

C/015/025 Incoming

**J. E. STOVER & ASSOCIATES, INC.**

#3662  
R

2352 NORTH 7<sup>th</sup> SREET, UNIT B  
GRAND JUNCTION, COLORADO 81501  
PHONE: (970) 245-4101, FAX 242-7908

MINE ENGINEERING  
MINE RECLAMATION

CIVIL ENGINEERING  
CONST. MANAGEMENT

October 14, 2010

Utah Coal Regulatory Program  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84114-5801

Re: Castle Valley Mining LLC  
Castle Valley Mines  
NOV- 10068 Abatement  
Permit No. C/015/0025

**RECEIVED**  
**OCT 19 2010**

**DIV. OF OIL, GAS & MINING**

Dear Sirs:

On behalf of Castle Valley Mining, LLC, attached is an application for a permit change to comply with the abatement actions required by NOV-10068 issued on September 22, 2010.

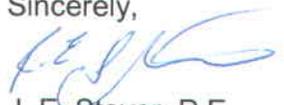
The referenced notice of violation was written because the Operator failed to submit a permit change or receive Division approval prior to construction of a concrete apron at the end of diversion ditch D-8D, and construction of a valve box for the Culinary Water System. On behalf of Castle Valley Mining, LLC, attached are the revised documents:

As a general note, the 'Water Bar configuration' as described in Chapter-7, page 136 was never constructed. Page 136 details why the water bar was to be constructed but when Ditch D-8D was upgraded with a concrete lining (thus what spurred the NOV) it was discovered by the Operator that the water bar was never installed. In addition, per a phone conversation with Karl Housekeeper on October 12, he confirmed the current configuration consists of Ditch D-8D flowing into a Culvert (newly named Culvert C-14D) and that culvert flows into Sediment Pond B. Reference to the Water Bar has been removed from applicable Plates and permit pages.

Additionally, the location of the new valve box, used to house the controls for the Culinary Water System, was constructed on the north side of the primary shop road.

Changes on applicable permit pages and Plates are detailed on DOGM Form C2. Please feel free to call me if you have any questions.

Sincerely,

  
J. E. Stover, P.E.  
Consulting Engineer

File in: C/0150025 Incoming  
Date 10/19/2010 Refer to:  
 Confidential  
 Shelf  
 Expandable  
\*or additional information

# APPLICATION FOR COAL PERMIT PROCESSING

## Detailed Schedule Of Changes to the Mining And Reclamation Plan

**Permittee:** Castle Valley Mining LLC  
**Mine:** Castle Valley Mines **Permit Number:** C/015/0025  
**Title:** NOV-10068 Abatement

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

<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 7-113, Updated Table 7-24 with new ditch data for Ditch D-8D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 7-119, Added new culvert C-14D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 7-136, Revised text regarding Ditch D-8D-Water Bar
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 7-138 Water Bar Never Constructed, page will read 'Page Intentionally Left Blank'
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 7G-51, Added Culvert C-14 Design Information, and updated Table with Culvert C-13D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 7G-52, Added SedCad as program used to size culvert
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 7G-108, Added design information for Ditch D-8D, Remove text regarding Water Bar
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 7G-129, Remove Water Bar design,replace SedCad design for Ditch D-8D (Concrete)
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 7G-107A, Add design for new Culvert C-14D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 5A-2, Added new Valve Box to Table 5A-1, Existing Structures
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 5A-10, Added Structure #29, Culinary Water System Valve Box with short description
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Plate 5-2B, Added Concrete Lining on Ditch D-8D, Removed Water Bar
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Plate 5-2C, Added Valve Box
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Plate 7-1C, Added Valve Box
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Plate 7-1B, Added C-14D, Concrete lined portion of D-8D. Removed Water Bar
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Plate 7-3, Added C-14D, Removed Grouted inlet text
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Plate 7-5, Added C-14D, Concrete Lining on D-8D, and Valve Box. Removed Water Bar
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Page 8-12, included reclamation estimate for concrete apron and concrete valve box
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<p><b>Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.</b></p>	<p>Received by Oil, Gas &amp; Mining</p> <p style="font-size: 1.5em; color: red; font-weight: bold;">RECEIVED</p> <p style="font-size: 1.2em; color: red; font-weight: bold;">OCT 19 2010</p> <p style="color: red; font-weight: bold;">DIV. OF OIL, GAS &amp; MINING</p>
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## APPLICATION FOR COAL PERMIT PROCESSING

Permit Change  New Permit  Renewal  Exploration  Bond Release  Transfer

Permittee: Castle Valley Mining LLC

Mine: Castle Valley Mines

Permit Number:

C/015/0025

Title: NOV-10068 Abatement

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

**Castle Valley Mining LLC purchased the mine from the bankruptcy court.**

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

- Yes  No 1. Change in the size of the Permit Area? Acres: \_\_\_\_\_ Disturbed Area: \_\_\_\_\_  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 # 10068
- 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?
- Yes  No 24. Does the application include confidential information and is it clearly marked and separated in the plan?

**Please attach three (3) review copies of the application. If the mine is on or adjacent to Forest Service land please submit four (4) 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.

Corey Heaps Vice President 10-14-10 Corey Heaps  
 Print Name Position Date Signature (Right-click above, choose certify then have notary sign below)

Subscribed and sworn to before me this 14th day of October, 2010

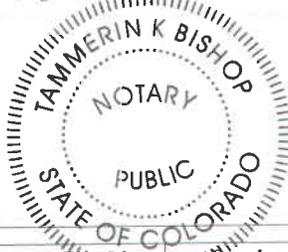
Notary Public: TAMMERIN K BISHOP, state of COLORADO

My commission Expires: 1/22/2011 } ss:

Commission Number: N/A }

Address: 1002 PRITCHARD MESA CT. }

City: GRAND JCT. State: CO Zip: 81505 }



**For Office Use Only:**

Assigned Tracking Number:

Received by Oil, Gas & Mining

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OCT 19 2010

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