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**RE:** J.B. King Land Status

Act/015/002 #2  
*Al Cerny*

**REMARKS:**  Urgent  For your review  Reply ASAP  Please Comment

Pam,

I found a write-up of Land Status in our Reclamation & Closure Plan of 1981. This confirms that our entire permit area was comprised of State of Utah lands (surface & minerals). Buzz Gerick requested that I fax this to you. Following are Pages 4-1 through 4-3 from that plan. Please feel free to call me if you have any questions.

Al Cerny

Cc: Buzz G. (by Fax)

#### 4.0 LAND USE

The following subsections document the general land characteristics of the J. B. King Mine area as related to legal right to use, existing land use factors and specific conditions, post-mining land use plans, and broad socioeconomic considerations.

##### 4.1 Land Status

This subsection presents information describing the legal authorizations, and manifestations thereof, pertinent to development of the J. B. King Mine lease/permit area. The discussion presented herein appropriately expands upon or references information documented in Chapter II of this Permit Application.

##### 4.1.1 Surface Land Status/Mine Plan Area

Generally located in Section 32, Township 23 South, Range 6 East, the total mine permit area encompasses approximately 480 acres. Surface facilities encompass a minimal disturbance area of approximately 30 acres. A single, two-lane gravel mine access road connects to Interstate Highway 70 approximately five miles to the north-northwest.

##### Surface Lands Ownership

\* The entire 480-acre permit area is owned by the State of Utah and managed by the Utah State Lands Office. Use of acres not committed to mine facilities or access roads does however include secondary management efforts by non-resident ranch operators and involves cattle feed distribution methods and water supply.

##### Utility Corridors and Other Rights-of-Way

Provision of electrical power by Utah Power and Light necessitates a transmission corridor and associated rights-of-way to the electrical substation shown on Maps 3-2A and 3-2B. Telephone service, provided via microwave equipment does not require additional rights-of-way

consideration. No other rights-of-way have been, or are expected to be in the future, identified.

#### Special Use Permits and Leases

The mine permit area presently includes consideration of a State of Utah Special Lease Agreement (No. 365) which provides surface land use of 60 acres for surface facilities construction associated with the mine operations. At this time no additional special use permit and/or lease requirements have been identified. Map No. 3-3 illustrates the area of Special Lease approval. The legal description of Special Lease No. 365 is:

SE 1/4 NW 1/4, N 1/2 NE 1/4 SW 1/4 of Section 32, T. 23 S, R. 6 E,  
Salt Lake Meridian.

#### 4.1.2 Mineral Ownership/Mine Plan Area

This subsection describes the specific lease agreements of mineral rights pertinent to the J. B. King Mine operation. Information presented in this subsection may be cross-referenced to the representative copies of coal lease agreements presented in the latter part of Section 2.0.

#### Coal Ownership and Lease Agreements

As previously described, the entire J. B. King Mine plan area entails approximately 500 surface acres underlain by Utah State owned coal. Coal leases authorizing right to mine include the following identification tracts.

<u>State Lease Number</u>	<u>Acreage</u>
ML - 17687	120.0
ML - 18783	120.0
ML - 19231	120.0
ML - 1003	40.0
SL - 062712	40.0

The following legal descriptions further identify exact locations of coal reserves leased to the Applicant.

- ML - 17687: N 1/2 NE 1/4 and the SE 1/4 NE 1/4 of Section 32, T. 23 S, R. 6 E, S.L.M. containing 120 acres.
- ML - 18783: E 1/2 SE 1/4 and the SW 1/4 SE 1/4 of Section 32, T. 23 S, R. 6 E, S.L.M. containing 120 acres.
- ML - 19231: E 1/2 SW 1/4 and the SW 1/4 SW 1/4 of Section 32, T. 23 S, R. 6 E, S.L.M. containing 120 acres.
- ML - 1003: SW 1/4 NE 1/4 of Section 32, T. 23 S, R. 6 E, S.L.M. containing 40 acres.
- SL - 062712: NW 1/4 SE 1/4 of Section 32, T. 23 S, R. 6 E, S.L.M. containing 40 acres.

#### Mineral Ownership and Lease Agreements

The Applicant owns or controls either legally or equitably, no interests in the mine plan area lands other than those granted the Applicant by the above described leases and Special Use permit.

#### Oil and Gas Ownership, Lease Agreements, and Wells

To date, no oil and gas wells exist within or adjacent to the J. B. King Mine permit area. The State of Utah owns minerals other than coal in the lands of the permit area.

#### 4.2 Land Use

The following discusses the premine and existing land uses in the J. B. King Mine permit area. Postmine land use plans are discussed in Section 4.3.