

0016

CO-OP MINING COMPANY

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January 24, 2007

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

*Henry OK
1/25/2007*

To Whom It May Concern,

Re: Application to Change existing Mining Plan, Lease Addition (Task ID # 2680), Bear Canyon Mine, ACT/015/025

Enclosed is 1 hard copy and 6 digital copies of the entire text of the MRP with redline and strike-out on the pages being changed. Also enclosed is 1 hard copy and 6 digital copies of the maps being changed with this amendment.

If you have any questions, please call me at (435) 687-5238.

Thank You,

Mark Reynolds

Enclosure(s)

Refer to Expandable 01242007
file in CO150025, 2007, Incoming
for additional information

Refer to Confidential 01242007
file in CO150025, 2007
for additional information

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JAN 24 2007

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: CO-OP MINING COMPANY

Mine: BEAR CANYON MINE

Permit Number: ACT/015/025

Title: Lease Addition

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

To add federal leases U-46484, U-61048 & U-61049 to the permit area.

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

- Yes No 1. Change in the size of the Permit Area? Acres: 7,504.36 Disturbed Area: 0.0 increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?

Explain: _____

- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

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

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Charles Reynolds

Print Name

Charles Reynolds, Notary Public 1/21/07

Sign Name, Position, Date

Subscribed and sworn to before me this 21 day of January, 2007

Mark Reynolds

Notary Public

My commission Expires:

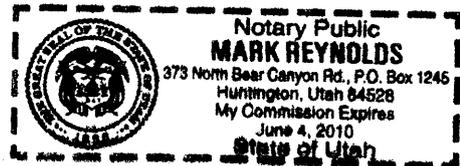
Attest: State of

County of

Utah 6-4, 2010

} ss:

Emery



For Office Use Only:

Assigned Tracking Number:

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DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: CO-OP MINING COMPANY

Mine: BEAR CANYON MINE

Permit Number: ACT/015/025

Title: Lease addition.

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

| | | | DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED |
|---|---|--|--|
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Pages 1-iii, 1-5, 1-6, 1-7, 1-8, 1-11, 1-13, and 2-28. |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Plate 1-1, 1-2, and 1-3. |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Pages 3-iv, 3-v, 3-vi, 3-2, 3-3, 3-13, 3-23, 3-25, 3-27, 3-28, 3-29, 3-30, 3-31, 3-32, 3-38, 3-39, 3-43, 3-44, 3-68, 3-69 and 3-70 |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Pages 3I-16, 3I-19, 3L-1, 3L-2, and 3L-3. |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace | <input type="checkbox"/> Remove | Appendix 3M and Appendix 3N |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Plate 3-1. |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace | <input type="checkbox"/> Remove | Plate 3-2, Plate 3-3, Plate 3-4, and Plate 3-5 |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Pages 4-iv, 4-1, 4-2, 4-3, 4-4, 4-9, 4-11, 4-21, and 4-22. |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace | <input type="checkbox"/> Remove | Appendix 4F, Appendix 4G, Appendix 4H, and Appendix 4I. |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Pages 5-5, 5-9, 5-10, 5-14, 5-15, 5-16, 5-17, 5-18, 5-19, 5-26, and 5-35. |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Pages 5A-2, 5A-6, 5A-7, 5A-8, 5A-9, 5A-10, 5A-14, 5A-15, 5A-16, 5A-17, and 5A-20 |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Appendix 5C |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace | <input type="checkbox"/> Remove | Appendix 5C Attachment 2 and Attachment 3. |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Plates 5-1A, 5-1B, 5-1C, 5-3, and 5-3A. |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Page 6-v |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Plates 6-1, 6-2, 6-3, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 6-10, 6-11, and 6-12. |
| <input type="checkbox"/> Add | <input type="checkbox"/> Replace | <input checked="" type="checkbox"/> Remove | Plate 6-13, 6-14, 6-15, and 6-16. |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Pages 7-v, 7-vi, 7-viii, 7-x, 7-11, 7-26, 7-31, 7-32, 7-33, 7-36, 7-44, 7-45, 7-46, 7-48, 7-49, 7-51, 7-53, 7-54, 7-55, 7-56, 7-57, 7-58, 7-60 and 7-61. |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace | <input type="checkbox"/> Remove | Pages 7-33A, 7-33B, 7-45A, 7-53A, 7-60A 7-61A, 7-61B, 7-61C, 7-61D, 7-61E, and 7-61F. |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Pages 7M-2, 7M-8, 7M-11, 7M-12, 7M-13, 7M-14, and 7M-16 |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Appendix 7-J |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace | <input type="checkbox"/> Remove | Appendix 7M Attachment B. |
| <input type="checkbox"/> Add | <input type="checkbox"/> Replace | <input checked="" type="checkbox"/> Remove | Appendix 7P (This was moved to Appendix 4G). |
| <input type="checkbox"/> Add | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove | Plate 7-4, 7-4A, and 7N-2. |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace | <input type="checkbox"/> Remove | Plate 7-12. |
| <input type="checkbox"/> Add | <input type="checkbox"/> Replace | <input type="checkbox"/> Remove | |
| <input type="checkbox"/> Add | <input type="checkbox"/> Replace | <input type="checkbox"/> Remove | |
| <input type="checkbox"/> Add | <input type="checkbox"/> Replace | <input type="checkbox"/> Remove | |

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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Response to Deficiency List for Task ID #2680

Biology

R645-301-322, -301-333, -301-342, -301-358, A commitment was added to develop a raptor mitigation plan by July 1, 2007 on page 3-68. C. W. Mining will get authorization from the Forest Service before undermining escarpment areas.

Cultural Resources

R645-301-411, The archaeological survey completed by Sagebrush consultants is included as Appendix 4-I.

Hydrology

R645-301-121.200, -121.300, -150: Clear and Concise, Completeness

- This submittal includes a copy of the entire text of the MRP with redline and strikeout for the reviewing process.
- On page 7-26 the subtitle was changed to be "Ground Water Site Selection"
- On page 7-36 the subtitle was changed to be "Surface Water Site Selection"

R645-301-724: Baseline Information

- On page 7-53A table 7-14 was divided in to table 7-14A and 7-14B and a time line for baseline data collection was added.

R645-301-728: Probable Hydrologic Consequences Determination

- Pages 7-44, 7-44A, 7-44B, 7-44C, and 7-44D are no longer being added. The information talked about on these pages is included in the new text at the beginning of Appendix 7J, and in the second Mayo report included in Appendix 7J.
- Mayo and Associates has written a new PHC updating the PHC contained in section 9 of their first report. This new report is located in Appendix 7J immediately following the first report.

R645-301-731.210 and -731.220: Groundwater and Surface Water Monitoring

- Tables 7-12 and 7-16 located on pages 7-51, and 7-58 respectively were updated to reflect four sampling events per year as shown in Table 7-14.
- Table 7-14 (pages 7-53 and 7-53A) and the related text was updated to reflect the additions of the sites as described in the Ground and Surface Water Monitoring deficiencies described below.

R645-301-731.210: Groundwater Water Monitoring

- Table 7-14 and page 7-56 sites SBC-16, 16A, and 16B were added to the sites slated for increased monitoring during the undermining of Fish Creek. This was also done on pages 7-60A, and 5C-10.
- The following locations were added to Table 7-14 as well as the respective text.
 - On page 7-61A, the text was changed to correlate the South McCadden Trough with SMH-3 instead of SMH-1. This was done on page 5C-20 also.
 - Historical site FBC-12 was added as site SBC-23 on page 7-53 (Table 7-14) and Plate 7-4.
- The discrepancy on Plate 7-4 between SBC-12 and historical site 16-7-13-1 was corrected.

R645-301-731.220: Surface Water Monitoring

- The following locations were added to Table 7-14 as well as the respective text.
 - The stream monitoring location MH-2 was added on page 7-53 (Table 7-14) and Plate 7-4.

Forest Service comments

In addition to the comments addressed below, pages 1-5 and 1-6 were changed to reflect the correct area and property descriptions as identified by Dal Harber of the Forest Service.

Page 1-5, third paragraph.

C. W. Mining will obtain a road use permit for all Forest Roads before they use them

Page 3-43, Birds.

The sentence about one species was removed.

Page 3-44, Lease Area, third paragraph.

This section now lists all impacts identified by the Forest Service.

Page 3-68, last half of paragraph.

An initial description of the mitigation process that will be in place by July 1, 2007 was added to the page, as well as a commitment to finish developing the mitigation plan by July 1, 2007. C. W. Mining will not second mine under any escarpment areas until this mitigation plan as been completed and implemented, and the Forest Service has waived the lease stipulation prohibiting second mining under escarpment areas.

Page 5C-3, second paragraph.

An explanation of why 22.5 degrees is being used was added.

Page 5C-4, last two sentences.

The information contained in Attachment 2 of Appendix 5C was added to Plat 5-3 and 5-3A to clarify the areas of potential escarpment failure. Additionally a discussion of the results of the Attachment 2 study was included as well as escarpment failure observation by C. W. Mining personnel.

Page 5C-6, Table 5C-1.

This table contains correct numbers.

Page 5C-10, second paragraph.

A commitment was added to this page to develop a raptor mitigation plan by July 1, 2007 and reference was made to page 3-68 which discusses the plan in more detail.

Forest Service Chapter 7, Hydrology Comments:

All issues outlined by the Forest Service in this section are addressed in Appendix 7J in the new text added, and the new report done by Mayo and Associates that has been added.

In addition to the list deficiencies pages 1-5, and 1-6 were updated to reflect the correct property descriptions and acreage as determined by Dale Harber. Also page 1-11 was updated to match the dates on Plates 5-1.