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DIVISION OF LANDS AND MINERALS

TELEFAX NUMBER (801) 539-4260

DATE: 18 Aug. 2005 NUMBER OF PAGES SENT: 4

FAX NUMBER: 359-3940

TO: Pam Grubbaugh-Littig

FROM: J. M. Kuzin

SUBJECT: _____

FVE

COMMENTS:

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

Certified Mail--Return Receipt Requested

Mr. Mark Reynolds
Mining Engineer
C. W. Mining Company
P. O. Box 1245
Huntington, Utah 84528

Re: Minor Modification, Resource Recovery and Protection Plan (R2P2), Pillar Extraction Mining Under Escarpments, Wild Horse Ridge Area, Bear Canyon # 3 Mine

Dear Mr. Reynolds:

The Bureau of Land Management (BLM) has received from C. W. Mining, a modification to the subject R2P2. The proposed modification requests approval for pulling pillars under the Castle gate sandstone at the subject mine where little if any escarpments or cliffs exist. The area requested is located on Federal coal lease U-020668.

C. W.'s requested plan change for the # 3 Mine calls for developing rooms (6th Right) south off the east development and then retreat mine the pillars for full extraction. The area in question is located on the south end of Wild Horse Ridge, Emery County, under lands managed by the Manti-LaSal National Forest. The full extraction mining will be under the outcrop of the Castle Gate sandstone member of the Price River Formation. This member is a prominent cliff forming sandstone in the area. Because the locations of burned coal was different than originally projected, this full extraction area was added but the prior mining area had to be left due to elevated coal temperatures. C.W. states that the Castle Gate sandstone outcrop has little if any cliffs above the proposed full extraction mining panels and thus the mining plan change would be in compliance with coal lease special stipulation # 13 (escarpment failure).

The BLM has inspected this general underground area a number of times (3/31/05 and 12/28/04) and the configuration of the burn and the hot zones have been noted. We agree that the burn/hot zone areas have now allowed access to the proposed pillar area. The information provided by C. W. showing the surface area above the proposed pillar panels, has been evaluated. Based on the topographic maps, aerial photographs and surface photography, the BLM agrees that the surface area above the proposed mining panels is mostly slopes with no

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escarpments or cliffs except for one or two small ledges. Lease stipulation # 13 calls for preventing mining induced subsidence in certain areas that would result in hazardous conditions such as escarpment failure. The BLM believes that the proposed mining under the area in question would not create a hazardous condition.

First, the outcrop of the Castle Gate sandstone above the proposed pillar extraction panel is facing northeast and is a vegetation covered steep slope, not a rock outcrop cliff. Aerial photographs show under stereoscopic examination, no cliff faces of any significance but for one ledge estimated at 15 feet high. We do not believe this qualifies as an escarpment.

Second, the amount of subsidence should be very minimal. The panel width is only 700 feet and critical width would not occur. Hence, it is estimated that less than 2 feet of actual (partial) subsidence should occur above the room and pillar panel. Though it is impossible to predict exact amounts of rock failure due to subsidence, the small ledge should not be affected.

Third, if any rock failures occur, they would be limited to the exposed rock which is the identified rock ledge. Any failure would be minor. The Manti LaSal National Forest has stated that any surface resources would not be impacted by minor rock failures due to subsidence (e-mail response, 7/14/05, Dale Harber, Manti-LaSal National Forest).

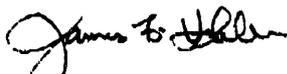
The BLM requests C. W. provide, within 60 calendar days, a mine plan showing the sequence and timing of mining for the areas shown on the approved map and a comparison of recoverable reserves before and after this mine plan modification.

This approval of a minor modification to an existing R2P2 is Categorically Excluded from National Environmental Policy Act (NEPA) analysis in that no new surface disturbance will occur from this action as stated in Overview of BLM's NEPA Process, February 1997, Appendix 2, page 2-7 (F)(7).

C. W.'s proposed changes to the R2P2 complies with the Mineral Leasing Act of 1920, as amended, the regulations at 43 CFR 3480, the lease terms and conditions, and will achieve maximum economic recovery of the Federal coal. C. W. is authorized to extend development south off the east submains in the # 3 Mine to the limits of the outcrop burn on south Wild Horse Ridge and retreat mine with full pillar extraction (as shown on the attached approved map). This approval is conditioned on continued monitoring of the Castle Gate sandstone outcrop above the mining area. Should significant rock failure occur, BLM is to be notified so that a determination of remediation or mitigation, if necessary, can be made. A copy of the approved mine map is enclosed.

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

Sincerely,



James F. Kohler
Chief, Solid Minerals Group

Enclosure: Approved Mine Map

cc: Price Field Office, Utah (UT-070) (w/ encl.)
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1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801 (w/encl.)
Manti-LaSal National Forest
599 West Price River Road
Price, Utah 84501