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Governor

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Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

February 13, 2014

Kirk Nicholes, Resident Agent  
Alton Coal Development, LLC  
463 North 100 West, Suite 1  
Cedar City, Utah 84720

Subject: Change in Ownership and Control, Alton Coal Development, LLC, Coal Hollow Mine, C/025/0005, Task ID #4510

Dear Mr. Nicholes:

The Division has reviewed your application to the Ownership and Control at the Coal Hollow Mine. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

The deficiencies authors are identified so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application.

If you have any questions, please call me at (801) 538-5350.

Sincerely,

Steve Christensen  
Permit Supervisor

SKC/sqs  
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## Technical Analysis and Findings

### Utah Coal Regulatory Program

**PID:** C0250005  
**TaskID:** 4510  
**Mine Name:** COAL HOLLOW  
**Title:** CHANGE IN OWNERSHIP & CONTROL

### General Contents

#### Identification of Interest

##### *Deficiencies Details:*

The title listed for James Wayland is not the same in the Confidential binder as in the MRP. James Wayland is a **MANAGER** in Sections 112.310, 112.320, 112.330 and 112.420 of the MRP. James Wayland is a **MEMBER** in the Confidential Binder, Section 112.320.

In accordance with R645-301-121.200, the confusion might be best eliminated by describing Mr. Wayland's position in all MRP Sections listed above (Sections 112.310, 112.320, 112.330 and 112.420) and in Confidential Section 112.320 as **Managing Member of Alton Coal Development LLC** (personal communication from Mr. Bayer, 2/3/2014).

pburton