



GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

June 5, 2018

Bart Hyita, President  
Bronco Utah Operations, LLC  
P.O. Box 527  
Emery, Utah 84522

Subject: Conditional Approval of Ownership and Control Update, Bronco Utah Operations, LLC, Hidden Valley Mine, C/015/0007, Task #5681

Dear Mr. Hyita:

The above-referenced amendment is approved conditioned upon receipt of 2 clean copies prepared for incorporation. Please submit these copies by July 6, 2018. Once we receive these copies, final approval will be granted.

A stamped incorporated copy of the approved plans will also be returned to you at that time, for insertion into your copy of the Mining and Reclamation Plan.

If you have any questions, please call me at (801) 538-5350.

Sincerely,

Steve Christensen  
Permit Supervisor

SKC/sqs

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## Technical Analysis and Findings

### Utah Coal Regulatory Program

**PID:** C0150007  
**TaskID:** 5681  
**Mine Name:** HIDDEN VALLEY MINE  
**Title:** UPDATE OWNERSHIP & CONTROL

### General Contents

#### Identification of Interest

*Analysis:*

The amendment meets the State of Utah R645 requirements for Identification of Interests.

On May 22, 2018, Bronco Utah Operations, LLC (the Permittee) provided Changes in Officers. The changes included:

Bronco Utah Operations LLC: End Dates for Daniel R. Baker, Chief Executive Officer/President May 7, 2018; Gary Takenaka, Chief Operating Officer/Secretary/Treasurer May 18, 2018; David Petty, Chief Financial Officer August 3, 2017. Start Dates for Bart Hyita, Chief Executive Officer/President April 17, 2018; Harold Cunningham, Treasurer/Secretary/Controller May 18, 2018.

Bronco Utah Reserves Inc.: End Dates for Daniel R. Baker, Chief Executive Officer/President May 7, 2018; Gary Takenaka, Chief Operating Officer/Secretary/Treasurer May 18, 2018; David Petty, Chief Financial Officer August 3, 2017. Start Dates for Bart Hyita, Chief Executive Officer/President April 17, 2018; Harold Cunningham, Treasurer/Secretary/Controller May 18, 2018.

Bronco Coal Resources LLC: End Dates for Daniel R. Baker, Chief Executive Officer/President May 7, 2018; Gary Takenaka, Chief Operating Officer/Secretary/Treasurer May 18, 2018; David Petty, Chief Financial Officer August 3, 2017. Start Dates for Bart Hyita, Chief Executive Officer/President April 17, 2018; Harold Cunningham, Treasurer/Secretary/Controller May 18, 2018.

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#### Violation Information

*Analysis:*

The amendment meets the State of Utah R645 requirements for Violation Information.

The Permittee has revised the violation information on page 2a of Chapter I of the Mining and Reclamation Plan (MRP). Information relative to Dan Baker and his former position as an officer and director at the Horizon Mine and Wildcat

Loadout properties has been removed from the MRP. The amendment provided an end date of May 7th, 2018 for Dan Bakers position as Chief Executive Officer for Bronco Utah Operations, LLC, Bronco Utah Reserves, Inc. and Bronco Coal Resources, LLC. As a result, the information previously required outlining Mr. Bakers involvement with the Horizon Mine and Wildcat Loadout properties is no longer required as he is no longer employed or associated with the Horizon Mine.

The Permittee provided a start date of April 17th, 2018 for Bart Hyita as acting Chief Executive Officer (CEO) and President. Additionally, a start date of May 18th, 2018 was provided for Harold Cunningham as Treasurer/Secretary/Controller. In both instances for Mr. Hyita and Mr. Cunningham, their positions as CEO and Treasurer/Secretary/Controller are for Bronco Utah Operations, LLC, Bronco Utah Reserves, Inc. and Bronco Coal Resources, LLC.

An OSMRE Applicant Violator System (AVS) report and supporting narrative was requested by the Division of Oil, Gas and Mining on May 24th, 2019 for Mr. Hyita. Seventeen violations were identified that OSMRE's provided narrative indicates are "under settlement under Island Creek Settlement".

On the newly revised page 2a, the Permittee indicates that Bronco Utah Operations, LLC, their subsidiaries and affiliates have not had any federal or state mining permits suspended or revoked nor any mining bonds or similar securities deposited in lieu of bond forfeited in the previous five years. Additionally, the Permittee has not been issued a violation within the last 3 years; thus Appendix IV does not require updating at this time.

**schriste**