

**From:** <cwmining@etv.net>  
**To:** <waynehedberg@utah.gov>  
**Date:** 4/18/2005 6:01:33 PM

Here is our response to the technical data on  
ACT/015/025.

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This message was sent using Endymion MailMan.  
<http://www.endymion.com/products/mailman/>

## CO-OP MINING COMPANY

P.O. Box 1245  
Huntington, Utah 84528



Office (435) 687-2450  
FAX (435) 687-2084

April 18, 2005

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

To Whom It May Concern,

Re: Application to Change existing Mining Plan, Incidental Boundary Change, Bear Canyon Mine, ACT/015/025

Enclosed is our response to the technical analysis Data.  
If you have any questions, please call me at (435) 687-5238.

Thank You,

Mark Reynolds

Enclosure(s)

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change [X] New Permit [ ] Renewal [ ] Exploration [ ] Bond Release [ ] Transfer [ ]

Permittee: CO-OP MINING COMPANY

Mine: BEAR CANYON MINE

Permit Number: ACT/015/025

Title: Incidental Boundary Change

Description, Include reason for application and timing required to implement:

Including the area of Lease U-38727 that was added in a lease modification to the permit area.

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication .

- 1. Change in the size of the Permit Area? Acres: 39.44 Disturbed Area: [X] increase [ ] decrease.
2. Is the application submitted as a result of a Division Order? DO#
3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
4. Does the application include operations in hydrologic basins other than as currently approved?
5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
6. Does the application require or include public notice publication?
7. Does the application require or include owners hip, control, right-of-entry, or compliance information?
8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
9. Is the application submitted as a result of a Violation? NOV # N03-40-1-1 and N03-46-2-2
10. Is the application submitted as a result of other laws or regulations or policies?
11. Does the application affect the surface landowner or change the post mining land use?
12. Does the application require or include underground design or mine sequence and timing ? (Modification of R2P2)
13. Does the application require or include collection and reporting of any baseline information?
14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
15. Does the application require or include soil removal, storage or placement?
16. Does the application require or include vegetation monitoring, removal or revegetation activities?
17. Does the application require or include construction, modification, or removal of surface facilities?
18. Does the application require or include water monitoring, sediment or drainage control measures?
19. Does the application require or include certified designs, maps or calculation?
20. Does the application require or include subsidence control or monitoring?
21. Have reclamation costs for bonding been provided?
22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

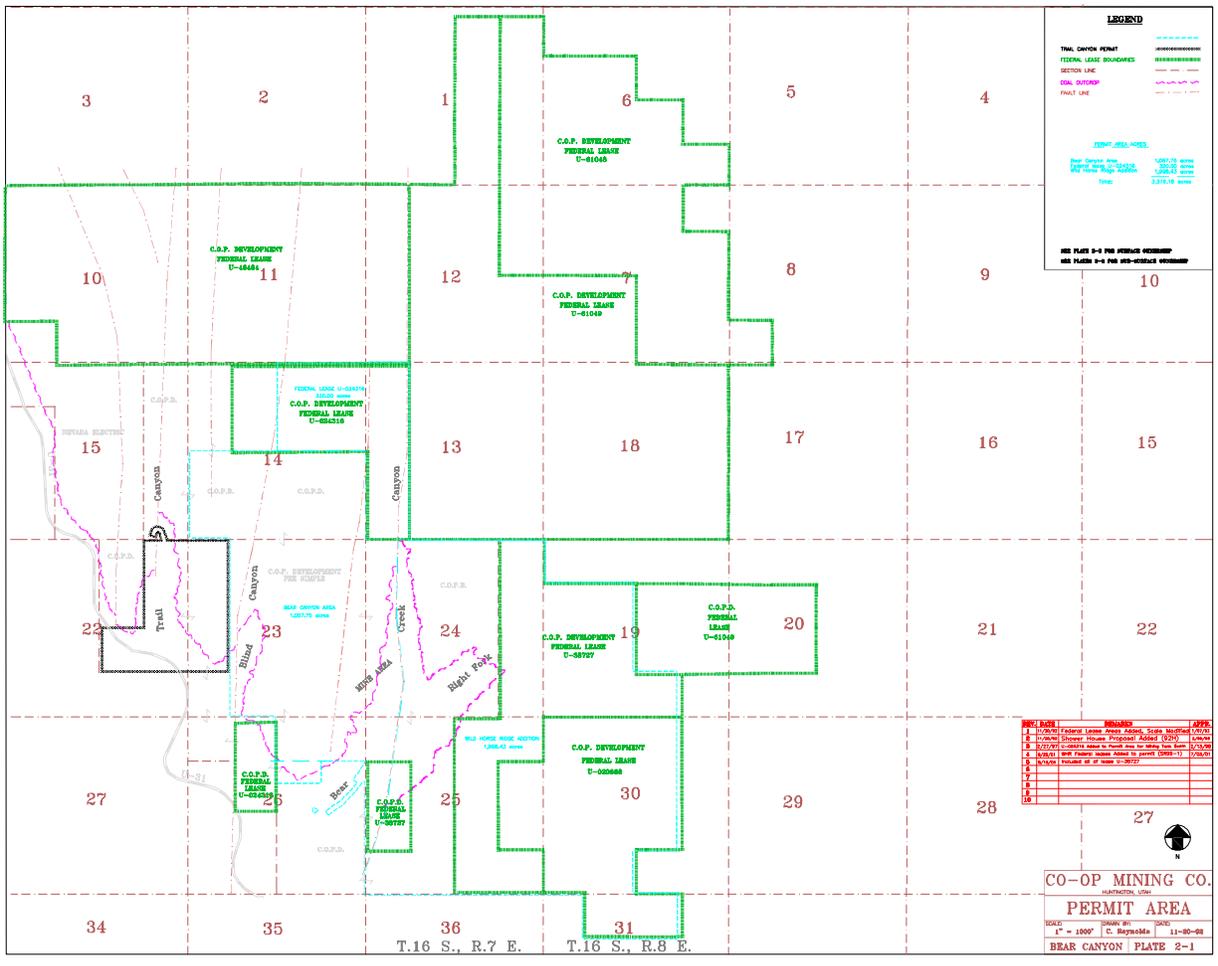
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.
Print Name Sign Name, Position, Date
Subscribed and sworn to before me this \_\_\_ day of \_\_\_, 20\_\_
Notary Public
My commission Expires: \_\_\_, 20\_\_
Attest: State of \_\_\_ } ss:
County of \_\_\_ }

Table with 3 columns: For Office Use Only, Assigned Tracking Number, Received by Oil, Gas & Mining



## Response To Technical Analysis Dated February 4, 2005

- R645-103-235 The status of the dwelling is included on page 2-9,  
A waver letter was added as page 2G-2.
- R645-300-133.100 Made numbers match on plate 2-1 to page 2-3
- R645-301-112.200 There is already a statement on page 2-1 that C.W. Mining and CO-OP  
Mining are the same
- R645-301-112.400 Control of the lease is given to C.W. Mining in the Agreement letter.
- R645-301-114.100 A new lease agreement has been added to appendix 1B on page 1B-19
- R645-301-120 Page 2-3 correctly states 2-3 instead of 2-3A.
- R645-301-121.200 &  
R645-301-522 All figures, numbers, & maps were changed to match the current LUM.  
The subsidence protection area is there due to LUM restrictions. There is  
currently and amendment to LUM over review by BLM.
- R645-301-133.300 Violations were added to page 1A-1
- R645-301-521 Lease U-61048, and U-61049 as well as fee coal to the north and east of  
the permit area are not part of the current permit area. The permit tee feels  
it would be foolish to assure we can mine an area that DOGM as not  
giving us permission to mine. Because at this timing and sequence for  
these areas has not been added. If the permit tee adds these areas to the  
permit in the future this info will be given.
- R645-301-525.440 Additional subsidence monitoring point will be provided Plate 3-3
- R645-301-525.700 Documentation or notice are presented and added.



**Bear Canyon Permit # ACT/015/025**

One violation ~~has been~~ received for the above referenced permit number in the previous three years ~~preceding August 2002~~. The violation number is ~~N01-43-1-1~~ and was ~~received on~~ March 29, 2001. Details of the violation ~~are~~ described below

**~~N01-43-1-1~~**

~~The violation was issued because sediment was carried out of the permit area by runoff. As a result of this violation new silt fences were installed below the Ballpark to ~~psoil stockpile to prevent sediment from being carried off of the permit area. The correspondence between C. W. Mining and the Division concerning this violations has been included.~~~~

**N04-46-1-1**

Violation was issued because ditches and culverts did not meet their designed capacity. Rocks and sediment were removed to Ditches and Culverts from ditches and culverts to restore them to their designed capacity.

**No04-46-2-2**

Violation was issued because the mine refuse from rock tunnels was being stored in sediment pod D causing it to not have the required storage capacity. The material was moved to the appropriate storage site.

**C.O.P. COAL DEVELOPMENT COMPANY**  
**53 West Angelo Avenue**  
**Salt Lake City, Utah 84115**

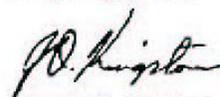
January 21, 2001

State of Utah  
Division of Oil, Gas and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

Gentlemen:

Please be advised that C.O.P. Coal Development Company is the record owner of the fee ground and Federal Coal lease #'s 020668, 024316, 024318, 38727, 46484, and 61049, located in Bear Canyon, Emery County, Utah, which includes all of the real property involved in Permit No. Act/015/025. C.O.P. is currently leasing all of the property to Co-op Mining Company and the lease permits Co-op to use the land for coal mining and related activities. This lease agreement will automatically be extended without amendment unless either party gives 30 days written notice of cancellation.

Very truly yours,



Joseph O. Kingston, President  
C.O.P. Coal Development Company

JOK/lm

A.	T16S, R7E SLBM	Sec.	14 SW 1/4, SE 1/4
		Sec.	23 E1/2, E1/2 W1/2
		Sec.	24 W1/2, W1/2 E1/2
		Sec.	25 NW1/4 NW1/4, E1/2 NW1/4, SW1/4 SW1/4, E1/2 SW1/4
		Sec.	26 NE1/4 NE1/4, NW1/4 NE1/4, N1/2 SW1/4 NE1/4 and the access/haul road and topsoil storage area as shown on Plate 2-1.
B.	T16S, R7E SLBM	Sec.	13 W 1/4
		Sec.	14 NE 1/4
		Sec.	24 E1/2 SE1/4, SE1/4 NE1/4
	T16S, R8E SLBM	Sec.	18 SW1/4 SW1/4
		Sec.	19 S1/2 NW1/4, SW1/4, SW1/4 SE1/4,
C.	T16S, R7E SLBM	Sec.	25 SW1/4 NW1/4, NW1/4 SW1/4
D.	T16S, R7E SLBM	Sec.	25 E1/2
	T16S, R8E SLBM	Sec.	30 W1/2, W1/2 NE1/4, NW1/4 SE1/4
		Sec.	31 NE1/4 NW1/4, NW1/4 NE1/4

Note: Letter corresponds with ownership shown in Table 2-1.

The lease guarantees Co-Op the right to mine and remove from, and use for purposes incident to mining, including access roads, camp facilities, surface operations, storage of coal, and other activities; also unrestricted use of all access roads leading to and from the property. A total of ~~3,336.18~~ 3,376.18 acres are included in the permit area.

### **2.2.3 Purchase of Record Under a Real Estate Contract for Surface Area Coal**

See Appendix 2-B Title Insurance Policy and Property Title.

### **2.2.4 Operator, if Different from Applicant**

Same as above.

### **2.5.1 Waiver of Owners of Nearby Occupied Dwellings**

Waiver letters from the occupants of dwellings located within 300 feet of the coal mining operations are found in Appendix 2-G. The Dwelling nearest to the underground workings is the hunting cabin. Pictures of the dwelling were taken in 2004 for the pre-blast survey and are stored at the mine.

## **2.6 PERMIT TERM INFORMATION - ANTICIPATED FOR EACH PHASE**

### **2.6.1 Starting Date**

The mine started construction in 1981 and was in production by late fall of 1981.

### **2.6.2 Termination Dates**

Termination dates anticipated for each phase of mining are nebulous at this time although a detailed estimate of production and reserves are included in the Geology Section and a projection of 33-years appears realistic (from 1990). The final termination date for the mining operation is expected to be 2012.

### **2.6.3 Numbers or Surface Acres Affected**

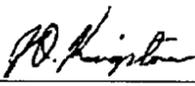
The actual surface acreage disturbed by the mine operation is identified in Section 3.3.14. Plate 2-1 shows the permit area and Plates 2-4 show the surface facilities and disturbed area.

Salt Lake City, Utah 84115

To Whom It May Concern:

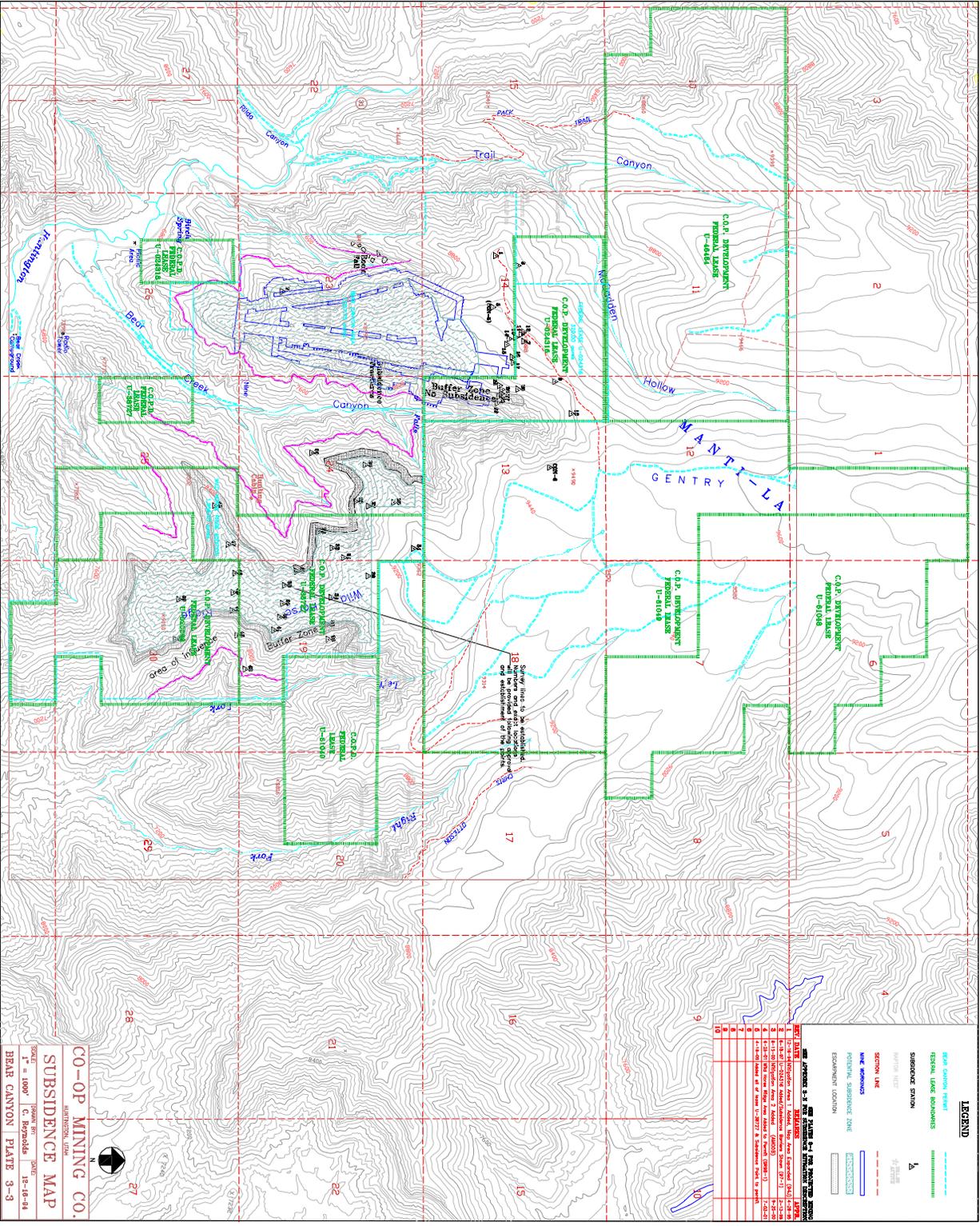
C.O.P. Coal Development Company, as the owner of a dwelling within 300 feet of the mining and reclamation operations of Co-op Mining Company at Bear Canyon, Utah, which dwelling is occupied by Sportsmans, is aware of it's legal right to deny mining within 300 feet of the dwelling and has knowingly waived that right and consented to the mining and reclamation activities of Co-op Mining Company at Bear Canyon, Utah.

C.O.P. Coal Development Company

By   
Joseph O Kingston, President  
C.O.P. Coal Development Company

Sportsmans, As occupant of the dwelling above described, hereby waives any right he may have to the mining and reclamation activities of Co-op Mining Company within 300 feet of said dwelling and expressly consents to the same.

Signed   
Alan Jenkins, President  
Sportsmans



**C. W. MINING COMPANY**

P.O. Box 1245  
Huntington, Utah 84528

Office (435) 687-2450  
FAX (435) 687-5724



03/14/2005

C.O.P. Coal Development Co.  
3212 South State Street  
Salt Lake City, Utah 84115

To whom it may concern:

Coal production in the Bear Canyon #3 mine started in February of 2003 in federal lease U-38727 and in March of 2004 in federal lease U-020668. Coal production in the Bear Canyon #4 Mine started in July of 2004 in federal lease U-38727. To date no significant water has been encountered.

If you have any question please call me at (435) 687-5777.

Thank you,  
Mark Reynolds

CW Mining Company.

**C. W. MINING COMPANY**

P.O. Box 1245  
Huntington, Utah 84528

Office (435) 687-2450  
FAX (435) 687-5724



03/14/2005

Bureau of Land Management  
125 South 600 West  
Price, Utah 84501

To whom it may concern:

Coal production in the Bear Canyon #3 mine started in February of 2003 in federal lease U-38727 and in March of 2004 in federal lease U-020668. Coal production in the Bear Canyon #4 Mine started in July of 2004 in federal lease U-38727. To date no significant water has been encountered.

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Thank you,  
Mark Reynolds

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CW Mining Company.

**C. W. MINING COMPANY**

P.O. Box 1245  
Huntington, Utah 84528

Office (435) 687-2450  
FAX (435) 687-5724



03/14/2005

Castle Valley Special Services  
86 S. 100 E  
Castle Dale, Utah 84513

To whom it may concern:

Coal production in the Bear Canyon #3 mine started in February of 2003 in federal lease U-38727 and in March of 2004 in federal lease U-020668. Coal production in the Bear Canyon #4 Mine started in July of 2004 in federal lease U-38727. To date no significant water has been encountered.

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Mark Reynolds

CW Mining Company.

**C. W. MINING COMPANY**

P.O. Box 1245  
Huntington, Utah 84528

Office (435) 687-2450  
FAX (435) 687-5724



03/14/2005

Emery County  
75 E Main  
Castle Dale, Utah 84513

To whom it may concern:

Coal production in the Bear Canyon #3 mine started in February of 2003 in federal lease U-38727 and in March of 2004 in federal lease U-020668. Coal production in the Bear Canyon #4 Mine started in July of 2004 in federal lease U-38727. To date no significant water has been encountered.

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CW Mining Company.

**C. W. MINING COMPANY**

P.O. Box 1245  
Huntington, Utah 84528

Office (435) 687-2450  
FAX (435) 687-5724



03/14/2005

HCIC  
71 N Main  
Huntington, Utah 84528

To whom it may concern:

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**C. W. MINING COMPANY**

P.O. Box 1245  
Huntington, Utah 84528

Office (435) 687-2450  
FAX (435) 687-5724



03/14/2005

Intermountain power Agency  
480 E Winchester ST.,  
SLC, Utah 84107

To whom it may concern:

Coal production in the Bear Canyon #3 mine started in February of 2003 in federal lease U-38727 and in March of 2004 in federal lease U-020668. Coal production in the Bear Canyon #4 Mine started in July of 2004 in federal lease U-38727. To date no significant water has been encountered.

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**C. W. MINING COMPANY**

P.O. Box 1245  
Huntington, Utah 84528

Office (435) 687-2450  
FAX (435) 687-5724



03/14/2005

Nevada Electric  
90 W 100 N,  
Price, Utah 84501

To whom it may concern:

Coal production in the Bear Canyon #3 mine started in February of 2003 in federal lease U-38727 and in March of 2004 in federal lease U-020668. Coal production in the Bear Canyon #4 Mine started in July of 2004 in federal lease U-38727. To date no significant water has been encountered.

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Mark Reynolds

CW Mining Company.

**C. W. MINING COMPANY**

P.O. Box 1245  
Huntington, Utah 84528

Office (435) 687-2450  
FAX (435) 687-5724



03/14/2005

U.S. Forest Service  
599 W. Price River Drive  
Price, Utah 84501

To whom it may concern:

Coal production in the Bear Canyon #3 mine started in February of 2003 in federal lease U-38727 and in March of 2004 in federal lease U-020668. Coal production in the Bear Canyon #4 Mine started in July of 2004 in federal lease U-38727. To date no significant water has been encountered.

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P.O. Box 1245  
Huntington, Utah 84528

Office (435) 687-2450  
FAX (435) 687-5724



03/14/2005

Utah Power And Light  
2011 S highway 10  
Price, Utah 84501

To whom it may concern:

Coal production in the Bear Canyon #3 mine started in February of 2003 in federal lease U-38727 and in March of 2004 in federal lease U-020668. Coal production in the Bear Canyon #4 Mine started in July of 2004 in federal lease U-38727. To date no significant water has been encountered.

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Thank you,  
Mark Reynolds

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CW Mining Company.