

*Incoming  
C/015/0025*

# CO-OP MINING COMPANY

## ANNUAL REPORT 2004



RECEIVED

APR - 1 2005

OGM PRICE FIELD OFFICE

**Bear Canyon Mine**  
*C/015/025*

File in:

- Confidential
- Shelf
- Expandable

Refer to Record No. *0013* Date *04/01/2005*

In C/ *0150025 Incoming*

For additional information

**Prepared by**

**Co-Op Mining Company**  
***P.O. Box 1245***  
***Huntington, Utah 84528***  
**(435) 687-2450**

***Mark Reynolds***

**GENERAL INFORMATION**

1. Permit Number	C/015/025
2. Mine Name	Bear Canyon Mine
3. Permittee Name	Co-Op Mining Company
4. Operator Name	
5. Permit Expiration Date	November 2, 2005
6. Company Representative,	Charles Reynolds, P.E.
7. Phone Number	(435) 687-2450
8. Fax Number	(435) 687-2084
9. Mailing Address	Co-Op mining Co. P.O. Box 1245 Huntington ,Utah 84528
10. Resident Agent, Title	Mr. Charles Reynolds
Mailing Address	P.O. Box 1245 Huntington , Utah 84528

**IDENTIFICATION OF OTHER PERMITS**

Identify other permits which are required in conjunction with mining and reclamation activities.

Permit Type	ID Number	Description	Expires on
1. MSHA Mine ID(s)	42-01697	Bear Canyon #1 Mine	N/A
	42-02095	Bear Canyon #2 Mine	N/A
	42-02263	Bear Canyon #3 Mine	N/A
	42-02335	Bear Canyon #4 Mine	N/A
2. MSHA Impoundment(s)		None	
3. NPDES/UPDES Permit(s) (water)	UTG040006	Minor Industrial	04/30/08
4. PSD (Air ) Permit(s)	DAQE-145-02	Issued 2/22/02	N/A

5.			
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**CERTIFIED REPORTS**

List the certified inspection reports as required by the rules and under the approved plan which must be periodically submitted to the Division. Specify whether the information is included as APPENDIX A to this Annual Report or currently ON FILE with the Division.

Certified Reports:	Reports Required?		INCLUDED or ON FILE w/DOGM?			Comments
	YES	NO	YES	NO	ON FILE	
1. Excess Spoil Piles		X		X		
2. Refuse Piles		X		X		
3. Impoundments	X		X			Ponds A, B, C, D
4.						
5.						

**REPORTING OF OTHER TECHNICAL DATA**

List other technical data and information as required under the approved plan which must be periodically submitted to the Division. Specify whether the information is included as APPENDIX B to this Annual Report or currently ON FILE with the Division.

Technical Data:	Reports Required?		INCLUDED or ON FILE w/DOGM?			Comments
	YES	NO	YES	NO	ON FILE	
1. Climatological Data	X		X			
2. Subsidence Monitoring	X		X			Subsidence Report 10/16/04
3. Vegetation Monitoring		X				
4. Raptor Data	X				X	2001, 2002, included in 2002 report
5. Soils Monitoring Data		X				
6. Water Monitoring Data	X				X	
First Quarter Report	X				X	
Second Quarter Report	X				X	
Third Quarter Report	X				X	
Fourth Quarter Report	X				X	
7. Geological/Geophysical		X				
8. Engineering Data		X				
9. Other Data						
Sediment Material Analysis	X		X			
Seed Mix	X		X			



# APPENDIX A

## Certified Reports

Excess Spoil Piles  
Refuse Piles  
Impoundments

As required under R645-301-514

Contents  
Sediment pond inspections

<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		002A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	2/10/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "A"	
	Impoundment Number	002A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	2/10/04		
Inspected By	Mark Reynolds		
Reason for Inspection <small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small>	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's dam shows no signs of structural instability or other hazardous conditions.</p>			
<small>Required for an impoundment which functions as a SEDIMENTATION POND.</small>	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 39,500 ft<sup>3</sup>  60% cleanout elevation = 7,086  100% sediment storage elevation = 7,087.9  Existing sediment elevation = 7,082</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,088  Emergency spillway elevation = 7,094.5</p>		
<p>4. <b>Field Information.</b> Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.</p> <p>Embankment slopes appear stable and are well vegetated.</p>			
<p>5. <b>Field Evaluation.</b> Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The existing sediment volume is 11,851 ft<sup>3</sup>. The existing runoff storage capacity is 100,949ft<sup>3</sup> which is greater than the 64,951 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Mark Reynolds</u> Date: <u>2-10-04</u></p>		

<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		002A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	6/25/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "A"	
	Impoundment Number	002A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	6/25/04		
Inspected By	Alden Gustafson		
Reason for Inspection <small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small>	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's dam shows no signs of structural instability or other hazardous conditions.</p>			
<small>Required for an impoundment which functions as a SEDIMENTATION POND.</small>	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 39,500 ft<sup>3</sup>  60% cleanout elevation = 7,086  100% sediment storage elevation = 7,087.9  Existing sediment elevation = 7,082.1</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,088  Emergency spillway elevation = 7,094.5</p>		
<p>4. <b>Field Information.</b> Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.</p> <p>Embankment slopes appear stable and are well vegetated.</p>			
<p>5. <b>Field Evaluation.</b> Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The existing sediment volume is 12,232 ft<sup>3</sup>. The existing runoff storage capacity is 100,568ft<sup>3</sup> which is greater than the 64,951 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Alden Gustafson</u> Date: <u>6-25-04</u></p>		

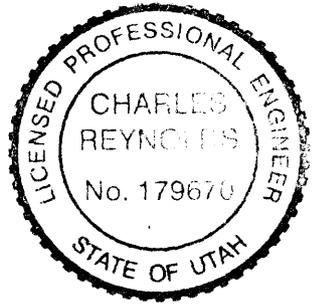
IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		002A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	9/29/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "A"	
	Impoundment Number	002A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	9/29/04		
Inspected By	Mark Reynolds		
Reason for Inspection <small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small>	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's dam shows no signs of structural instability or other hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 31,357 ft<sup>3</sup>  60% cleanout elevation = 7,086  100% sediment storage elevation = 7,087.9  Existing sediment elevation = 7,083 to 7,084</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,088  Emergency spillway elevation = 7,094.5</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.</p> <p>Embankment slopes appear stable and are well vegetated. The pond contains 7" of water</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The existing sediment volume is 7,963 ft<sup>3</sup>. The existing runoff storage capacity is 104,838ft<sup>3</sup> which is greater than the 64,951 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature:  Date: 9-29-04</p>		

<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		002A	Page 1 of 2
Permit Number	ACT\015\025	Report Date	12/20/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "A"	
	Impoundment Number	002A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N\A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	12/20/04		
Inspected By	Mark Reynolds / Charles Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual, Quarterly.		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's dam appeared sound with no signs of structural weakness, erosion or any other hazards.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 31,357 ft<sup>3</sup>  60% cleanout elevation = 7,086  100% sediment storage elevation = 7,087.9  Existing sediment elevation = 7,082</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,088  Emergency spillway elevation = 7,094.5</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The pond contains 12 inches of snow. The outslopes are well vegetated, with no signs of instability.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The existing sediment volume is 7,963 ft<sup>3</sup>. The existing runoff storage capacity is 104,838ft<sup>3</sup> which is greater than the 64,951 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Mark Reynolds</u> Date: <u>12-20-04</u></p>		

**CERTIFIED REPORT**

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

**COMMENTS AND OTHER INFORMATION**



**Certification Statement:**

[PE Cert. Stamp]

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: Charles Reynolds, Mining Engineer  
 (Full Name and Title)

Signature: *Charles Reynolds* Date: 12/20/04

P.E. Number & State: 179670, Utah

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		003A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	2/10/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "B"	
	Impoundment Number	003A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	2/10/04		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's dam appeared sound with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 3,670 ft<sup>3</sup>  60% cleanout elevation = 7,062.9  100% sediment storage elevation = 7,063.4  Existing sediment elevation = 7,063 to 7062.1</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,064.9  Emergency spillway elevation = 7,066.9</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>Embankment slopes appear stable and are well vegetated.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains 261 ft<sup>3</sup> of sediment. The existing run-off storage capacity is 17,084 ft<sup>3</sup> which is greater than the 9,095 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Mark Reynolds</u> Date: <u>2-10-04</u></p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		003A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	6/25/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "B"	
	Impoundment Number	003A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	6/25/04		
Inspected By	Alden Gustafson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's dam appeared sound with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 3,670 ft<sup>3</sup>  60% cleanout elevation = 7,062.9  100% sediment storage elevation = 7,063.4  Existing sediment elevation = 7,063</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,064.9  Emergency spillway elevation = 7,066.9</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>Embankment slopes appear stable and are well vegetated.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains 522 ft<sup>3</sup> of sediment. The existing run-off storage capacity is 16,823 ft<sup>3</sup> which is greater than the 9,095 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Alden Gustafson</u> Date: <u>6/25/04</u></p>		

IMPOUNDMENT INSPECTION AND REPORTED DEFECTS		003A	Page 1 of 2
Permit Number	ACT\015\025	Report Date	9/15/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "B"	
	Impoundment Number	003A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N\A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	9/15/04		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual/Quarterly/Following Clean out		
<p><b>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</b></p> <p>The pond's dam appeared sound with no signs of structural instability or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p><b>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</b></p> <p>Sediment storage capacity = 3,670 ft<sup>3</sup>  60% cleanout elevation = 7,062.9  100% sediment storage elevation = 7,063.4  Existing sediment elevation = 7,062</p>		
	<p><b>3. Principle and emergency spillway elevations.</b></p> <p>Principle spillway elevation = 7,064.9  Emergency spillway elevation = 7,066.9</p>		
<p><b>4. Field Information.</b> Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The pond contains 8" of water</p>			
<p><b>5. Field Evaluation.</b> Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains approximately 0 ft<sup>3</sup> of sediment. The existing runoff storage capacity is approximately 18,000 ft<sup>3</sup> which is greater than the 9,095 ft<sup>3</sup> required in the permit.</p>			

**Qualification Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: Mark Ruff Date: 9-15-04

**CERTIFIED REPORT**

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

**COMMENTS AND OTHER INFORMATION**

**Certification Statement:**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

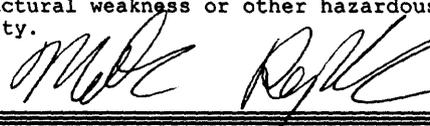
[PE Cert. Stamp]

By: Charles Reynolds, Mining Engineer  
(Full Name and Title)

Signature: Charles Reynolds Date: 9-15-04

P.E. Number & State: \_\_\_\_\_

<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		003A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	12/20/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "B"	
	Impoundment Number	003A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	12/20/04		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's dam appeared sound with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 3,670 ft<sup>3</sup>  60% cleanout elevation = 7,062.9  100% sediment storage elevation = 7,063.4  Existing sediment elevation = 7,062</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,064.9  Emergency spillway elevation = 7,066.9</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>Embankment slopes appear stable and are well vegetated. Pond contains 12" of snow</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains 0 ft<sup>3</sup> of sediment. The existing run-off storage capacity is 18,000 ft<sup>3</sup> which is greater than the 9,095 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Mark Reynolds</u> Date: <u>12-20-04</u></p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		006A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	2/10/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "C"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	2/10/00		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's dam appeared sound with no signs of instability or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 5,282 ft<sup>3</sup>  60% cleanout elevation = 7,030.3  100% sediment storage elevation = 7,031.4  Existing sediment elevation = 7,029 (Average)</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,032.3  Emergency spillway elevation = 7,035.3</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.</p> <p>Embankment slopes appear stable. The slopes are well vegetated.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The existing sediment volume is approximately 1,334 ft<sup>3</sup>. The existing storage capacity is 14,371 ft<sup>3</sup> which is greater than the 7,881 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature:  Date: 2-10-04</p>		

Permit Number	ACT\015\025	Report Date	6/25/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "C"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	

**IMPOUNDMENT INSPECTION**

Inspection Date	6/25/04
Inspected By	Alden Gustafson

Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly
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1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
 The pond's dam appeared sound with no signs of instability or hazardous conditions.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.  Sediment storage capacity = 5,282 ft <sup>3</sup> 60% cleanout elevation = 7,030.3 100% sediment storage elevation = 7,031.4 Existing sediment elevation = 7,029 (Average)
	3. Principle and emergency spillway elevations.  Principle spillway elevation = 7,032.3 Emergency spillway elevation = 7,035.3

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.  
 Embankment slopes appear stable. The slopes are well vegetated.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.  
 The existing sediment volume is approximately 1,334 ft<sup>3</sup>. The existing storage capacity is 14,371 ft<sup>3</sup> which is greater than the 7,881 ft<sup>3</sup> required in the MRP.

<b>Qualification Statement</b>	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.
	Signature: <u>Alden Gustafson</u> Date: <u>6-25-04</u>

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		006A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	9/29/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "C"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	9/29/04		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's dam appeared sound with no signs of instability or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 3,686 ft<sup>3</sup>  60% cleanout elevation = 7,030.3  100% sediment storage elevation = 7,031.4  Existing sediment elevation = 7,029.2 (Average)</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,032.3  Emergency spillway elevation = 7,035.3</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>Embankment slopes appear stable. The slopes are well vegetated. The pond contains 3" of water</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The existing sediment volume is approximately 1,596 ft<sup>3</sup>. The existing storage capacity is 14,109 ft<sup>3</sup> which is greater than the 7,881 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <i>Mark Reynolds</i> Date: 9-29-04</p>		

Permit Number	ACT\015\025	Report Date	12/20/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "C"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	

**IMPOUNDMENT INSPECTION**

Inspection Date	12/20/04
Inspected By	Mark\Charles

Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual/Quarterly
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1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
 The pond's dam show no signs of structural weakness, erosion or any other hazards.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.  Sediment storage capacity = 3,686 ft <sup>3</sup> 60% cleanout elevation = 7,030.3 100% sediment storage elevation = 7,031.4 Existing sediment elevation = 7,029 (average)
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	3. Principle and emergency spillway elevations.  Principle spillway elevation = 7,032.3 Emergency spillway elevation = 7,035.3
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4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.  
 The pond contains 12" of snow. Embankment slopes appear stable and are well vegetated.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.  
 The existing sediment volume is approximately 1,596 ft<sup>3</sup>. The existing storage capacity is 14,109 ft<sup>3</sup> which is greater than the 7,881 ft<sup>3</sup> required in the MRP.

<b>Qualification Statement</b>	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.  Signature: <u>Mark Reple</u> Date: <u>12-20-04</u>
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**CERTIFIED REPORT**

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

COMMENTS AND OTHER INFORMATION

**Certification Statement:**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

[PE Cert. Stamp]

By: Charles Reynolds, Mining Engineer  
 (Full Name and Title)

Signature: Chas Reynolds Date: 12/20/04

P.E. Number & State: 179670, Utah

<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		006A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	2/10/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "D"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	

**IMPOUNDMENT INSPECTION**

Inspection Date	2/10/04
Inspected By	Mark Reynolds

Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly
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1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
 The pond's dam appeared sound with no signs of instability or hazardous conditions.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.  Sediment storage capacity = <del>932</del> ft <sup>3</sup> 1271 60% cleanout elevation = 7,637.6 100% sediment storage elevation = <del>7,637</del> 7,638.5 Existing sediment elevation = 7635
	3. Principle and emergency spillway elevations.  Principle spillway elevation = <del>7,642.5</del> 7,641.4 Emergency spillway elevation = 7,644

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.  
 Embankment slopes appear stable.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.  
 The existing sediment volume is approximately 0 ft<sup>3</sup>. The existing storage capacity is 6,638 ft<sup>3</sup> which is greater than the 5,565 ft<sup>3</sup> required in the MRP.

Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <i>Mark Reynolds</i> Date: 2-10-04</p>
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Permit Number	ACT\015\025	Report Date	6/25/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "D"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	

**IMPOUNDMENT INSPECTION**

Inspection Date	6/25/04
Inspected By	Alden Gustafson

Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly
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1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
 The pond's dam appeared sound with no signs of instability or hazardous conditions.

Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = <del>932</del> ft<sup>3</sup> 1,271          Top of embankment elevation = <del>7,646</del> 7,637.6          100% sediment storage elevation = <del>7,637</del> 7,638.5          Existing sediment elevation = 7,635</p>
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3. Principle and emergency spillway elevations.	<p>Principle spillway elevation = <del>7,642.5</del> 7,641.4          Emergency spillway elevation = 7,644</p>
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4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.  
 Embankment slopes appear stable. The slopes are vegetated.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.  
 The existing sediment volume is approximately 0 ft<sup>3</sup>. The existing storage capacity is 6,638.5 ft<sup>3</sup> which is greater than the 5,565 ft<sup>3</sup> required in the MRP.

Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p style="text-align: right;">Signature: <u>Alden Gustafson</u> Date: <u>6-25-04</u></p>
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IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		007A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	9/29/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "D"	
	Impoundment Number	007A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	9/29/04		
Inspected By	Mark Reynolds		
Reason for Inspection <small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small>	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's dam shows no signs of structural instability or other hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 1,271 ft<sup>3</sup>            60% cleanout elevation = 7,637.6            100% sediment storage elevation = 7,638.5            Existing sediment elevation = 7,635</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,641.4            Emergency spillway elevation = 7,644</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.</p> <p>The pond contains 6 inches of water. Embankment slopes are stable</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The existing sediment volume is 0 ft<sup>3</sup>. The existing runoff storage capacity is 7,405 ft<sup>3</sup> which is greater than the 5,565 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Mark Reynolds</u> Date: <u>9-29-04</u></p>		

<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		007A	Page 1 of 2
Permit Number	ACT\015\025	Report Date	12/20/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "D"	
	Impoundment Number	007A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N\A	

**IMPOUNDMENT INSPECTION**

Inspection Date	12/20/04
Inspected By	Mark \Charles Reynolds

Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly/Annual
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1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
The completed slopes show no signs of structural weakness, erosion or any other hazards.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment. Sediment storage capacity = 1,271 ft <sup>3</sup> 60% cleanout elevation = 7,637.6 100% sediment storage elevation = 7,638.5 Existing sediment elevation = 7,635
	3. Principle and emergency spillway elevations. Principle spillway elevation = 7,641.4 Emergency spillway elevation = 7,644

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

The pond contains 12" of snow.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The existing sediment volume is approximately 0 ft<sup>3</sup>. The existing storage capacity is 6,638.5 ft<sup>3</sup> which is greater than the 5,565 ft<sup>3</sup> required in the MRP.

Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.
Signature:	<i>Mark Reynolds</i> Date: 12/20/04

**CERTIFIED REPORT**

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

COMMENTS AND OTHER INFORMATION

There is a slight variation in the elevation and shape, but the pond size is adequate

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

[PE Cert. Stamp]

By: Charles Reynolds, Mining Engineer  
(Full Name and Title)

Signature: Charles Reynolds Date: 12/20/04

P.E. Number & State: 159670, Utah



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		N/A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	2/10/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Catch Basin "1"	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	2/10/04		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Quarterly	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The basins slopes appear stable with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 606 ft<sup>3</sup>  cleanout elevation = 7,219  100% sediment storage elevation = 7,220  Existing sediment elevation = 7,218.25</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,226  Emergency spillway elevation = 7,227</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The basin contains no water.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains 452 ft<sup>3</sup> of sediment. The existing run-off storage capacity is greater than the 3,466 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p>		
	Signature: 		Date: 2-10-04

Permit Number	ACT\015\025	Report Date	6/25/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Catch Basin "1"	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	N/A	

**IMPOUNDMENT INSPECTION**

Inspection Date	6/25/04		
Inspected By	Alden Gustafson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
 The basins slopes appear stable with no signs of weakness or hazardous conditions.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.  Sediment storage capacity = 606 ft <sup>3</sup> cleanout elevation = 7,219 100% sediment storage elevation = 7,220 Existing sediment elevation = 7,218.25
	3. Principle and emergency spillway elevations.  Principle spillway elevation = 7,226 Emergency spillway elevation = 7,227

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.  
 The basin contains no water.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.  
 The pond contains 452 ft<sup>3</sup> of sediment. The existing run-off storage capacity is greater than the 3,466 ft<sup>3</sup> required in the MRP.

<b>Qualification Statement</b>	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.
	Signature: <u>Alden Gustafson</u> Date: <u>6-25-04</u>

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		N/A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	9/29/04
Line Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Catch Basin "1"	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	9/29/04		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The basins slopes appear stable with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 606 ft<sup>3</sup>  cleanout elevation = 7,219  100% sediment storage elevation = 7,220  Existing sediment elevation = 7,218.25</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,226  Emergency spillway elevation = 7,227</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The basin contains no water.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains 452 ft<sup>3</sup> of sediment. The existing run-off storage capacity is greater than the 3,466 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Mark Reynolds</u> Date: <u>9-29-04</u></p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		N/A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	12/20/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Catch Basin "1"	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	12/20/04		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The basins slopes appear stable with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 606 ft<sup>3</sup>  cleanout elevation = 7,219  100% sediment storage elevation = 7,220  Existing sediment elevation = 7,218.25</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,226  Emergency spillway elevation = 7,227</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The basin contains no water.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains 452 ft<sup>3</sup> of sediment. The existing run-off storage capacity is greater than the 3,466 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p>		
	Signature: <u>Mark Reynolds</u>		Date: <u>12-20-04</u>

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		N/A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	2/10/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Catch Basin "2"	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	2/10/04		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The basins slopes appear stable with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 210 ft<sup>3</sup>  cleanout elevation = 7,380.20  100% sediment storage elevation = 7,380.25  Existing sediment elevation = 7,380</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,382  Emergency spillway elevation = 7,382.5</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The basin contains no water.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains 53 ft<sup>3</sup> of sediment. The existing run-off storage capacity is greater than the 140 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature:  Date: 2-10-04</p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		N/A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	6/25/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Catch Basin "2"	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	6/25/04		
Inspected By	Alden Gustafson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The basins slopes appear stable with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 210 ft<sup>3</sup>  cleanout elevation = 7,380.20  100% sediment storage elevation = 7,380.25  Existing sediment elevation = 7,380</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,382  Emergency spillway elevation = 7,382.5</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The basin contains no water.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains 53 ft<sup>3</sup> of sediment. The existing run-off storage capacity is greater than the 140 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p>		
	Signature: <u>Alden Gustafson</u>		Date: <u>6-25-04</u>

<b>DEPARTMENT OF ENVIRONMENT AND ENERGY</b>		N/A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	9/29/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Catch Basin "2"	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	N/A	

**IMPOUNDMENT INSPECTION**

Inspection Date	9/29/04
Inspected By	Mark Reynolds

Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly
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1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
The basins slopes appear stable with no signs of weakness or hazardous conditions.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.  Sediment storage capacity = 210 ft <sup>3</sup> cleanout elevation = 7,380.20 100% sediment storage elevation = 7,380.25 Existing sediment elevation = 7,380
	3. Principle and emergency spillway elevations.  Principle spillway elevation = 7,382 Emergency spillway elevation = 7,382.5

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.  
The basin was recently cleaned out. The basin contains 7" of water

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.  
The pond contains 53 ft<sup>3</sup> of sediment. The existing run-off storage capacity is greater than the 140 ft<sup>3</sup> required in the MRP.

Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.  Signature: <u>Mark Reynolds</u> Date: <u>9-29-04</u>
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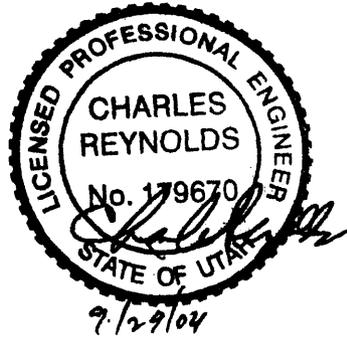
IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		N/A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	12/20/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Catch Basin "2"	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	12/20/04		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The basins slopes appear stable with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 210 ft<sup>3</sup>  cleanout elevation = 7,380.20  100% sediment storage elevation = 7,380.25  Existing sediment elevation = 7,380</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,382  Emergency spillway elevation = 7,382.5</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The basin contains 12" of snow</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains 53 ft<sup>3</sup> of sediment. The existing run-off storage capacity is greater than the 140 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Mark Reynolds</u> Date: <u>12-20-04</u></p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		N/A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	6/25/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Catch Basin by Shop	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	6/25/004		
Inspected By	Alden Gustafson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The basins slopes appear stable with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = ft<sup>3</sup>  cleanout elevation =  100% sediment storage elevation =  Existing sediment elevation =</p> <p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation =  Emergency spillway elevation =</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The basin contains no water.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond is full. Runoff will report to Sediment Pond A</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Alden Gustafson</u> Date: <u>6/25/04</u></p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		N/A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	9/29/04
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Catch Basin "3"	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	9/29/04		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The basins slopes appear stable with no signs of weakness or hazardous conditions.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 1,826 ft<sup>3</sup>  cleanout elevation = 7,879.5  100% sediment storage elevation = 7,880  Existing sediment elevation = 7,875</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,880.5  Emergency spillway elevation = 7,880.5</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The basin contains 30" of water</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond contains 0 ft<sup>3</sup> of sediment. The existing run-off storage capacity is greater than the 546 ft<sup>3</sup> required in the MRP.</p>			
Qualification Statement	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p>		
	Signature: <u>Mark Reynolds</u>		Date: <u>9-29-04</u>

Catch Basin #3

Elevation	Area	Delta vol	Cumulative Vol
7875	0		
		20.5	
7876	41	116.5	20.5
7877	192	282.5	137
7878	373	535.5	419.5
7879	698	853.5	955
7880	1009		1808.5
		<del>4127</del>	
7880.5	1245	563.5	<del>2035.5</del> 2372



## **Appendix B**

### **Reporting of Technical Data**

Including monitoring data, reports, maps, and other information as required under the approved plan or as required by the Division.

In accordance with the requirements of R645-301-130 and R645-301-140.

#### Contents

Climatological Data

Subsidence Monitoring Data and Map

Precipitation - Bear Canyon

Date	Gauge Reading	Precipitation	Date	Gauge Reading	Precipitation
1/1/2004	0	Lt snow	4/6/2004	0	Sunny
-----	-----	no precipitation	4/7/2004	0	Sunny
-----	-----	during this	4/8/2004	0.11	Rain
-----	-----	period	4/9/2004	0.2	Rain
1/20/2004	0	Snowing	4/10/2004	0.1	Rain
-----	-----	no precipitation	-----	-----	no precipitation
-----	-----	during this	-----	-----	during this
-----	-----	period	-----	-----	period
1/26/2004	0.02	Sunny	4/14/2004	0.01	Overcast
1/27/2004	0.03	Sunny	4/16/2004	0	Lt Snow
-----	0	no precipitation	4/17/2004	0	Lt.Snow
-----	0	during this	4/18/2004	0.01	Snowing
-----	0	period	4/19/2004	0	Lt.Snow
2/3/2004	0.15	Lt.Snow	4/21/2004	10.12	Snowing
2/5/2004	0.02	Lt.Snow	4/22/2004	0.38	Lt.Snow
-----	-----	no precipitation	4/23/2004	0.02	Lt. Rain
-----	-----	during this	4/24/2004	0.03	Lt. Rain
-----	-----	period	-----	-----	no precipitation
2/9/2004	0.04	Sunny	-----	-----	during this
-----	-----	no precipitation	-----	-----	period
-----	-----	during this	4/29/2004	0.1	Snowing
-----	-----	period	4/30/2004	0.2	Snow
2/19/2004	0.09	Snowing	4/31/04	0.1	Snow
2/20/2004	0.1	Snowing	5/1/2004	0.1	Sunny
2/21/2004	0	no precipitation	5/2/2004	0.2	Sunny
2/22/2004	0	no precipitation	-----	-----	no precipitation
2/23/2004	0.22	Heavy Snow	-----	-----	during this
2/24/2004	0	Heavy Snow	-----	-----	period
2/25/2004	0.29	Sunny	5/12/2004	0.02	Lt.Snow
-----	-----	no precipitation	5/13/2004	0.03	Lt.Snow
-----	-----	during this	-----	-----	no precipitation
-----	-----	period	-----	-----	during this
3/1/2004	0.18	Sunny	-----	-----	period
3/2/2004	0	Lt snow	5/24/2004	0.01	Lt. Rain
3/3/2004	0	Lt snow	5/25/2004	0	Rain
3/4/2004	0.01	Lt.Snow	5/26/2004	0	Rain
-----	-----	no precipitation	5/27/2004	0.02	Sunny
-----	-----	during this	5/28/2004	0.05	Heavy Rain
-----	-----	period	5/29/2004	0.02	Rain
3/8/2004	0.01	Sunny	-----	-----	no precipitation
-----	-----	no precipitation	-----	-----	during this
-----	-----	during this	-----	-----	period
-----	-----	period	6/11/2004	0.02	Rain
3/25/2004	0.02	Lt. Rain	-----	-----	no precipitation
-----	-----	no precipitation	-----	-----	during this
-----	-----	during this	-----	-----	period
-----	-----	period	6/16/2004	0.01	Rain
4/2/2004	0.01	Rain	6/17/2004	0.11	Heavy Rain
4/3/2004	0.49	Rain	-----	-----	no precipitation
4/5/2004	0.15	Rain	-----	-----	no precipitation

Precipitation - Bear Canyon

Date	Gauge Reading	Precipitation	Date	Gauge Reading	Precipitation
6/24/2004	0.2	Rain	10/25/2004	0.36	Rain
6/27/2004	0.17	Rain	10/27/2004	0.37	Rain
6/28/2004	0	Lt. Rain	-----	-----	no precipitation
6/29/2004	0.25	Heavy Rain	-----	-----	during this
-----	-----	no precipitation	-----	-----	period
-----	-----	during this	10/31/2004	0.05	Snow
-----	-----	period	-----	-----	no precipitation
7/13/2004	0.03	Rain	-----	-----	during this
7/16/2004	0.02	Rain	-----	-----	period
7/17/2004	0.03	Rain	11/8/2004	0.3	Rain
7/18/2004	0.01	Rain	11/9/2004	0.51	Snow
7/19/2004	0.03	Rain	11/10/2004	0.01	Rain
7/22/2004	0.04	Rain	-----	-----	no precipitation
7/23/2004	0.02	Rain	-----	-----	during this
-----	-----	no precipitation	-----	-----	period
-----	-----	during this	11/15/2004	0.65	Rain/Snow
-----	-----	period	11/20/2004	0	Lt.Snow
8/22/2004	0.07	Rain	11/21/2004	0	Lt.Snow
-----	-----	during this	11/26/2004	0	Lt.Snow
-----	-----	period	11/27/2004	0.03	9" Snow
-----	-----	Snow	12/1/2004	0.02	Sunny
9/28/2004	0.27	Rain	-----	-----	no precipitation
-----	-----	no precipitation	-----	-----	during this
-----	-----	during this	-----	-----	period
-----	-----	period	12/9/2004	0.18	Snow
10/4/2004	0.08	Rain	12/10/2004	0.02	Snow
-----	-----	no precipitation			
-----	-----	during this			
-----	-----	period			
10/11/2004	0.08	Rain			
-----	-----	no precipitation			
-----	-----	during this			
-----	-----	period			
10/17/2004	0.08	Rain			
10/18/2004	0.3	Rain			
10/19/2004	0.32	Rain			
10/20/2004	0.3	Rain			
10/21/2004	0.76	Rain			
-----	-----	no precipitation			
-----	-----	during this			
-----	-----	period			

**Olympus Aerial Surveys, Inc.**  
**OAS Job No. 204080**  
**Report for Photography dated October 16, 2004**  
**For CW MINING COMPANY**  
**BEAR CANYON SUBSIDENCE STUDY**

POINT	EASTING	NORTHING	2002 ELEVATION	2004 ELEVATION	DIFF	POINT	COMMENTS
500	2110762.355	399780.241	9109.748	9108.135	-1.613	500	
501	2110961.258	400436.201	9032.621	9033.556	0.935	501	
502	2111861.962	393725.546	8252.418	8254.055	1.637	502	
503	2112283.963	399690.792	9314.999	9312.712	-2.287	503	
504	2113019.904	400644.916	9359.049	9360.962	1.913	504	
505	2113089.520	400585.283	9387.231	9389.190	1.959	505	
506	2113149.191	400416.324	9371.245	9371.116	-0.129	506	
507	2113258.588	400615.100	9389.916	9391.556	1.640	507	
508	2113318.259	400287.119	9308.762	9310.135	1.373	508	
509	2113537.052	400247.364	9268.422	9268.920	0.498	509	
510	2113755.845	400386.508	9272.684	9272.964	0.280	510	
511	2113855.297	400446.140	9261.356	9261.700	0.344	511	
512	2114358.525	401461.490	9302.456	9304.435	1.979	512	
513	2114835.892	400785.652	9040.212	9046.125	5.913	513	
514	2114846.619	400293.540	8918.303	8918.543	0.240	514	
515	2114946.070	400323.357	8863.409	8861.611	-1.798	515	
516	2115015.686	400303.479	8812.970	8812.931	-0.039	516	
517	2115065.412	400214.030	8743.131	8742.768	-0.363	517	
518	2115224.535	400094.764	8570.114	8570.946	0.832	518	
519	2115333.150	402047.879	9251.258	9252.009	0.751	519	
520	2116456.621	394510.710	8199.644	8201.196	1.552	520	
521	2116795.868	396087.444	8694.958	8697.113	2.155	521	
522	2116944.264	401401.857	9469.835	9471.739	1.904	522	
523	2117859.999	395829.035	8650.200	8652.626	2.426	523	
524	2117909.725	396954.106	9055.792	9056.457	0.665	524	
525	2117938.449	391807.359	8545.422	8544.950	-0.472	525	
526	2118039.012	396159.003	8820.325	8822.931	2.606	526	
527	2118704.225	394769.119	8470.668	8473.361	2.693	527	
528	2119092.086	392165.155	8699.377	8698.539	-0.838	528	
529	2119191.538	395166.670	8775.592	8775.940	0.348	529	
530	2119420.276	395494.650	8923.794	8924.712	0.918	530	
531	2119837.973	394222.485	8438.392	8443.970	5.578	531	In Shadow & Trees
532	2119921.762	392401.872	8930.351	8931.817	1.466	532	
533	2120026.931	396170.488	9148.584	9148.785	0.201	533	
534	2120299.678	393842.997	8803.530	8803.782	0.252	534	
535	2120498.581	392372.056	8925.239	8926.580	1.341	535	
536	2120603.749	395166.670	9058.705	9059.622	0.917	536	
537	2120707.429	390791.788	8866.586	8866.670	0.084	537	
538	2120816.826	393743.609	9054.427	9054.427	0.000	538	
539	2120975.948	392322.362	8629.768	8628.972	-0.796	539	
540	2121403.589	395035.652	8650.010	Not Read	----	540	In Shadow
541	2121622.383	393534.894	8751.497	8752.251	0.754	541	
542	2121731.779	392481.382	8193.485	8193.611	0.126	542	

543	2121831.231	395035.652	8218.974	8220.232	1.258	543
544	2121841.176	390702.339	8626.064	8610.312	-15.752	544
545	2122686.514	392759.669	7958.275	7958.610	0.335	545

## **Appendix C**

### **Legal, Financial, Compliance and related information**

**Annual report of officers**  
As submitted to the Utah Department of Commerce

And other changes in ownership and control information as required under R645-301-110.

Contents

Annual Report of Officers



Mar 31 05 01:45p

PO Box 20125, Salt Lake City, Utah 84125-0125

ANNUAL REPORT / RENEWAL FORM



Entity Number	Entity Type	Renewal Fee	Delinquent Date	Total Late renewal Fee	Date Entity Can No Longer Renew
836133-0142	Corporation - Domestic - Profit	\$12.00	6/10/2004	\$22.00	6/9/2004

SUBMIT SEPARATE PAYMENTS FOR MULTIPLE RENEWALS

CHANGES MADE ON THE FORM ON THE REVERSE MUST BE TYPE WRITTEN OR COMPUTER GENERATED

Domestic Profit Corporations must report both Corporate Officers and Directors within the first year of incorporation. If the box below displays "Principal Position Hold," use the form on the reverse to set forth Officers and Directors to complete the renewal.

[Empty box for Principal Position Hold information]

CARL E. KINGSTON  
C. W. MINING COMPANY  
53 W ANGELO AVE  
SALT LAKE CITY UT 84115

000001066100C0R00008361330142000000000000000001200

(Detach coupon above even if changes are made on the reverse side of this form)

INSTRUCTIONS FOR ANNUAL REPORT/RENEWAL - PLEASE READ CAREFULLY

RENEWAL ONLINE

RENEWAL ONLINE

**TIMELY RENEWAL:** Pursuant to Utah Law, all renewals must be filed within their legally prescribed time. Failure to do so may result in the loss of all protection and privileges in the State of Utah.

**RENEWAL FEES:** Application fees are subject to change by the Legislature each July 1<sup>st</sup>. The fees quoted above are current at the time this renewal form was printed. The "Total Late Renewal Fee" quoted above is the total amount due if renewing after the entity's Delinquent Date.

**RENEWAL:** Please submit original form only. If no changes need to be made to registered information, carefully detach the coupon above and submit with the appropriate fee in the enclosed return envelope. For multiple renewals please submit separate payments. Payments are accepted by check or money order and should be payable to "State of Utah" DO NOT SEND CASH. Please indicate registration number and/or business name on check.

**CHANGES:** At the time of renewal changes can be made to the entity's registered information with no fee by using the form printed on the reverse. If making changes, return the detached coupon, the form with changes and the appropriate fee in the enclosed return envelope. Ensure that the changes made on the reverse side of this form are being made to the entity with which this renewal is associated.

If you have questions concerning this renewal or would like to check the status of your record please contact the Corporations Information Center at: (801) 530-4849 or toll free in-state (877) 526-3994 or go to <http://www.state.ut.us/secy/bes>. Forms may be downloaded from our Web site: <http://www.commerce.state.ut.us>

ENTITY SPECIFIC INFORMATION:

[www.utah.gov/commerce/abr](http://www.utah.gov/commerce/abr)

Corporation - Domestic - Profit: ONE (1) corporate officer with address (UCA 16-10A-830) & THREE (3) directors with addresses (UCA 16-10A-803) (exception: 16-10A-803-1b) must be reported by the entity's first anniversary annual report.

Corporation - Foreign - Profit: What the home state law requires

Professional Corporation: ONE (1) director with address and ONE (1) corporate officer with address, each must be an individual licensed to render the same specific professional services as those for which the corporation is organized or be qualified to be an officer or director under the applicable licensing act for which the corporation is organized (UCA 16-11-8).

Use the form on the reverse to set forth any change in registered information, there is no additional fee involved when changing registered information for an entity in conjunction with that entity's renewal. When filling out the form, it must be type written or computer generated.

REGISTERED PRINCIPAL INFORMATION

To view principal information go to <http://www.utah.gov/commerce/abr>  
You will need to enter the following information on the internet:

ENTITY NUMBER: 836133-0142  
RENEWAL ID: 1066100

\*The following renewals will be updated in our system within seven days\*  
Please print the following form for your records

Fee Summary For:	
CARL E. KINGSTON C. W. MINING COMPANY 53 W ANGELO AVE SALT LAKE CITY, UT 84115	Renewal Fee : 12.00 Total Fee Paid on June 9, 2004: 12.00
Businesses Renewed	
Business Name C W MINING COMPANY	
Entity Number: 836133-0142	
Registration Date: 6/10/1983	
State of Origin: UT	

RENEWED

*attn:*  
*Melissa*  
*687-5724*

# APPENDIX D

## Mine Maps

As Required under R645-301-525.270.

### Contents

3-3	Bear Canyon Subsidence Map
3-4A	#1 Mine Blind Canyon Seam
3-4B	#1 Mine Hiawatha Seam
3-4C	#2 Mine Tank Seam
7-10A through 7-10C	Mine Water Surveys

**APPENDIX E**

Miscellaneous Data

Contents

Sediment Pond Material Analysis  
Reclamation Seed Mix