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DIV. OF OIL & GAS MINING

IN REPLY PLEASE REFER TO:
3482, U-38727, U-020668, (UT-923)

Pamela Grubaugh-Littig
Permit Supervisor
State of Utah
Division of Oil Gas and Mining
1594 West North Temple Street, Suite 1210
Salt Lake City, Utah 84114-5801

Re: Incidental Boundary Change, C. W. Mining Company, Bear Canyon Mine, C/015/0025,
Task ID #2042.

Incoming
C/015/0025
Copy Wayne H.
FAX Pete

Dear Ms. Grubaugh-Littig:

We have received the subject mine plan amendment and have reviewed the resource recovery and protection plan (R2P2) portion of the plan for compliance with the Mineral Leasing Laws and regulations. Our comments follow:

C. W. Mining applied for and was granted a lease modification of 40 acres to Federal coal lease U-38727, effective June 19, 2002, and legally described as NENE of section 24, T. 16 S., R. 7 E., SLM, UT. This 40 acre tract, which bridges two existing Federal coal leases, was overlooked in the leasing process years ago when the original leases were issued. This tract is now proposed to be added to the existing permit area and qualifies as an incidental boundary change (IBC).

C. W. Mining has submitted an R2P2 in conjunction with a LMU application that covers both the two Federal coal leases for the Wild Horse Ridge area (U-38727 and U-020668) and the leases north in the Mohrland area (U-61049 and U-61048). This R2P2 has mining projections through this 40 acre tract and meets our requirements for recovery under the lease. The surface estate of this tract is National Forest system lands and as such, we have no comment on land use issues. We recommend approval of the IBC within our scope of authority.

If you have any questions, please contact Stephen Falk at our Price Field Office at 435-636-3605 or Jeff McKenzie of my staff at 801-539-4038.

Sincerely yours,

Chief, Solid Minerals

cc: Price Field Office (UT-070)