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INCOMING CO150025

Task NO. 2680

**From:** <Steve\_Falk@blm.gov>  
**To:** "Wayne Hedberg" <WAYNEHEDBERG@utah.gov>  
**Date:** 12/21/2006 9:15:42 AM  
**Subject:** Re: Update Status, Bear Canyon Mine Expansion Timing

Wayne (and to all):

After further discussion with C.W. Mining (Mark and Charles) on Wednesday, 20th, the company still wishes all efforts be made to grant the whole Federal mine plan approval as soon as possible. Granting a state IBC permit to development mine fee coal across the corner of NWNW of section 19, T16S, R8E would gain the one miner section a month or two of development and would keep this section mining past their current limit of May 1. But the second miner section, who is earmarked for developing the first headgate entries of the first longwall panel (entries named 2nd West Headgate), has to develop past the permit boundary line (middle of boundary line between sections 13 and 24, T16S, R7E) before the first longwall panel can begin mining. The latest timing has this crew at the boundary line by May 1. The additional option of pulling the second miner section and mining the North Main entries into this fee property in section 19 was also discussed. Stopping the 2nd West headgate development and hauling the whole section equipment up to the North Mains would take up to three weeks for the move alone and in so doing, would still delay the start up of the first longwall. CW said this is only a last choice option to keep people working but would mess up projected coal sale contracts due to delay in longwall production. They were also concerned that by applying for an IBC right now would take time away from both CW and the agencies from going forth on the big permit approval process. They would consider applying for an IBC in late winter 07 or when a better picture of the permit status is apparent.

As a side note, the ownership of the coal rights in the strip of land N1/2 N1/2 of section 19 does appear to be private ownership in CW's control. They gave me a copy of the Warranty Deed from IPA to COP Coal Development in 1997 which showed coal ownership in fee for this land. BLM personnel in the lands division have differing opinions as to the meaning of the mineral plat descriptions. We are double checking the original case files but believe the ownership is still fee. So keep going as before.

Thanks to all:  
S. Falk

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