

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Castle Valley Mining LLC

Mine: Bear Canyon Mine

Permit Number:

C/015/0025

Title: Castle Valley Mining Waste Rock Site

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

Adding Special Warranty Deed to the Chapter 1 CVM WRS Permit

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?
<i>Explain:</i> _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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.			
Jaren Jorgensen	Engineer	03/05/2019	
Print Name	Position	Date	Signature (Right-click above choose certify then have notary sign below)
Subscribed and sworn to before me this <u>5th</u> day of <u>March</u> , 2019			
Notary Public: <u>Miranda Lofley</u> , state of Utah.			
My commission Expires: <u>03-26-2022</u>			
Commission Number: <u>699728</u>			
Address: <u>305 E Main</u>			
City: <u>21MO</u> State: <u>UT</u> Zip: <u>84521</u>			



For Office Use Only: 	Assigned Tracking Number: 	Received by Oil, Gas & Mining
---	--	--

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Castle Valley Mining, LLC
424 Lewis Hargett Circle, Suite 250
Lexington, KY 40503
Attn: General Counsel

(Space Above For Recorder's Use)

SPECIAL WARRANTY DEED

Waste Rock Site Parcel

PACIFICORP, an Oregon corporation, having a mailing address of 1407 W. North Temple, Salt Lake City, Utah 84116, as "**Grantor**", hereby conveys and warrants, against all those claiming by, through or under Grantor, but not otherwise, to CASTLE VALLEY MINING LLC, a Delaware limited liability company, having a mailing address of 424 Lewis Hargett Circle, Suite 250, Lexington, Kentucky 40503, as "**Grantee**," for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, that certain parcel of real property located in Emery County, State of Utah, together with any and all interests, rights and appurtenances thereto, as well as any and all improvements thereon (if any), as more particularly described in Exhibit A attached hereto (described hereinafter as the "**Real Property**").

Subject to: (i) any state of facts that an accurate and complete ALTA/ACSM Land Title Survey might disclose, (ii) all zoning regulations, restrictions, rules and ordinances, land use regulations, building restrictions, and other laws and regulations now in effect or hereafter adopted by any governmental authority having jurisdiction, and (iii) reservations, easements, rights-of-way, declarations, covenants, conditions, restrictions, encroachments, liens, and encumbrances and all other matters of record or enforceable at law or in equity.

IN WITNESS WHEREOF, the said Grantor has executed this Special Warranty Deed as of this 20th day of November, 2018.

PACIFICORP,
an Oregon corporation



By: DANA M. RALSTON

Its: SUP THERMAL GEN + MOUND

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

The forgoing instrument was acknowledged before me this 20th day of November, 2018, by Dana Ralston, the Senior Vice President of PACIFICORP, an Oregon corporation.

Witness my hand and official seal.

Candace Dixon
Notary Public

My Commission expires: December 19, 2020 Residing at: _____



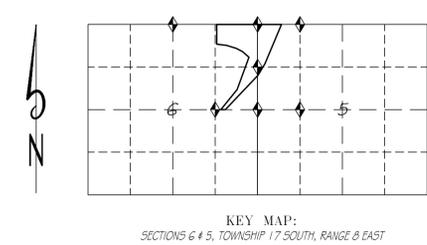
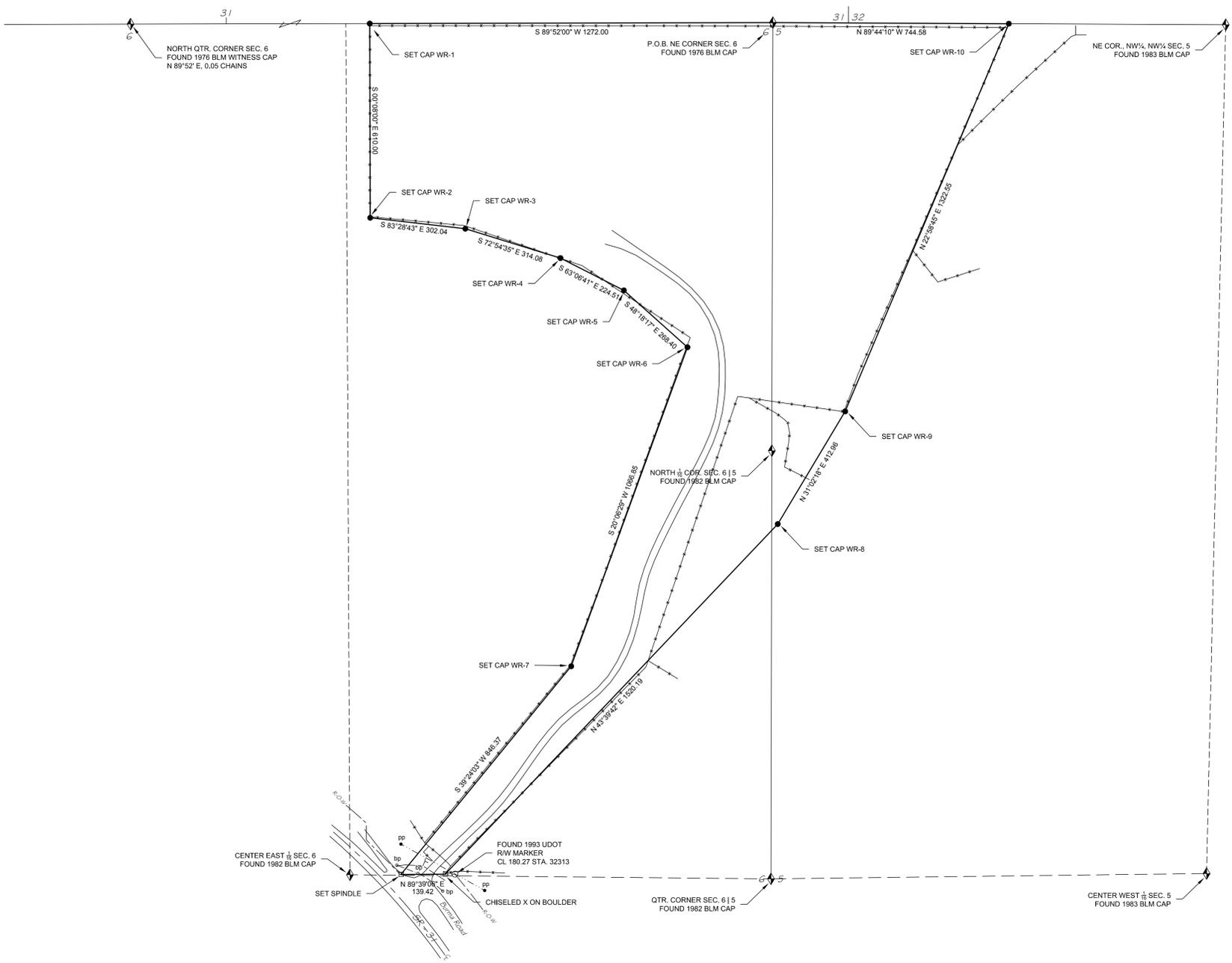
Exhibit A

Waste Rock Site Parcel Legal Description

That certain parcel of land located in Emery County, State of Utah, as more particularly described as follows:

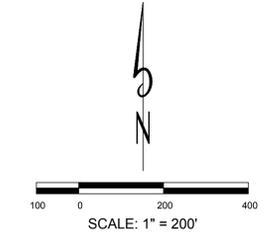
Beginning at the Northeast corner of Section 6, Township 17 South, Range 8 East, SLB&M, and running thence S 89°52'00" W, 1272.00 feet along Section line; thence S 00°08'00" W, 610.00 feet; thence S 83°28'43" E, 302.04 feet; thence S 72°54'35" E, 314.08 feet; thence S 63°06'41" E, 224.51 feet; thence S 48°18'17" E, 268.40 feet; thence S 20°06'29" W, 1066.85 feet; thence S 39°24'03" W, 846.37 feet, more or less to the Northerly right-of-way of SR-31; thence N 89°39'06" E, 139.42 feet along said right-of-way; thence N 43°39'42" E, 1520.19 feet; thence N 31°02'18" E, 412.96 feet; thence N 22°58'45" E, 1322.55 feet to the North line of Section 5, Township 17 South, Range 8 East, SLB&M.; thence N 89°44'10" W, 744.58 feet along Section line to the point of beginning.

Containing 49.05 acres more or less



LEGEND

	Property line
	Chainlink fence
	Wire fence
	Water line
	Road
	Overhead power
	Buried power
	Power pole
	Buried Power Marker



CERTIFICATE

I, LEE M. SWASEY, A PROFESSIONAL LAND SURVEYOR HOLDING UTAH CERTIFICATE NO. 163634, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN PREPARED FROM A FIELD SURVEY MADE UNDER MY DIRECTION AND CORRECTLY SHOWS THE DIMENSIONS AND MONUMENTS OF THE PROPERTY DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LOCATION OF SURVEY:
 Located within the East half of the Northeast quarter of Section 6 and the West half of the Northwest quarter of Section 5, T. 17 S., R. 8 E., SLB&M.

PROPERTY DESCRIPTION:
 Beginning at the Northeast corner of Section 6, Township 17 South, Range 8 East, SLB&M, and running thence S 89°52'00" W, 1272.00 feet along Section line; thence S 00°08'00" W, 610.00 feet; thence S 83°28'43" E, 302.04 feet; thence S 72°54'35" E, 314.08 feet; thence S 63°06'41" E, 224.51 feet; thence S 48°18'17" W, 268.40 feet; thence S 20°06'29" W, 1066.85 feet; thence S 39°24'03" W, 846.37 feet, more or less to the Northerly right-of-way of SR-31; thence N 89°39'06" E, 139.42 feet along said right-of-way; thence N 43°39'42" E, 1520.19 feet; thence N 31°02'18" E, 412.96 feet; thence N 22°58'45" E, 1322.55 feet to the North line of Section 5, Township 17 South, Range 8 East, SLB&M; thence N 89°44'10" W, 744.58 feet along Section line to the point of beginning.
 Containing 49.05 acres more or less

BASIS OF BEARING:
 Basis of Bearing: S 89°52'00" W between the Northeast corner and the North quarter corner of Section 6, T. 17 S., R. 8 E., SLB&M.

PURPOSE OF SURVEY:
 Surveyed at the request of PacifiCorp to locate, monument and describe the parcel of land shown hereon.
 The survey was based on instructions in the field by PacifiCorp representatives, found survey markers and found Section Corner monuments, the Section was subdivided in accordance with the BLM Manual of Instructions.

MONUMENTS FOUND:

- ◆ Denotes Section monument found.
- Denotes Survey Marker found.

MONUMENTS SET:

- Denotes a #5 rebar with a 1 1/2" aluminum cap set on top marked LMS J&T ENG LS 163634 and additionally stamped as shown on drawing.
- Denotes other monument set.

DESIGNED	DRAWN	SURVEYED	R.O.W.	CHECKED	BHT	04-15	04-15
	LMS	JLK			LMS		
PROJECT FILE				LEE M. SWASEY PROFESSIONAL LAND SURVEYOR 163634			
PACIFICORP DEER CREEK WASTE SITE				 P.O. Box 487, Castle Dale, UT 84513 (435) 381-2523 Fax (435) 381-2522 e-mail jlt@jstvt.net			
SECTION	TOWNSHIP	RANGE	DATE	SCALE			
6 & 5	17 S.	8 E.	5/5/2015	1" = 200'			
LOTS	BLOCK	SURVEY	DRAWN BY	LMS			
PROJECT No.							
SHEET No.				1			