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## United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Utah State Office

P.O. Box 45155

Salt Lake City, UT 84145-0155

<http://www.blm.gov>



NOV 21 2006

In Reply Please Refer To:  
3482, U-61048, U-61049,  
U-020668, (UT-923)

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

RECEIVED

NOV 24 2006

DIV. OF OIL, GAS, AND MINING  
*Lucy*  
*Chris Jones*  
*Copy Wayne*

Re: Fish Creek and the Resource Recovery and Protection Plan (R2P2), Co-Op Mining Company, Bear Canyon Mine, C/015/025

Dear Mr. Hedberg:

The Bureau of Land Management (BLM) participated in a conference call on 17 November 2006 regarding the Fish Creek area in Sections 18 and 19 of the T16S R8E, where underground mining is planned in the Tank Seam of the Federal coal lease held by C.W. Mining Co. This letter documents the BLM's finding for the area discussed during this call.

The R2P2 was finalized and approved by BLM for submittal to the Assistant Secretary of the Interior (Assistant Secretary) on 22 September 2006 (copy attached). Subsequent to this approval, the Utah Division of Oil, Gas, and Mining (the Division) requested a review of the approved mining plan (as part of their evaluation of the mining permit application) to examine the relationship to possible perennial portions of Fish Creek in Sections 18 and 19 of T16S., R8E.

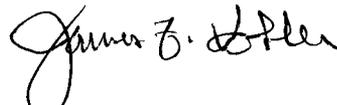
Past work and interagency precedence has established the minimum overburden depth for full extraction mining, below a perennial stream, to be 60 times the mining height where the Manti-LaSal National Forest (MLFS) is the surface management agency, unless jointly agreed by the MLFS and BLM to be changed for a specific instance. This standard was reaffirmed by both the MLFS and BLM during the 17 November 2006 conference call.

In reviewing the overburden map provided by Norwest Corporation ("International Energy, Mining, and Environmental Consultants") and maps showing the approximate location of the possible perennial sections of Fish Creek closest to the planned full extraction areas, BLM has found the minimum overburden to be some 750 feet (cross section attached). Because the coal thickness (and mining height) in the area is projected to be 7 feet, the minimum overburden, based on past precedence and work experience, is 420 feet. In this case, the overburden is approximately 330 feet more than the minimum.

Based on the above evaluation, the mine plan approved for submittal to the Assistant Secretary will continue in effect pending future mine plan modifications as warranted.

Thank you for addressing this issue with us. If you have any questions, please contact Jeff McKenzie of my staff at 801-539-4038 or Stephen Falk at the Price Field Office 435-636-3605.

Sincerely,

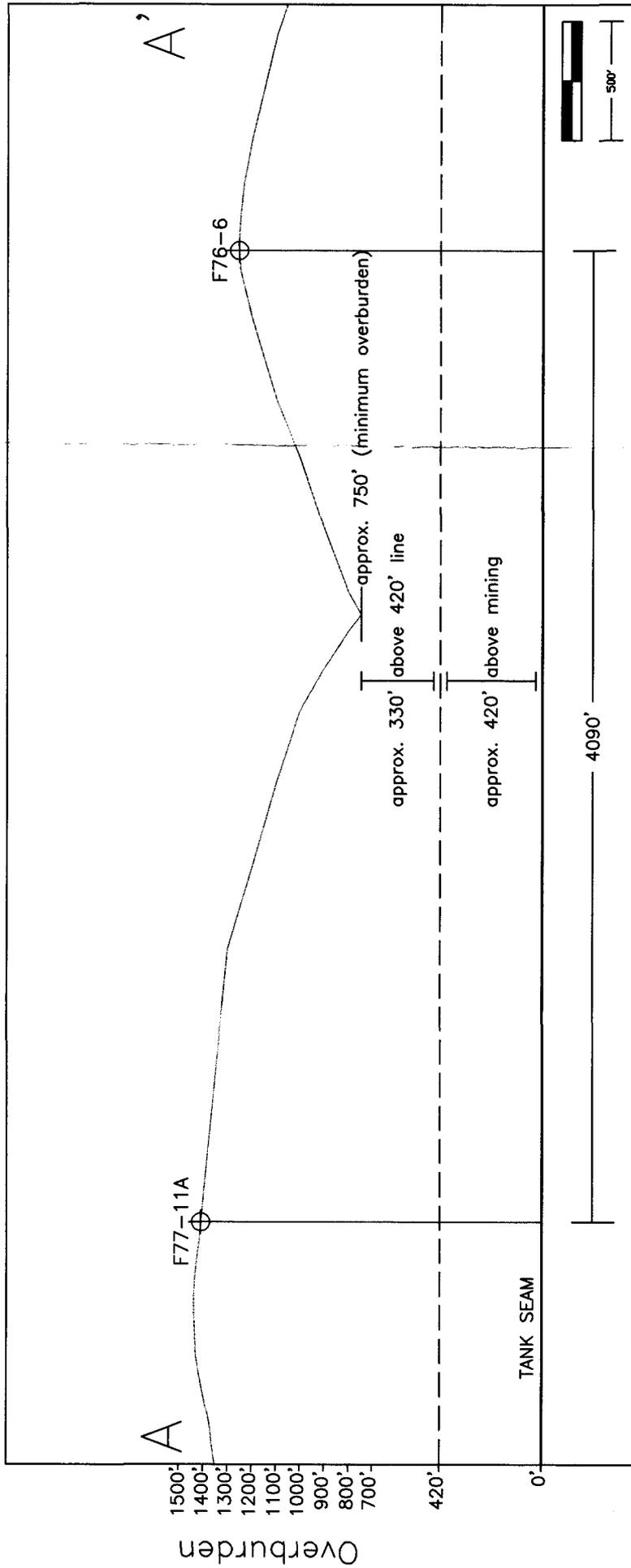
A handwritten signature in cursive script, appearing to read "James F. Allen".

Chief, Solid Minerals Branch

Attachment

cc: Office of Surface Mining  
P. O. Box 46667  
Denver, Colorado 80201-6667

Price Field Office, UT-070  
C. W. Mining Company  
P. O. Box 1202  
Huntington, Utah 84528



Overburden Section, Tank Seam