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ARCO Coal Company
555 Seventeenth Street
Denver, Colorado 80202
Telephone 303 575 7502

Environmental Services



March 13, 1980

Ms. Mary Ann Wright
Reclamation Biologist
Utah Division of Oil, Gas, and
Mining
1588 West North Temple
Salt Lake City, Utah 84116

Dear Ms. Wright:

Pursuant to our telephone conversation of March 3, 1980, and upon review of the "Consultation Procedures for Fish and Wildlife Studies," the Environmental and Permitting Services Group for the Beaver Creek Coal Company would like to submit this formal request to begin the consultation process. The Huntington Canyon No. 4 Mine's OSM permit requires the submission of a wildlife survey plan within two months of approval (by May 9, 1980) as a provision of Special Stipulation #24. We also anticipate the need for similar wildlife survey plans for the Gordon Creek Mines No. 2, 3, and 6 and for the CV Spur facilities in order to prepare revised Mine and Reclamation plans under the Permanent Program.

In order to determine what fish and wildlife resources information will be required, to determine the level of detail and to determine the areas of study, we request the Division of Oil, Gas, and Mining to commence to consultation process for each of these operations. Enclosed pursuant to the Consultation Procedures are the following:

- 1) Two maps of each area showing the permit area and adjacent areas with the proposed and/or existing facilities,
- 2) A short narrative of the operation of each site,
- 3) Legal description,
- 4) Notice of the coal and surface ownership. (This will be sent later.)

We would appreciate knowing those dates which would be convenient for you for the purpose of making the required

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site visits. It is anticipated that both an Environmental and Permitting Services staff member and a mine operations representative will be available to accompany the Division's biologist.

It is our current plan to select a qualified consultant and commence the necessary wildlife surveys based on the plan developed under this consultation process as soon as possible this spring. According to the OSM Special Stipulation #24, submission of a completed survey at the Huntington Canyon No. 4 Mine is due to OSM by December 31, 1980. Submission of the completed surveys for the other properties are expected to be within 60 days of approval by OSM of the Utah State program.

Should you have any questions regarding this matter, do not hesitate to contact me (303) 575-7504 or Dan Guy (801) 637-5050.

Sincerely,



James A. Ives
Principal Environmental Coordinator
Western Area

JAI:an
Enclosures

cc: Dan Guy/Beaver Creek
J. A. Holligan/DAT 2247
Max Robb/Beaver Creek

HUNTINGTON CANYON NO. 4 MINE

Beaver Creek Coal Company of Price, Utah in January, 1977 applied to the BLM for 440 acres of federal coal to be leased under short-term criteria. The lease is located in Mill Canyon and is known as Huntington Canyon No. 4 Mine. The area is bounded on the north by Little Bear Canyon and on the south by Mill Fork Canyon. Slopes grade from 50-90%.

Most of the area consist of scattered trees and small stands of timber broken up by rock outcrops and large expanses of grasses and brush. Past land use consists of wildlife habitat, livestock forage, and coal mining.

Mine development is in the Blind Canyon coal seam. It has a thickness averaging 9 feet. The Huntington Canyon No. 4 Mine is a 5-entry system, utilizing two of the old Leamaster's portals on the outcrop. Coal production is via a continuous miner using room and pillar methods. Surface disturbance currently totals about 12.5 acres. Surface facilities will include bathhouse, coal loadout facilities, and water processing facilities.

Legal Description

All of Section 16	T16S, R7E	640 acres more or less
E $\frac{1}{2}$ Section 17	T16S, R7E	320 acres more or less
SW $\frac{1}{4}$ Section 8	T16S, R7E	160 acres more or less
S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8	T16S, R7E	80 acres more or less
S $\frac{1}{2}$ S $\frac{1}{2}$ less SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9	T16S, R7E	120 acres more or less

Pumping facility beginning at a point 555 ft west and 85 ft south of the NE corner of the NE $\frac{1}{4}$, Section 21, thence 100 ft south, thence 200 ft west, thence 100 ft north, thence 200 ft east to point of beginning.

	T16S, R7E, SLM, Utah	0.46 acres more or less
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STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 WEST NORTH TEMPLE
SALT LAKE CITY, UTAH 84116

THE MINED LANDS RECLAMATION ACT
RECLAMATION PERFORMANCE BOND

BOND NO. 8082 89 88

Know all men by these presents, that we the undersigned, _____

Swisher Coal Co., a Wholly-owned Subsidiary of Atlantic Richfield Company
(State name and form of business organization of the Permit Applicant)

duly authorized to do business in the State of Utah, AS PRINCIPAL, and _____

Federal Insurance Company

a corporation organized and existing under the laws of the State of New Jersey and duly authorized to do business in the State of Utah, AS SURETY, are held and firmly bound unto the State of Utah, Division of Oil, Gas, and Mining, in the sum of One Hundred Fifty-four Thousand Two Hundred Seventy-five Dollars (\$ 154,275), lawful money of the United States, to be paid to the State of Utah, Division of Oil, Gas, and Mining and the United States Department of the Interior, Office of Surface Mining, upon order of forfeiture by the State of Utah, Division of Oil, Gas, and Mining, for the payment of which sum, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that whereas the above named principal did on the 16th day of March 1976, file with the Division of Oil, Gas, and Mining a "Notice of Intention to Commence Mining Operations" and a "Mining and Reclamation Plan", to secure authorization to engage in mining operations in the State of Utah, under the terms and provisions of the Mined Land Reclamation Act; that in said Notice the principal estimated that 1,320.46 acres of land will be affected by mining. Said land is described as follows:

All of Section 16	T16S, R7E	640 acres more or less
E/2 Section 17	T16S, R7E	320 acres more or less
SW/4 Section 8	T16S, R7E	160 acres more or less
S/2SE/4 Section 8	T16S, R7E	80 acres more or less
S/2S/2 less SE/4SE/4 Section 9	T16S, R7E	120 acres more or less
Pumping facility beginning at a point 555 feet west and 85 feet south of the NE corner of the NE/4, Section 21, thence 100 feet south, thence 200 feet west, thence 100 feet north, thence 200 feet east to point of beginning.	T16S, R7E	0.46 acres more or less

All above lands in Emery County, Utah

Now, therefore, the conditions of the obligation are such that, this bond shall remain in full force and effect until either released or forfeited pursuant to the provisions of the Utah Mined Land Reclamation Act and the Surface Mining Control and Reclamation Act of 1977 PL(95-87) and any rules and regulations adopted pursuant to said Acts.

PRINCIPAL

Signed and executed this 25th day of February, 1980: Bond No. _____

BY: A. J. Rogers
Vice President

TITLE: Swisher Coal Co.

State of Colorado

County of Denver

SS.

The foregoing instrument was acknowledged before me by A. J. Rogers,
Vice President, Swisher Coal Co., this 25th day of February, 1980.

Witness my hand and official seal.

Vellma P. Rollins
(Notary Public or other authorized officer)

My Commission Expires: December 16, 1981

SURETY

Signed and executed this 25th day of February, 1980:

BY: Marjory Davis

TITLE: Attorney-in-Fact

State of Colorado

County of Denver

SS.

The foregoing instrument was acknowledged before me by _____
Marjory Davis, this 25th day of February, 1980.

Witness my hand and official seal.

Colleen Shields
(Notary Public or other authorized officer)

My Commission Expires: January 16, 1983

RESIDENT AGENT FOR SERVICE

Resident Agent: _____ Date: _____
(Signature)

_____ Address: _____
(Printed Name)

Approved as to form and execution:

Robert Hanson
Attorney General

BY: Denise Drexler Date: February 29, 1980
Special Assistant Attorney General

APPROVED: Conrad W. Daniels DATE: February 29, 1980
Coordinator of Mined Land Development

Permit No. ACT-015-004

POWER OF ATTORNEY

Know all Men by these Presents, That the FEDERAL INSURANCE COMPANY, 100 William Street, New York, New York, a New Jersey Corporation, has constituted and appointed, and does hereby constitute and appoint **James C. Congelio, Robert W. Whitman and Marjory Davis of Denver, Colorado**

each its true and lawful Attorney-in-Fact to execute under such designation in its name and to affix its corporate seal to and deliver for and on its behalf as surety thereon or otherwise, bonds or obligations given or executed in the course of its business, and any instruments amending or altering the same, and consents to the modification or alteration of any instruments referred to in said bonds or obligations.

In Witness Whereof, the said FEDERAL INSURANCE COMPANY has, pursuant to its By-Laws, caused these presents to be signed by its Assistant Vice-President and Assistant Secretary and its corporate seal to be hereto affixed this **5th** day of **April** **1979**

FEDERAL INSURANCE COMPANY
By



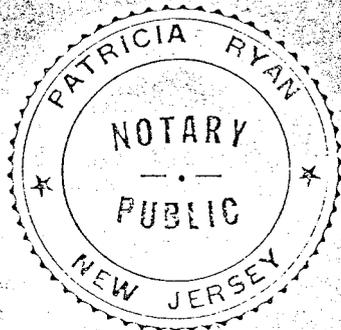
George McClellan
Assistant Vice-President

Richard D. O'Connor
Assistant Secretary

STATE OF NEW JERSEY }
County of Essex } ss:

On this **5th** day of **April** **1979**, before me personally came Richard D. O'Connor to me known and by me known to be Assistant Secretary of the FEDERAL INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney, and the said Richard D. O'Connor being by me duly sworn, did depose and say that he is Assistant Secretary of the FEDERAL INSURANCE COMPANY and knows the corporate seal thereof; that the seal affixed to the foregoing Power of Attorney is such corporate seal and was thereto affixed by authority of the By-Laws of said Company, and that he signed said Power of Attorney as Assistant Secretary of said Company by like authority; and that he is acquainted with George McClellan and knows him to be the Assistant Vice-President of said Company, and that the signature of said George McClellan subscribed to said Power of Attorney is in the genuine handwriting of said George McClellan and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Acknowledged and Sworn to before me
on the date above written.



Notary Public

PATRICIA RYAN
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires December 11, 1983

CITY OF SHORT HILLS }
County of Essex }

ss.

I, the undersigned, Assistant Secretary of the FEDERAL INSURANCE COMPANY, do hereby certify that the following is a true excerpt from the By-Laws of the said Company as adopted by its Board of Directors on March 11, 1953 and amended May 27, 1971 and that this By-Law is in full force and effect.

"ARTICLE XVIII.

Section 2. All bonds, undertakings, contracts and other instruments other than as above for and on behalf of the Company which it is authorized by law or its charter to execute, may and shall be executed in the name and on behalf of the Company either by the Chairman or the Vice-Chairman or the President or a Vice-President, jointly with the Secretary or an Assistant Secretary, under their respective designations, except that any one or more officers or attorneys-in-fact designated in any resolution of the Board of Directors or the Executive Committee, or in any power of attorney executed as provided for in Section 3 below, may execute any such bond, undertaking or other obligation as provided in such resolution or power of attorney.

Section 3. All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the Vice-Chairman or the President or a Vice-President or an Assistant Vice-President, jointly with the Secretary or an Assistant Secretary, under their respective designations."

And I further certify that I have compared the foregoing copy of the POWER OF ATTORNEY with the original thereof and the same is a correct and true copy of the whole of said original Power of Attorney and that said Power of Attorney has not been revoked.

And I further certify that said FEDERAL INSURANCE COMPANY is duly licensed to transact fidelity and surety business in each of the States of the United States of America, District of Columbia, Puerto Rico, and each of the Provinces of Canada with the exception of Prince Edward Island; and is also duly licensed to become sole surety on bonds, undertakings, etc., permitted or required by law.

Given under my hand and the seal of said Company at Short Hills, N.J., this 25th day of February, 19 80.

Calvin M. Shields
Assistant Secretary