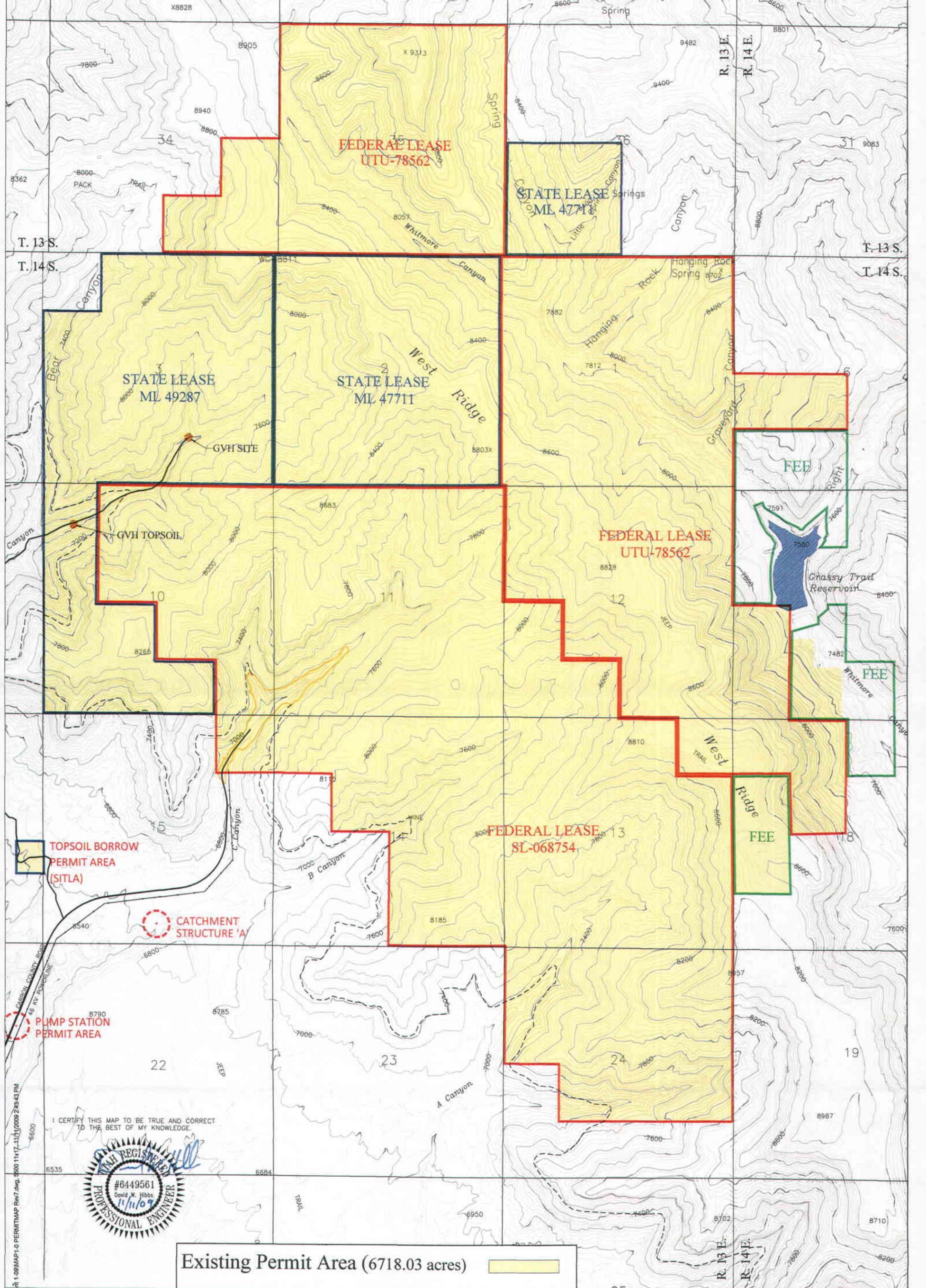
The GVH installation and operation should have no adverse affect on ground-water hydrology. The GVH site is located close to the area where the depth of cover over the longwall panels is the shallowest within the permit area. As a result, this area has been an area of interest in previous MRP amendments, resulting in enhanced water monitoring and subsidence monitoring requirements both above and below the GVH site. A more detailed discussion of the area hydrology can be found in R645-301-322.100 and R645-301-738 of the approved MRP. It should be noted that this area has been now been completely undermined since November, 2006, subsidence has stabilized, and no adverse affects to underground or surface hydrologic resources have been observed. Prior to final reclamation, all drillholes will be plugged and sealed in accordance with State and Federal regulations, as discussed in the Chapter 5 section of Appendix 5-14. See Attachment 10 of Appendix 5-14, prepared by Petersen Hydrologic, for a discussion of the potential hydrologic affects from the GVH installation and operation. This report concludes that "adverse impacts to the hydrologic balance resulting from the installation and operation of the Bear Canyon GVH system are not anticipated." The probable hydrologic consequences (PHC) section of the MRP (645-301-738) has been updated to include a discussion of the Bear Canyon GVH installation.

During drilling operations, as well as during the remainder of the operational life of the GVH installation, noncoal mine waste will be stored in suitable containers, and then disposed of off-site at an approved waste disposal facility. Hydrocarbons, including Diesel fuel, gasoline, oil and grease, will be stored in the factory supplied containment mounted within the machinery. If any stand-alone storage tanks are used they will be equipped with built-in containment capable of holding the entire contents of the tank. Absorbent pads and bags of absorbent granules will be kept on hand during the drilling operation, and later during the GVH operation, to be used in case of a spill of oil, fuel or grease. Used absorbent material will be disposed of at an approved disposal facility. All operations will be subject to the current Spill Prevention Control and Countermeasure Plan (SPCC) for the West Ridge Mine currently on file with the Division, and included in Attachment 14 for ready reference.

Prior to final reclamation, all drillholes will be plugged and sealed in accordance with State and Federal regulations, as discussed in the Chapter 5 section above. Upon final reclamation, any portion of the gravel surface that is stained or contaminated in any way with hydrocarbons will be dug up and hauled off the site to an approved waste disposal facility. After removing any contaminated gravel, the pad area and cutslopes will then be backfilled to approximate original contour, using fill material obtained from the adjacent roadway and leveling pads, and covering up the diversion ditch and the remaining gravel in the process. The slopes will then be re-topsoiled. The surface will then be pocked and re-seeded with an approved seed mix as described in the Chapter 2 discussion. A layer of wood straw will also be spread over the reclaimed slopes to help minimize erosion, and promote vegetation growth. After the reclaimed slopes have been topsoiled and reseeded, a row of excelsior logs will be installed along the full length of the toe of the slope between the slope and the remaining road, as shown on the Reclamation Plan, Attachment 1. The purpose of this row of excelsior logs is to control sediment off the site until the revegetation has become established. These sediment control logs will remain in place until vegetation has been established adequate for Phase 2 bond release.

MAP 1-0

PERMIT MAP



Existing Permit Area (6718.03 acres)

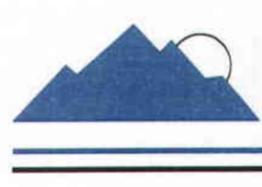
# WEST RIDGE MINE

## Map 1-0

### Permit Map

DATE: 11-11-09 REV: 7 ACAD REF: MAPI-0 PERMITMAP REV7

- LEGEND:**
- Federal Lease —
  - State Lease —
  - Penta Creek Fee —
  - Surface Facility Area —
  - GVH Site ●
  - Outcrop - - -

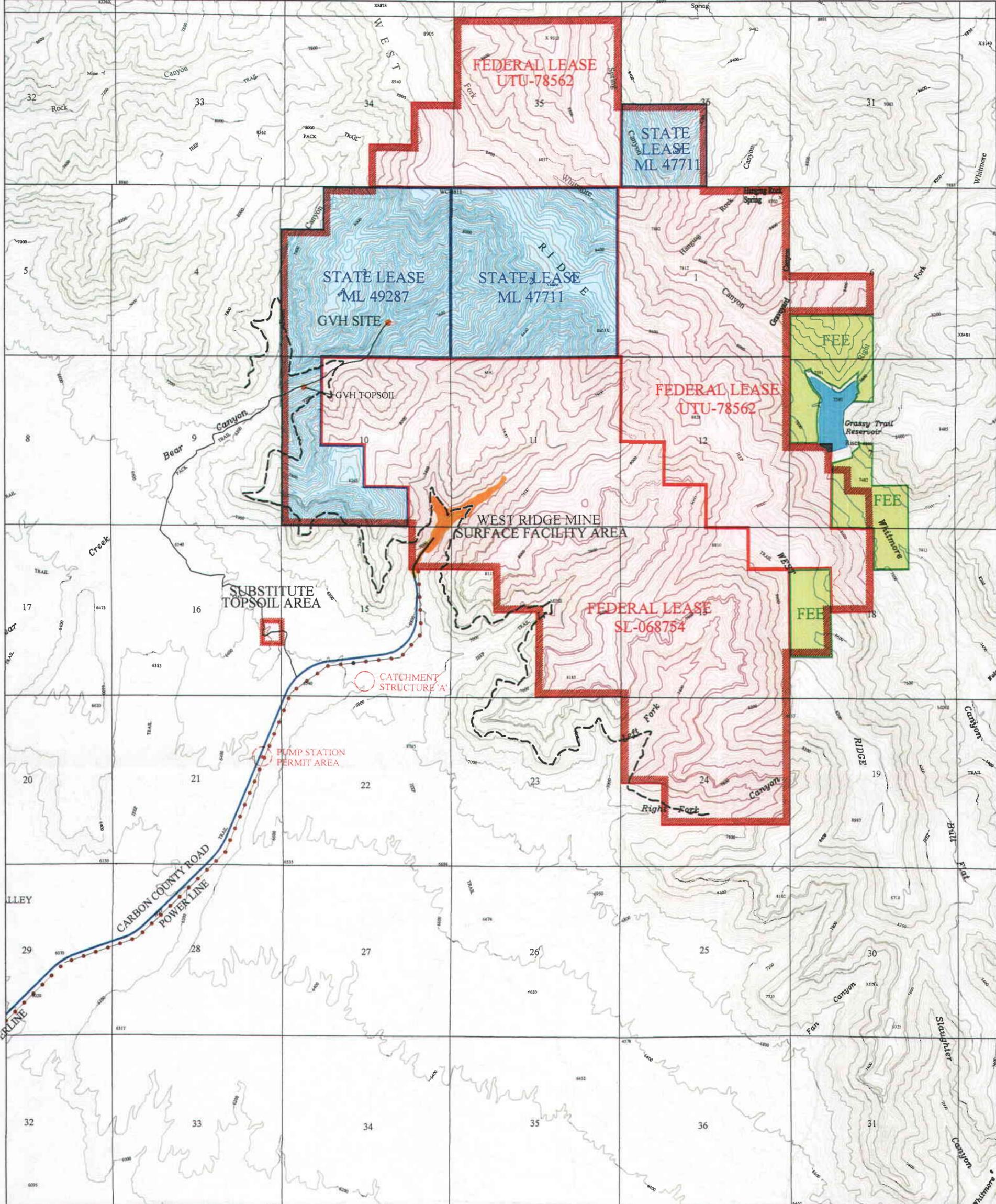


**WEST RIDGE**  
RESOURCES, INC.

SCALE: 1"=2000'

**MAP 1-1**

**LOCATION MAP**



I CERTIFY THIS MAP TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

**DAVID W. HIBBS**  
 #6449561  
 1/22  
 PROFESSIONAL ENGINEER

# WEST RIDGE MINE

## Map 1-1

### Location Map

**LEGEND:**

- Permit Boundary
- Federal Lease
- State Lease
- Penta Creek Fee
- Surface Facility Area
- GVH Site
- Outcrop
- Power Line

**WEST RIDGE**  
RESOURCES, INC.

SCALE: 1" = 3000'