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Canyon Fuel Company, LLC

SUFCO Mine

397 South 800 West
Salina, Utah 84654

Levan Loadout (435) 623-2905 Exit 72 off I-70 - Minesite (435) 286-4880
Levan Loadout Fax (435) 623-2767 Mine Fax (435) 286-4499 & (286-4444 Warehouse)

FACSIMILE COVER PAGE

Incoming
at 1041/0002

TO: Terriann Erntson LOCATION: DOG M

FROM: Mark Bunnell LOCATION: Sufco

THIS TRANSMISSION CONSISTS OF 5 PAGES INCLUDING COVER PAGE.

MESSAGE:

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CONFIDENTIALITY NOTICE: This message is intended only for the use of the individual or entity designated above, is confidential and may contain information that is legally privileged or exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution, copying or use of or reliance upon the information contained in and transmitted with this facsimile transmission by or to anyone other than the recipient designated above by the sender is not authorized and strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return it to the sender by U. S. Mail, or destroy it if authorization is granted by the sender. Thank You.

If you have any trouble with this transmission, please call Canyon Fuel Company at (435) 286-4880.

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Canyon Fuel Company, LLC

Mine: SUFCO

Permit Number: C/041/002

Title: REVISED NOTICE OF INTENT TO CONDUCT MINOR COAL EXPLORATION - SITLA MUDDY TRACT

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

ONE COAL EXPLORATION BOREHOLE TO BE DRILLED BEGINNING SEPT. 1, 2004

Instructions: If you answer yes to any of the first eight (gray) 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 # _____
- 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?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) 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.

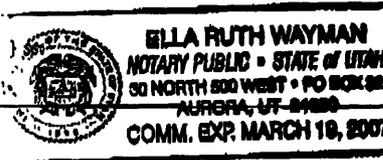
Mark Bunnell
Print Name

Mark Bunnell, Geologist,
Sign Name, Position, Date

Subscribed and sworn to before me this 17th day of August, 2004

Ella Ruth Wayman
Notary Public

My commission Expires: _____, 20____
Attest: State of _____
County of _____



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Form DOGM- C1 (Revised March 12, 2002)

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APPENDIX C

Cultural Resource Inventory

The following cultural resource inventory has been filed in UDOGM confidential filing system under SUFCO – Exploration:

A CULTURAL RESOURCE INVENTORY OF SIX DRILL LOCATIONS AND ACCESS, MUDDY TRACT COAL LEASE (2004), SOUTHERN UTAH FUEL COMPANY (SUFCO), MANTI-LASAL NATIONAL FOREST SANPETE AND SEVIER COUNTIES, UTAH

By Scott Billat

EarthTouch Cultural Resource Rpt. No. 04-12

July 13, 2004

Utah State Project Authorization No. U-04-EP-0650f

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