

**COPY**

C/O15/025 Incoming  
cc: Karl

#3528

K

# NORWEST CORPORATION

## TRANSMITTAL LETTER

**To:** Daron R. Haddock  
DOGM  
1594 West North Temple, Suite  
1210  
Salt lake City, UT 84114

**DATE:** April 13, 2010

**PROJECT #:** 4724

**FROM:** Aleta Brown

TYPE OF ITEMS SENT	# OF COPIES	DESCRIPTION OF ITEMS
Annual Report	2	Bear Canyon Mine 2009 Annual Report

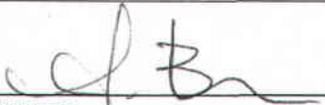
### TRANSMITTED AS INDICATED BELOW:

FOR APPROVAL                       APPROVED AS SUBMITTED                       FOR YOUR INFORMATION  
 RETURN AFTER LOAN TO US                       RETURNED FOR CORRECTIONS                       AS REQUESTED  
 FOR REVIEW AND COMMENT                       OTHER: \_\_\_\_\_

### COMMENTS:

Attached is the Bear Canyon Mine 2009 Annual Report. Please  
contact me with any questions/concerns.

Aleta Brown, 801-539-0044

  
SIGNATURE

cc:

\_\_\_\_\_  
\_\_\_\_\_

File in:

Confidential  
 Shelf *Annual Report*  
 Expandable

Date Folder *04/13/2010 C/O150025*  
See *Incoming* For additional information

*Confidential*

**RECEIVED**  
**APR 13 2010**  
DIV. OF OIL, GAS & MINING

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# Bear Canyon Mine

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2009 ANNUAL REPORT

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April 12, 2010

This Annual Report shows information the Division has for your mine. Please review the information to see if it is current. If the information needs to be updated please do so in this document. At the end of each section the operator is asked to verify if the information is correct. Please answer these questions and make all comments on this document. Submit the completed document and any additional information identified in the Appendices to the Division by April 30, 2010. During a complete inspection an inspector will check and verify the information. To enter text, click in the cell and type your response. You can use the tab key to move from one field to the next. To enter an X in a box, click next to the box, right click, and select properties, then the checked circle, then hit enter, or hit the unchecked circle if the X is to be removed.

### GENERAL INFORMATION

Permittee Name Co-Op Mining Company  
 Mine Name Bear Canyon Mine  
 Operator Name \_\_\_\_\_  
 (If other than Permittee) \_\_\_\_\_  
 Permit Expiration Date November 2, 2010  
 Permit Number C/015/0025  
 Authorized Representative Title Kenneth A. Rushton, U.S. Bankruptcy Trustee  
 Phone Number 801-768-8416  
 Fax Number \_\_\_\_\_  
 E-mail Address krus8416@aol.com  
 Mailing Address 99 West Main Street, PO Box 212, Lehi, UT 84043  
 Designated Representative \_\_\_\_\_  
 Resident Agent Kenneth A. Rushton  
 Resident Agent Mailing Address Same as above  
 Number of Binders Submitted Two hard copies  
 Operator, please update any incorrect information.

### IDENTIFICATION OF OTHER PERMITS

Identify other permits that are required in conjunction with mining and reclamation activities.

Permit Type	ID Number	Description	Expiration Date
MSHA Mine ID(s)	42-02263	Bear Canyon #3 Mine	N/A
	42-02335	Bear Canyon #4 Mine	N/A
	42-02395	Bear Canyon Surface Facilities	N/A
MSHA Impoundment(s)		None	
NPDES/UPDES Permit(s)	UTG-040006	Minor Industrial	04-30-08
PSD Permit(s) (Air)	DAQE-145-02	Issued 02-22-02	N/A
<b>Other</b>			

Operator, please update any incorrect information.

**RECEIVED**

**APR 13 2010**

DIV. OF OIL, GAS & MINING

**CERTIFIED REPORTS**

List the certified inspection reports as required by the rules and under the approved plan that must be periodically submitted to the Division. Specify whether the information is included as Appendix A to this report or currently on file with the Division.

Certified Reports:	Required		Included Included	or	DOGM file location Vol, Chapter, Page
	Yes	No			
Excess Spoil Piles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Refuse Piles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Inspection reports for Ponds A, B, C & D are included in Appendix A
<b>Other</b>					
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Operator Comments:**

**Inspector:**

Has the operator complied with this section? Yes  No

**Inspector Comments:**

**COMMITMENTS AND CONDITIONS**

The Permittee is responsible for ensuring annual technical commitments in the MRP and conditions accepted with the permit are completed throughout the year. The Division has identified these commitments below and has provided space for you to report what you have done during the past year for each commitment. If the particular section is blank, no commitment has been identified and no response is required for this report. If additional written response is required, it should be filed under Appendix B to this report.

Admin R645-301-100
Soils R645-301-200
Biology R645-301-300

**Biology: CULTURAL RESOURCES****Title:** Identification of new cultural resource.**Objective:** If during the course of mining operations, previously unidentified cultural resources are discovered, the Permittee shall ensure that the site(s) is not disturbed and shall notify the Division of Oil, Gas, and Mining. The Division, after coordination with OSM, shall inform the Permittee of necessary actions required**Frequency:** The Permittee shall implement the mitigation measures required by the Division within the time frame specified by the Division.**Status:** Ongoing.**Reports:** Annual**Operator:** Has this commitment been acted on this year?Yes  No  Not required this year.  If yes, comment;**Operator Comments:****Inspector:**Has the operator complied with this commitment? Yes  No **Inspector Comments:****Title: WILDLIFE AWARENESS PROGRAM****Objective:** The applicant will inform employees of the vulnerability of local wildlife and will train personnel to avoid all harassment or unnecessary activity near wildlife. In addition a film will be offered by the UDWR "Coal mining and Wildlife" will be shown annually to all employees.**Frequency:** As needed, new employee orientation.**Status:** Ongoing.**Reports:** Annual Report.**Citation:** Chapter three, page 3-45, paragraph 2.**Operator:** Has this commitment been acted on this year?Yes  No  Not required this year.  If yes, comment;**Operator Comments:**

Raptor/Wildlife training is completed as part of annual refresher training.

**Inspector:**Has the operator complied with this commitment? Yes  No **Inspector Comments:**

**Title: RAPTOR MITIGATION PLAN**

**Objective:** C. W. Mining will develop a raptor mitigation by July 1, 2007 for all areas where nests may potentially be impacted. Based on preliminary meetings the plan will be as follows. By July 1, 2007 site specific evaluations will be done by qualified personnel and several mitigation methods will be developed for each site based on various timing and mining scenarios. One year prior to undermining a specific nest an application for a take permit will be submitted outlining the various mitigation methods that have been previously determined. Three months prior to undermining the nest, at which time the exact timing and methods will be know, the specific mitigation that correlates to the timing and method will be selected and implemented. All regulating and concerned agency will be involved at each step.

**Frequency:** Implementation ongoing.

**Status:** Check on completion.

**Reports:** Annual.

**Citation:** Chapter three, page 3-68, paragraph 2.

**Operator:** Has this commitment been acted on this year?

Yes  No  Not required this year.  If yes, comment;

**Operator Comments:**

**Inspector:**

Has the operator complied with this commitment? Yes  No

**Inspector Comments:**

**Title: VEGETATION MONITORING PROCEDURES**

**Objective:** Qualitative observations of revegetated areas will be made yearly throughout the ten year liability period (See R645-301-250).

**Frequency:** Quantitative measurements of reclamation will be collected during years 2, 3, 5, 9 and 10 of the same bond liability period. Any areas not achieving success will be evaluated and revegetated as needed.

**Status:** At reclamation.

**Reports:** During reclamation.

**Citation:**Chapter three, page 3-41, paragraph 1.

**Operator:** Has this commitment been acted on this year?

Yes  No  Not required this year.  If yes, comment;

**Operator Comments:**

**Inspector:**

Has the operator complied with this commitment? Yes  No

**Inspector Comments:**

**Title: DETAILED REVEGETATION PLAN**

**Objective:** The operator will submit a detailed revegetation plan in the last Five-Year Permit renewal prior to reclamation. The plan will include detailed map(s) of sufficient scale to show exact areas and methods of revegetation (i.e., drill seeding, terraces, netting, etc..) based on the best available technology and final mine site conditions.

**Frequency:** Last Five-Year Permit renewal prior to reclamation, the operator will notify the division two weeks prior to all seeding work (interim or permanent), to allow the Division to be on site when the work is done.

**Status:** Check annually to determine if this commitment needs to be implemented.

**Reports:** Five years prior to reclamation.

**Citation.** Chapter three, page 3-46, paragraph 2.

**Operator:** Has this commitment been acted on this year?

Yes  No  Not required this year.  If yes, comment;

**Operator Comments:**

**Inspector:**

Has the operator complied with this commitment? Yes  No

**Inspector Comments:**

Landuse, Cultural Resources, Air Quality R645-301- 400

Engineering R645-301-500

**Title: SUBSIDENCE MONITORING**

**Objective:** Determine subsidence effects.

**Frequency:** Annually.

**Status:** On going.

**Reports:** Submit surveyed monitoring data to Division by June 30, annually.

**Citation:** MRP.

**Operator:** Has this commitment been acted on this year?

Yes  No  Not required this year.  If yes, comment:

**Operator Comments:**

According to information provided by Hiawatha Coal Company personnel this data was gathered early 2009.

**Inspector:**

Has the operator complied with this commitment? Yes  No

**Inspector Comments:**

Geology R645-301-600

Hydrology R645-301-700

Bonding & Insurance R645-301-800

**Other Commitments**


\*Reminder: If equipment has been abandoned during 2009, an amendment must be submitted that includes a map showing its location, a description of what was abandoned, whether there were any hazardous or toxic materials and any revision to the PHC as necessary.

**REPORTING OF OTHER TECHNICAL DATA**

List other technical data and information as required under the approved plan, which must be periodically submitted to the Division. Specify whether the information is included as Appendix B to this report or currently on file with the Division.

**Operator Comments:**

**Inspector:**

Has the operator complied with this section? Yes  No

**Inspector Comments:**

**LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION**

Change in administration or corporate structure can often bring about necessary changes to information found in the mining and reclamation plan. The Division is Requesting that each Permittee review and update the legal, financial, compliance and related information in the plan as part of the annual report. Please provide the Department of Commerce, Annual Report of Officers, or other equivalent information as necessary to ensure that the information provided in the plan is current. Provide any other change as necessary regarding land ownership, lease acquisitions, legal results from appeals of violations, or other changes as necessary to update information required in the mining and reclamation plan. Include certified financial statements, audits or worksheets, which may be required to meet bonding requirements. Specify whether the information is currently on file with the Division or included as Appendix C to the report.

<b>Legal / Financial Update</b>	<b>Required</b>	<b>Included</b>	<b>or</b>	<b>DOGM File location</b>	<b>Comments</b>
	Yes	No	Included	Vol, Chapter, Page	

Department of Commerce, Annual Report Officers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<b>Other</b>					
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Operator Comments:**

**Inspector:**

Has the operator complied with this section? Yes  No

**Inspector Comments:**

**MAPS**

Copies of mine maps, current and up-to-date through at least December 31, 2009, are to be provided to the Division as Appendix D to this report in accordance with the requirements of R 645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential. (Please provide a CD.)

Confidential information is limited to:

R645-300-124.310. Information that pertains only to the analysis of the chemical and physical properties of the coal to be mined, except information on components of such coal which are potentially toxic in the environment.

R645-300-124.330. Information on the nature and location of archeological resources on public land and Indian land as required under the Archeological Resources Protection Act of 1979 (P. L. 96-95, 93 Stat. 721, 16 U.S.C. 470).

R645-301-322, Fish and Wildlife Information; R645-301-322.100, the scope and level of detail for such information will be determined by the Division in consultation with state and federal agencies with responsibilities for fish and wildlife and will be sufficient to design the protection and enhancement plan required under R645-301-333 and R645-301-322.230, other species or habitats identified through agency consultation as requiring special protection under state or federal law; R645-301-333.300, Include protective measures that will be used during the active mining phase of operation.

The Division will provide procedures, including notice and opportunity to be heard for persons both seeking and opposing disclosure.

**Map Number(s)                      Map Title/ Description**

Map Number(s)	Map Title/ Description	Confidential	
		Yes	No
Annual raptor and subsidence map	Subsidence Map (CONFIDENTIAL)		
Mine map			
5-1A	Blind Canyon Seam Mine Workings	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5-1B	Hiawatha Seam Mine Workings	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5-1C	Tank Seam Mine Workings	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

**Operator Comments:**

**Inspector:**

Has the operator complied with this section? Yes  No

**Inspector Comments:**



**APPENDIX A**

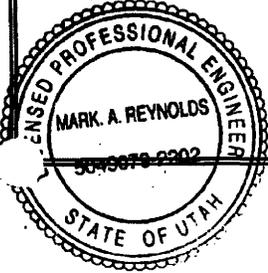
**Certified Reports**

Excess Spoil Piles  
Refuse Piles  
Impoundments

As required under R645-301-514

**CONTENTS**

Sediment Ponds A, B, C & D Inspection Reports

<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		002A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	10/29/09
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "A"	
	Impoundment Number	002A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	10/29/09		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly, Annual, Following Cleanout		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam shows no signs of structural instability or other hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 31,357 ft <sup>3</sup> 60% cleanout elevation = 7,086 100% sediment storage elevation = 7,087.9 Existing sediment elevation = 7,082.5 Average		
	3. Principle and emergency spillway elevations. Principle spillway elevation = 7,088 Emergency spillway elevation = 7,094.5		
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.			
The pond was in the process of being cleaned when the weather halted the project for the year. The sediment elevation in the north ½ of the pond is approx 7,082 and approx 7,083			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The existing sediment volume is approx 5,300 ft <sup>3</sup> . The existing runoff storage capacity is 107,500 ft <sup>3</sup> which is greater than the 64,951 ft <sup>3</sup> required in the MRP.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: <i>Mark Reynolds</i>		Date: 10-29-09

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		003A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	10/29/09
Mine Name	Bear Canyon Mine		
Company Name	Hiawatha Coal Company		
Impoundment Identification	Impoundment Name	Sediment Pond "B"	
	Impoundment Number	003A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	

**IMPOUNDMENT INSPECTION**

Inspection Date	10/29/09		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly, Annual, Following Cleanout		

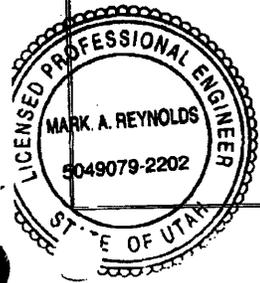
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
 The pond's dam appeared sound with no signs of weakness or hazardous conditions.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.
	Sediment storage capacity = 3,670 ft <sup>3</sup> 60% cleanout elevation = 7,062.9 100% sediment storage elevation = 7,063.4 Existing sediment elevation = 7,061.9
	3. Principle and emergency spillway elevations. Principle spillway elevation = 7,064.9 Emergency spillway elevation = 7,066.9

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.  
 Embankment slopes appear stable and are well vegetated. Pond needs to be cleaned

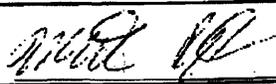
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.  
 The pond contains 0 ft<sup>3</sup> of sediment. The existing run-off storage capacity is 18,000 ft<sup>3</sup> which is greater than the 9,095 ft<sup>3</sup> required in the MRP.

Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.
Signature:	<i>[Handwritten Signature]</i> Date: 10-29-09



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		006A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	10/29/09
Line Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "C"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	10/29/09		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly, Annual		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 3,948 ft <sup>3</sup> 60% cleanout elevation = 7,030.3 100% sediment storage elevation = 7,031.4 Existing sediment elevation = 7,029.2 (Average)		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 7,032.3 Emergency spillway elevation = 7,035.3			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The existing sediment volume is approximately 1,334 ft <sup>3</sup> . The existing storage capacity is 14,371 ft <sup>3</sup> which is greater than the 7,881 ft <sup>3</sup> required in the MRP.			
Qualification Statement	I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: <u>Mark Reynolds</u>		Date: <u>10-29-09</u>

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		007A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	10/29/09
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "D"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	10/29/09		
Inspected By	Mark Reynolds		
Reason for Inspection: (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly, Annual		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 1,341 ft <sup>3</sup> 60% cleanout elevation = 7,637.6 100% sediment storage elevation = 7,638.5 Existing sediment elevation = 7,636.7		
	3. Principle and emergency spillway elevations.		
	Principle spillway elevation = 7,641.4 Emergency spillway elevation = 7,644		
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The existing sediment volume is approximately 283 ft <sup>3</sup> . The existing runn-off storage capacity is 6,321 ft <sup>3</sup> which is greater than the 5,565 ft <sup>3</sup> required in the MRP.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: <i>Mark Reynolds</i>		Date: 10-29-09

<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		002A	Page 1 of 1
Permit Number	ACT\C15\025	Report Date	9/23/09
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "A"	
	Impoundment Number	002A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	9/21/09		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam shows no signs of structural instability or other hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 31,357 ft <sup>3</sup> 60% cleanout elevation = 7,086 100% sediment storage elevation = 7,087.9 Existing sediment elevation = 7,084.9		
	3. Principle and emergency spillway elevations.		
	Principle spillway elevation = 7,068 Emergency spillway elevation = 7,094.5		
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outcrops of embankments, etc.			
Embankment slopes appear stable and are well vegetated. The pond contains .5" of water. The existing sediment is on the south end and at the inlet.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The existing sediment volume is 14,487 ft <sup>3</sup> . The existing runoff storage capacity is 97,843 ft <sup>3</sup> which is greater than the 64,951 ft <sup>3</sup> required in the MRP.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 	Date:	10-29-09

**IMPOUNDMENT INSPECTION AND CERTIFIED REPORT**

005A

Permit Number	ACT\015\025	Report Date	9/23/09
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "B"	
	Impoundment Number	003A	
	UPDES Permit Number	UTG040036	
	MSHA ID Number	N/A	

**IMPOUNDMENT INSPECTION**

Inspection Date	9/21/09
Inspected By	Mark Reynolds
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

The pond's dam appeared sound with no signs of weakness or hazardous conditions.

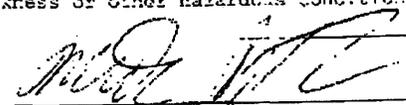
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.
	Sediment storage capacity = 3,670 ft <sup>3</sup> 60% cleanout elevation = 7,062.9 100% sediment storage elevation = 7,063.4 Existing sediment elevation = 7,062.4
	3. Principle and emergency spillway elevations. Principle spillway elevation = 7,064.9 Emergency spillway elevation = 7,066.9

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond dewatering, embankment erosion/repairs, monitoring information, vegetation on outcrops of embankments, etc.

Embankment slopes appear stable and are well vegetated. Pond needs to be cleaned

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The pond contains 2,610 ft<sup>3</sup> of sediment. The existing run-off storage capacity is 10,390 ft<sup>3</sup> which is greater than the 9,095 ft<sup>3</sup> required in the MRP.

Qualification Statement	I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.
Signature:	 Date: 10-29-09

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

006A

Page 1 of 1

Permit Number	ACT\015\025	Report Date	9/23/09
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "C"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	9/21/09
Inspected By	Mark Reynolds
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

The pond's dam appeared sound with no signs of instability or hazardous conditions.

Required for an impoundment which functions as a SEDIMENTATION POND.

2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.

Sediment storage capacity = 3,948 ft<sup>3</sup>  
 60% cleanout elevation = 7,030.3  
 100% sediment storage elevation = 7,031.4  
 Existing sediment elevation = 7,029.2 (Average)

3. Principle and emergency spillway elevations.

Principle spillway elevation = 7,032.3  
 Emergency spillway elevation = 7,035.3

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond seepage, embankment erosion/repairs, monitoring information, vegetation on slopes of embankments, etc.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The existing sediment volume is approximately 1,334 ft<sup>3</sup>. The existing storage capacity is 14,371 ft<sup>3</sup> which is greater than the 7,861 ft<sup>3</sup> required in the MRP.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature:



Date:

10-29-09

Permit Number	ACT\015\025	Report Date	9/23/09
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "D"	
	Impoundment Number	006A	
	UPDES Permit Number	JTGG4006	
	MSHA ID Number	N/A	

**IMPOUNDMENT INSPECTION**

Inspection Date	9/21/09		
Inspected By	Mark Reynolds		
Reason for Inspection <small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small>	Quarterly		

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
 The pond's dam appeared sound with no signs of instability or hazardous conditions.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.  Sediment storage capacity = 1,341 ft <sup>3</sup> 60% clearout elevation = 7,637.6 100% sediment storage elevation = 7,638.5 Existing sediment elevation = 7,636.7
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3. Principle and emergency spillway elevations.  
 Principle spillway elevation = 7,641.4  
 Emergency spillway elevation = 7,644

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond dewatering, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The existing sediment volume is approximately 233 ft<sup>3</sup>. The existing run-off storage capacity is 6,321 ft<sup>3</sup> which is greater than the 5,565 ft<sup>3</sup> required in the MRP.

Qualification Statement	I hereby certify that I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and does not or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.  Signature:  Date: 10-29-09
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IMPOUNDMENT INSPECTION AND CERTIFIED REPORT 002A		Page 1 of 1
Permit Number	ACT\015\025	Report Date 3/12/09
Mine Name	Bear Canyon Mine	
Company Name	C.W. Mining Company	
Impoundment Identification	Impoundment Name	Sediment Pond "A"
	Impoundment Number	002A
	UPDES Permit Number	UTG040006
	MSHA ID Number	N/A
<b>IMPOUNDMENT INSPECTION</b>		
Inspection Date	3/12/09	
Inspected By	Cliff Baker	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly	
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.		
The pond's dam shows no signs of structural instability or other hazardous conditions.		
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.	
	Sediment storage capacity = 31,357 ft <sup>3</sup> 60% cleanout elevation = 7,086 100% sediment storage elevation = 7,087.9 Existing sediment elevation = 7,084.2	
	3. Principle and emergency spillway elevations.	
	Principle spillway elevation = 7,088 Emergency spillway elevation = 7,094.5	
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.		
Embankment slopes appear stable and are well vegetated. The pond contains .5" of water. The existing sediment is on the south end and at the inlet.		
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.		
The existing sediment volume is 9,576 ft <sup>3</sup> . The existing runoff storage capacity is 103,225 ft <sup>3</sup> which is greater than the 64,951 ft <sup>3</sup> required in the MRP.		
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.	
	Signature: 	Date: 3/12/09

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		003A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	3/12/09
Mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "B"	
	Impoundment Number	003A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	3/12/09		
Inspected By	Cliff Baker		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of weakness or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 3,670 ft <sup>3</sup> 60% cleanout elevation = 7,062.9 100% sediment storage elevation = 7,063.4 Existing sediment elevation = 7,061.9		
	3. Principle and emergency spillway elevations. Principle spillway elevation = 7,064.9 Emergency spillway elevation = 7,066.9		
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.			
Embankment slopes appear stable and are well vegetated. Pond needs to be cleaned			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The pond contains 0 ft <sup>3</sup> of sediment. The existing run-off storage capacity is 18,000 ft <sup>3</sup> which is greater than the 9,095 ft <sup>3</sup> required in the MRP.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: <u>Cliff Baker</u>		Date: <u>3/12/09</u>

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		006A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	3/12/09
Impoundment Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "C"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	3/12/09		
Inspected By	Cliff Baker		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 3,948 ft <sup>3</sup> 60% cleanout elevation = 7,030.3 100% sediment storage elevation = 7,031.4 Existing sediment elevation = 7,029.2 (Average)		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 7,032.3 Emergency spillway elevation = 7,035.3			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The existing sediment volume is approximately 1,334 ft <sup>3</sup> . The existing storage capacity is 14,371 ft <sup>3</sup> which is greater than the 7,881 ft <sup>3</sup> required in the MRP.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: <u>Cliff Baker</u>	Date:	<u>3/12/09</u>

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		007A	Page 1 of 1
Permit Number	ACT\015\025	Report Date	3/12/09
mine Name	Bear Canyon Mine		
Company Name	C.W. Mining Company		
Impoundment Identification	Impoundment Name	Sediment Pond "D"	
	Impoundment Number	006A	
	UPDES Permit Number	UTG040006	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	3/12/09		
Inspected By	Cliff Baker		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 1,271 ft <sup>3</sup> 60% cleanout elevation = 7,637.6 100% sediment storage elevation = 7,638.5 Existing sediment elevation = 7,638.1		
	3. Principle and emergency spillway elevations. Principle spillway elevation = 7,032.3 Emergency spillway elevation = 7,035.3		
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The existing sediment volume is approximately 1,034 ft <sup>3</sup> . The existing run-off storage capacity is 6,372 ft <sup>3</sup> which is greater than the 5,565 ft <sup>3</sup> required in the MRP.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 	Date:	3/12/09

**APPENDIX B**

**Reporting of Technical Data**

Including monitoring data, reports, maps, and other information  
As required under the approved plan or as required by the Division

In accordance with the requirement of R645-310-130 and R645-301-140

**CONTENTS**

2009 Subsidence Monitoring Data  
Subsidence Map (CONFIDENTIAL) showing Raptor Nest Locations

2009 Annual Report  
 Bear Canyon Mine

Subsidence Data Monitored in Early 2009

	Northing	Easting	Elevation 07	Elevation 09	Difference
SUB 01	6961482.08	1751184.53	9184.58	9184.58	0.00
SUB 05	6961382.26	1752644.89	9391.65	9391.65	0.00
SUB 07	6962245.2	1753650.97	9396.89	9396.89	0.00
SUB 09	6963106.15	1754833.83	9372.84	9372.84	0.00
SUB 10	6963556.33	1755746.7	9357.39	9357.39	0.00
SUB 11	6962129.54	1753483.32	9390.14	9390.14	0.00
SUB 12	6962193.39	1753411.24	9398.49	9398.49	0.00
SUB 13	6961966.08	1753566.63	9347.60	9347.60	0.00
SUB 14	6961788.09	1753610.11	9330.45	9330.45	0.00
SUB 15	6961716	1753766.55	9295.18	9295.18	0.00
SUB 16	6961857.98	1754125.08	9280.52	9280.52	0.00
SUB 17	6961897.13	1754283.28	9228.79	9228.79	0.00
SUB 25br	6961521.69	1754939.23	9021.84	9021.84	0.00
SUN 26br	6961571.18	1755052.79	8982.47	8982.47	0.00
SUB 27br	6961550.1	1755171.84	8912.12	8912.12	0.00
SUB 28br	6961486.88	1755237.95	8848.96	8848.96	0.00
SUB 29br	6961377.22	1755427.91	8664.09	8664.09	0.00
SUB 30br	6962018.64	1755036.98	9118.87	9118.87	0.00
SUB 25A	6958269.28	1757799.81	8943.86	8943.47	-0.39
SUB 25B	6958299.65	1757844.41	8971.49	8970.65	-0.84
SUB 25C	6958337.24	1757881.12	8980.58	8979.40	-1.18
SUB 25D	6958362.14	1757921.06	8994.86	8993.61	-1.24
SUB 25E	6958391.48	1757962.6	9011.85	9009.78	-2.07
SUB 25F	6958419.65	1758013.33	9015.53	9013.65	-1.88
SUB 25G	6958453.84	1758049.1	9040.12	9038.14	-1.99
SUB 25H	6958489.47	1758077.55	9046.09	9045.11	-0.98
SUB 25I	6958518.35	1758122.88	9055.28	9054.92	-0.36
SUB 25J	6958547.89	1758167.21	9060.24	9059.74	-0.49
SUB 25K	6958574.47	1758213.02	9078.77	9078.77	0.00
SUB 26	6957686.49	1757113.44	8769.97	8767.53	-2.44
SUB 27	6957747.31	1758315.12	8842.87	8842.56	-0.31
SUB 28	6957450.21	1758144.25	8689.27	8689.27	0.00
SUB 29	6957745.36	1760326.57	9161.55	9161.55	0.00
SUB 30	6957370.11	1760048.15	9109.69	9109.69	0.00
SUB 31	6957023.55	1759804.13	9017.47	9016.36	-1.11
SUB 32	6956749.59	1759458.57	8814.65	8814.65	0.00
SUB 33	6956434.9	1759218.63	8859.30	8859.30	0.00
SUB 34	6956732.51	1760836.67	9051.08	9051.08	0.00
SUB 35	6956608.59	1761646.5	8677.42	8676.45	-0.97
SUB 36	6956752.51	1761330.25	8782.07	8782.07	0.00
SUB 37	6955623.32	1760208.31	8605.29	8607.42	2.12
SUB 38	6955442.31	1760570.83	8831.55	8831.55	0.00
SUB 39	6955356.96	1761062.79	9054.17	9054.17	0.00
SUB 40	6955209.23	1761480.72	8869.46	8869.46	0.00
SUB 41	6956605.05	1761647.64	8639.17	8639.17	0.00
SUB 42	6955898.68	1761478.24	8739.78	8739.78	0.00
SUB 43	6954292.99	1761046.59	8654.05	8654.72	0.68
SUB 44	6953913.82	1761202.86	8576.16	8576.16	0.00
SUB 45	6953966.46	1760730.64	8929.23	8929.23	0.00
SUB 46	6954003.25	1760160.21	8934.76	8934.76	0.00
SUB 47	6953726.61	1759382.8	8736.59	8736.59	0.00
SUB 48	6953290.54	1758198.88	8509.95	8509.95	0.00
SUB 49	6952396.35	1760927.18	8844.13	8844.13	0.00
SUB 50	6952229.46	1762087.28	8641.35	8641.35	0.00
SUB 51	6961582.39	1759535.14	9394.07	9394.07	0.00
SUB 52	6962300.12	1760703.45	9393.64	9393.64	0.00
SUB 53	6960472.4	1760320.61	9350.34	9350.34	0.00
SUB 54	6958940.86	1760373.55	9336.96	9339.50	2.55
SUB 55	6957621.82	1764693.51	8986.30	8986.85	0.54
SUB 56	6962800.76	1763350.1	9305.60	9305.61	0.01
SUB 57	6959480.07	1764778.26	9256.52	9252.47	-4.05
SUB 58	6958742.99	1758583.64	9180.25	9180.25	0.00
SUB 59	6958914.4	1758789.27	9222.63	9222.63	0.00
SUB 60	6959201.86	1759259.76	9342.91	9342.91	0.00
SUB 61	6959395.12	1759259.91	9302.82	9302.82	0.00

**2009 Annual Report**

**Bear Canyon Mine**

Subsidence Map (showing raptor nest locations) is CONFIDENTIAL as is included in a separate attachment

**APPENDIX C**

**Legal Financial, Compliance and Related Information**

Annual Report of Officers  
As submitted to the Utah Department of Commerce

Other change in ownership and control information  
As required under R645-301-110

**CONTENTS**

See attached



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**Utah** Department of  
**Commerce**

# Business Entity Search

[? Help](#)

Name	Type	City	Status
C. W. MINING COMPANY	Corporation	Salt Lake City	Active
Business Name:	C. W. MINING COMPANY		
Entity Number:	836133-0142		
Registration Date:	06/10/1983		
State of Origin:	UT		

### Address

53 W ANGELO AVE  
Salt Lake City, UT 84115

### Status

Status:	Active
Status Description:	Good Standing
This Status Date:	N/A
Last Renewed:	06/22/2009
License Type:	Corporation - Domestic - Profit
Delinquent Date:	06/10/2010

### Registered Agent

Registered Agent:	CARL E. KINGSTON <a href="#">[Search BES]</a> <a href="#">[Search RPS]</a>
Address Line 1:	53 W ANGELO AVE
Address Line 2:	
City:	Salt Lake City
State:	UT
Zip:	84115

### Additional Information

Additional Principals:	N
NAICS Code:	3122
NAICS Title:	3111-Tobacco Manufacturing
Stock Class 1 Amount:	0000050000
Stock Class 1 Type:	COMMON
Stock Class 2 Amount:	

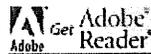
With this information, you can...

[Search for Images](#)

If you would like to view images of paper filings for this business entity, select the button to the left. You will be assessed a \$ 2.00 fee per image of a document for this service.

[Purchase Certificate of Existence](#)

If you would like to purchase a Certificate of Existence for this business entity, select the button to the left. You will be assessed a \$ 12.00 fee for this service. You will need Adobe Reader to view this certificate. If you do not have Adobe Reader, click on the button below and download it.



[Access Principal Information](#)

If you would like to receive information on the principal individuals associated with this entity, click the button on the left. You will be assessed a \$ 1.00 fee for this information.

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**Utah** Department of  
**Commerce**

# Business Entity Search

[? Help](#)

## Business Entity Search - Principals:

Name	Type	City	Status
C. W. MINING COMPANY	Corporation	Salt Lake City	Active

Position	Name	Address	
Registered Agent	CARL E. KINGSTON	53 W ANGELO AVE	Salt Lake City UT 84115
Vice President	J A GUSTAFSON	1815 S 1100 W	Woods Cross UT 84087
Director	J.A. GUSTAFSON	1815 S 1100 W	WOODS CROSS UT 84087
Secretary	M. O. GUSTAFSON	53 W ANGELO AVE.	Salt Lake City UT 84115
Treasurer	M. O. GUSTAFSON	53 W ANGELO AVE.	Salt Lake City UT 84115
Director	M. O. GUSTAFSON	53 WEST ANGELO AVE.	SALT LAKE CITY UT 84115
President	C R REYNOLDS	371 BEAR CANYON RD	Huntington UT 84528
Director	C. R. REYNOLDS	371 BEAR CANYON RD.	HUNTINGTON UT 84528

Additional Principals on file at Division of Corporations: N

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**APPENDIX D**

**Mine Maps**

As required under R645-302-525-270

**CONTENTS**

- Plate 5-1A
- Plate 5-1B
- Plate 5-1C

**APPENDIX E**

**Other Information**

In accordance with the requirements of R645-301 and R645-302

**CONTENTS**

Attached is "Supplement to 2009 Annual Report"

Supplement to 2009 Annual Report – Utah Division of Oil, Gas and Mining  
C. W. Mining Company Bankruptcy Estate

1. Kenneth A. Rushton has been appointed as trustee of the bankruptcy estate (the “*Estate*”) of C. W. Mining Company, sometimes d/b/a Co-Op Mining Company (“*Debtor*”), Bankruptcy Case No. 08-20105 JAB (Chapter 7), United State Bankruptcy Court for the District of Utah (the “*Court*”) (“*Trustee*”). Trustee had its expert, Norwest Corporation (“*Norwest*”) prepare the 2009 Annual Report (the “*Report*”) for the Bear Canyon Mine (the “*Mine*”) that must be filed with the Utah Division of Oil, Gas and Mining (“*DOGM*”).
2. DOGM extended the filing deadline for the Report from 01 April 2010 to 30 April 2010.
3. In June 2008, Hiawatha Coal Company, Inc. (“*Hiawatha*”) entered into an agreement to purchase certain assets of the Bear Canyon Mine (the “*Mine*”) from Debtor, including the DOGM mine permit. That sale was never fully completed; in particular DOGM never approved the transfer of the coal mining permit to Hiawatha. In subsequent proceedings brought by the Trustee, the Court avoided the sale of the Mine to Hiawatha. Nonetheless, Hiawatha remained in possession of the Mine (illegally, from the Trustee’s viewpoint) from June 2008 until mid-February 2010, when possession of the Mine was turned over to the Trustee pursuant to order of the Court.
4. The information in the Report has been assembled by Norwest from reasonably available records, including certain information provided to Norwest by Hiawatha. Accordingly, the Report is only to the best knowledge of Trustee and Norwest as of the date of filing, and neither Trustee nor Norwest can guaranty the accuracy of information.