

0078

*Incoming
C/015/0025*

facsimile TRANSMITTAL

to: Ms. Pamela Grubaugh-Littig
 fax #: (801) 359-3940
 re: Mining Plan Modification for Federal Leases U-024316, U-46484, U-61048, and U-61049 at Co-Op Mining Company's Bear Canyon Mine
 date: July 3, 2007
 pages: ~~4~~⁵ (four) including this cover sheet.

Ms. Grubaugh-Littig:

On July 3, 2007, the U.S. Department of the Interior approved a Mining Plan Modification for Federal Leases U-024316, U-46484, U-61048, and U-61049 at Co-Op Mining Company's Bear Canyon Mine. This mining plan action relates to Federal lands associated with the Utah Department of Natural Resources, Division of Oil, Gas and Mining (UT-DOGM) State Decision Document, Co-Op Mining Company, (aka C.W. Mining Company), Lease Extension-Mohrland Area, Private Coal and Federal Lease Additions, Emery County, Utah, C/015/0025, approved on April 5, 2007.

A copy of the Mining Plan Modification Decision Document and associated text and maps will be sent via regular mail shortly.

Please forward a copy of the following three (3) pages to Co-Op Mining Company.

If you have any questions, or need anything more, please contact me by any of the methods listed at the lower right of this cover.

File In C *0150025, Incoming*
 Date: *07032007* Refer to:

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For additional information



From the desk of...

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JUL 03 2007

DIV. OF OIL, GAS & MINING

OPTIONAL FORM 10 (7-02)

FAX TRANSMITTAL

of pages **4**

To: Carl Johnston	From: Fred Block
Dept./Agency: WRC	Phone #: 202-208-2860
Fax #: 303-944-1538	Fax #: 802-219-0153

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Department of the Interior



FACE MINING
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D.C. 20240

MEMORANDUM

To: C. Stephen Allred
Assistant Secretary, Land and Minerals Management

JUN 26 2007

From: Brent Wahlquist
Acting Director

Subject: Recommendation for Approval, Without Special Conditions, of a Mining Plan Modification for Federal Leases U-024316, U-46484, U-61048, and U-61049 at Co-Op Mining Company's Bear Canyon Mine located in Emery County, Utah

I recommend approval, without special conditions, of this mining plan modification. My recommendation is based on:

- (1) Co-Op Mining Company's complete permit application package (PAP);
- (2) compliance with the National Environmental Policy Act of 1969;
- (3) documentation assuring compliance with applicable requirements of other Federal laws, regulations, and executive orders;
- (4) comments and recommendations or concurrence of other Federal agencies, and the public;
- (5) the findings and recommendations of the Bureau of Land Management regarding the resource recovery and protection plan, the Federal lease requirements, and the Mineral Leasing Act, and;
- (6) the Utah Department of Natural Resources, Division of Oil, Gas and Mining (UT-DOGM) State Decision Document, Co-Op Mining Company, (aka C.W. Mining Company), Lease Extension - Mohrland Area, Private Coal and Federal Lease Additions, Emery County, Utah, C/015/0025, and the Utah State program.

The Secretary may approve a Mining Plan for Federal leases under 30 U.S.C. §§ 207(c) and 1273(c). In accordance with 30 CFR Chapter VII, Subchapter D, I find that the proposed mining plan modification will be in compliance with all applicable laws and regulations.

Attachment



JUL 03 2007

UNITED STATES
DEPARTMENT OF THE INTERIOR

This mining plan approval document is issued by the United States of America to:

Co-Op Mining Company
P.O. Box 1245
Huntington, Utah 84528

for a mining plan modification for Federal leases U-024316, U-46484, U-61048, and U-61049 at the Bear Canyon Mine. The approval is subject to the following conditions. Co-Op Mining Company is hereinafter referred to as the operator.

1. Statutes and Regulations.—This mining plan approval is issued for Federal leases U-024316, U-46484, U-61048, and U-61049; pursuant to the Mineral Leasing Act of 1920, as amended (30 U.S.C. 181 et seq.); and in the case of acquired lands, the Mineral Leasing Act for Acquired Lands of 1947, as amended (30 U.S.C. 351 et seq.). This mining plan approval is subject to all applicable regulations of the Secretary of the Interior which are now or hereafter in force; and all such regulations are made a part hereof. The operator shall comply with the provisions of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), and other applicable Federal laws.
2. This document approves the mining plan modification for Federal leases U-024316, U-46484, U-61048, and U-61049 at the Bear Canyon Mine and authorizes coal development or mining operations on the Federal leases within the area of mining plan approval. This authorization is not valid beyond:

Federal lease U-024316

Township 16 South, Range 7 East SL Meridian Utah

Section 14, E $\frac{1}{2}$ NW $\frac{1}{4}$.

Federal lease U-46484

Township 16 South, Range 7 East SL Meridian Utah

Section 10, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 11, All;
Section 12, W $\frac{1}{2}$ W $\frac{1}{4}$.

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Federal lease U-61048

Township 16 South, Range 7 East SL Meridian Utah

Section 1, Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 12, E $\frac{1}{2}$ NE $\frac{1}{4}$;

Township 16 South, Range 8 East SL Meridian Utah

Section 6, Lots 11, 12, 13, 14, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 7, Lots 1, 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Section 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Federal lease U-61049

Township 16 South, Range 7 East SL Meridian Utah

Section 1, Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 12, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$;
Section 13, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;

Township 16 South, Range 8 East SL Meridian Utah

Section 7, Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Section 18, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
Section 19, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 20, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

These lands encompass approximately 4,944 acres and are found on the USGS 7.5 minute Quadrangle map of Hiawatha, Utah, and as shown on the map appended hereto as Attachment A.

3. The operator shall conduct coal development and mining operations only as described in the complete permit application package, and approved by the Utah Division of Oil, Gas and Mining, except as otherwise directed in the conditions of this mining plan approval.
4. The operator shall comply with the terms and conditions of the leases, this mining plan approval, and the requirements of the Utah State Permit No. C/015/0025 issued under the Utah State Program, approved pursuant to the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*).
5. This mining plan approval shall be binding on any person conducting coal development or mining operations under the approved mining plan and shall remain in effect until superseded, canceled, or withdrawn.

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6. If during mining operations unidentified prehistoric or historic resources are discovered, the operator shall ensure that the resources are not disturbed and shall notify the Office of Surface Mining Reclamation and Enforcement (OSM). The operator shall take such actions as are required by OSM.
7. The Secretary retains jurisdiction to modify or cancel this approval, as required, on the basis of further consultation with the U.S. Fish and Wildlife Service pursuant to section 7 of the Endangered Species Act, as amended, (16 U.S.C. 1531 *et seq.*)



Assistant Secretary
Land and Minerals Management

Attachment

JUL - 3 2007

Date

JUL 03 2007