



**Canyon Fuel
Company, LLC.
Sufco Mine**

A Subsidiary of Arch Western Bituminous Group, LLC.

Ken May, General Manager
397 South 800 West
Salina, UT 84654
(435) 286-4400 - Office
(435) 286-4499 - Fax

INCOMING
0410002

June 27, 2006

Coal Regulatory Program
Attn.: D. Wayne Hedberg
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

RE: Pines Tract Finalized Temporary 2006 Stock Watering Plan.

Dear Mr. Hedberg:

Several subsidence cracks have formed in the East Fork Box Canyon area. Two spring discharge areas have been affected at this time: the North Water spring (Pines 105) and Joes Mill Pond spring. These spring areas are located on Manti-LaSal National Forest lands in the SE1/4 of Section 11 and the NE1/4 of Section 14, T21S R5E, SLM. Therefore, Canyon Fuel Company, LLC Sufco Mine will provide water to the water troughs at the North Water spring and place new temporary water troughs in the general area of Joes Mill Pond for the 2006 stock water season. In the interest of time, water will initially be provided to the North Water spring troughs by trucking water to the troughs.

The measured discharge volumes from the North Water spring ranged from 2.61 to 12.00 gpm and 0 to 3 gpm at the Joes Mill Pond spring area. Historic flow data available for these two areas are located on the attached Pines Tract Spring Data sheets. Based on this data, Sufco has determined the water trucking/pumping needs will require an average of 12,000 gallons per day up to a maximum of 21,600 gallons per day of replacement water for stock watering in these two spring areas. This will require an average of 4 loads of water per day up to a maximum of 7 loads per day with a 3,000 gallon 10-wheeler water truck.

Sufco will haul water from the North Fork of Quitcupah Creek where Sufco has been voluntarily hauling stock water during the past few years for the 20 days that the cows are in this area. Sufco proposes to locate water troughs at the locations shown on the attached map as discussed with Russ Jensen of the Emery Cattleman Association and Lannce Sudweeks of the Forest Service. Access to the sites will be on Forest Roads 007, 028, 058 and 044. Use of these roads by Canyon Fuel Company for drilling access has been previously granted under existing Road Use Permit 0410-02-08 (Pines/Muddy). Additional access will be on unimproved non-service four wheel tracks that branch off Forest Road 028 and lead to the solar power pump and cattle water tanks location at the North Water spring. These tracks will not be improved during the stock watering process.

RECEIVED

JUN 29 2006

DIV. OF OIL, GAS & MINING

Pines Tract
Page 2
June 27, 2006

If you have any questions regarding the information contained in or attached to this letter, please give Mike Davis a call at (435) 286-4421.

Sincerely,
CANYON FUEL COMPANY, LLC
SUFCO Mine

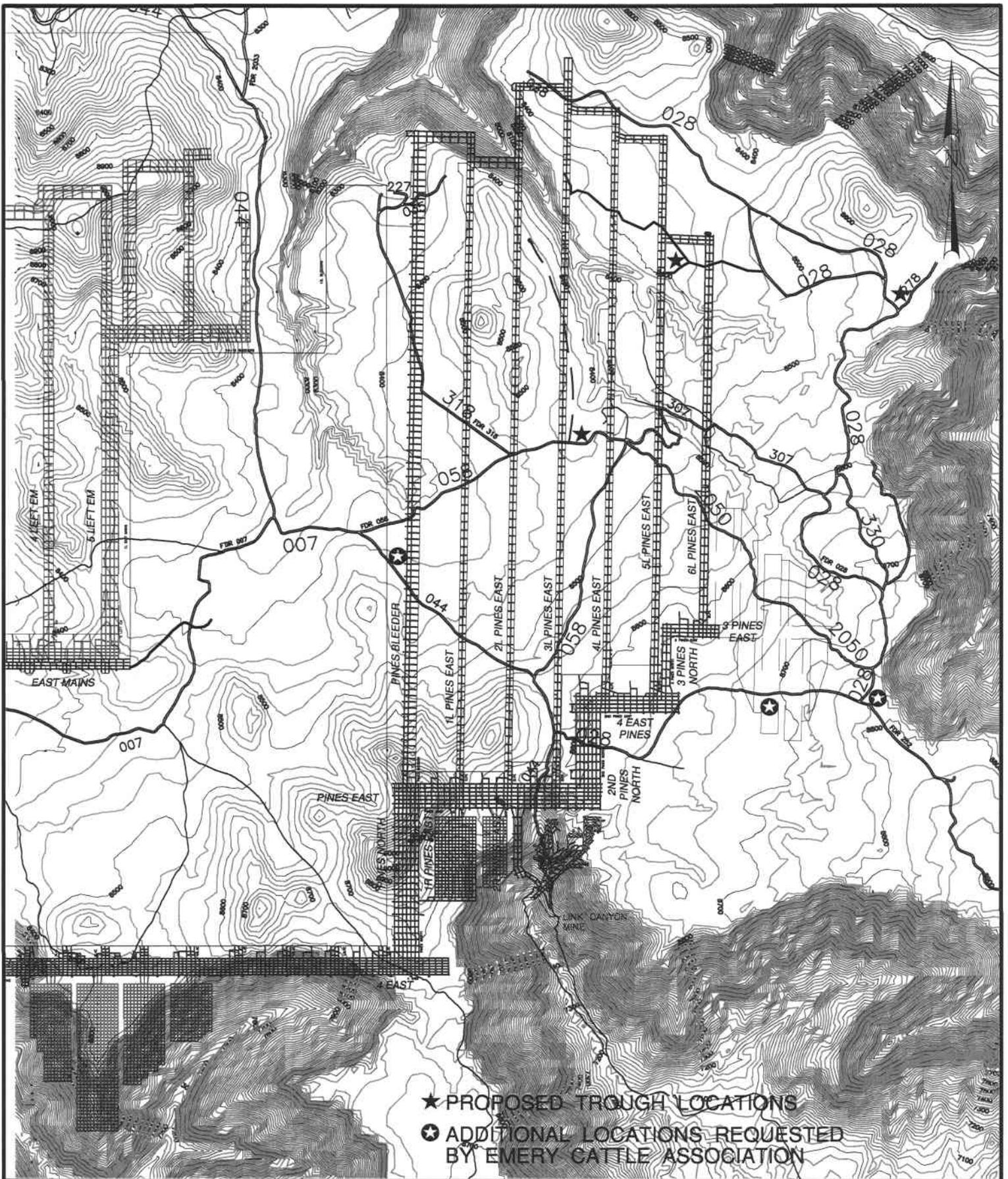


Kenneth E. May
General Manager

Encl.

cc: DOGM Price Office
DOGM Correspondence File

Sufpub/govt2006/dogm-coor/Cattle Stock Water Cover Letter 2.doc



★ PROPOSED TROUGH LOCATIONS
 ☆ ADDITIONAL LOCATIONS REQUESTED BY EMERY CATTLE ASSOCIATION



Canyon Fuel Company, LLC
SUFCO Mine
 397 South 800 West - Salina, UT 84654
 (435) 286-4480 Phone
 (435) 286-4499 Fax

East Fork Box Canyon		
Location of Water Troughs		
SCALE: 1" = 3000'	DATE: May 2006	DRAWN BY: K.B.B.
ENGINEER: M.L.D.	CHECKED BY: M.L.D.	
FILE NAME: H:\SURVEYN\SURFACE\BOXCANYN...Cracks2006.dwg		

SHEET NO.
Figure 1

PINES TRACT SPRING DATA

- A. North Water Spring/Sufco Pines 105
Located in Section 11, T21S, R5E, SLBM

Water Right Owner:

No Water Right listed for this spring with the Utah Division of Water Rights.

Water Right amount or Beneficial use:

No Water Right - Beneficial use has been for stock watering of cows starting June 16 for 20 days. Solar pump pumps water to water troughs located above the spring area. This cattle allotment is rotated every other year with another allotment by the Forest Service (2006, 2008, etc).

Flow Rate:

1. Baseline & Sufco Pines 105 Spring Flow Data for 06/17/97 to 12/21/05.

	Flow (gpm)	Gallons/day
Average	6.63	9,547
Maximum	12.00	17,280
Minimum	2.61	3,758

2. Emery Water Conservancy District Website Flow Data 2005.

	Flow (gpm)	Gallons/day
Average	4.74	6,826
Maximum	11.87	17,093
Minimum	0.00	0

3. Emery Water Conservancy District Website Flow Data for 06/07/05 to 07/15/05.

	Flow (gpm)	Gallons/day
Average	1.52	2,189
Maximum	7.29	10,498
Minimum	0.00	0

4. North Water Spring Solar Pump Curve Data.

Pump rated at 5.1 gpm at 60 feet of vertical lift in this location.

1. Estimate 4,590 gallons of water pumped per day.
(Sun light estimated at 15 hours of operation per day (6 am to 9pm))
2. Maximum Pump capacity of 7,344 gallons of water for 24 hour period.

Mining Activity:

This spring was undermined during the week of December 19, 2005.

An inspection of the area was made on April 27, 2006.

The Division and Forest Service were notified and a combined Division, BLM, Forest Service, Cattleman and Sufco inspection of the area was conducted on 5/11/2006.

B. Joes Mill Pond Spring

Located in Section 14, T21S, R5E, SLBM

Water Right Owner:

No Water Right listed for this spring or Joes Mill pond with the Utah Division of Water Rights.

Water Right amount or Beneficial use:

No Water Right - Beneficial use has been for stock watering of cows starting June 16 for 20 days. This cattle allotment is rotated every other year with another allotment by the Forest Service (2006, 2008, etc).

Flow Rate:

Joes Mill Pond Spring

Flows ranged from no discharge to minor seepage to an est. 2-3 gpm in 2005 from Baseline data and Erik Petersen notes & observations from 06/17/97 to 10/27/05. Maximum flow of 4320 gallons per day at 3 gpm.

Mining Activity:

This spring was undermined during the week of January 30, 2006.

An inspection of the area was made on April 27, 2006.

The Division and Forest Service were notified and a combined Division, BLM, Forest Service, Cattleman and Sufco inspection of the area was conducted on 5/11/2006.

Site	Date	Flow gpm
Pines 105	17-Jun-97	12
Pines 105	28-Jun-97	10
Pines 105	28-Aug-97	2.61
Pines 105	03-Nov-97	10
Pines 105	29-Jun-98	3
Pines 105	16-Sep-98	11.1
Pines 105	04-Nov-98	8.33
Pines 105	22-Jun-99	9.7
Pines 105	25-Aug-99	7.8
Pines 105	27-Oct-99	7.7
Pines 105	23-Aug-00	5.88
Pines 105	13-Jun-01	7.89
Pines 105	22-Aug-01	5.45
Pines 105	01-Oct-01	3.66

PONDS

Joess Mill Pond	17-Jun-97	
Joess Mill Pond	29-Oct-97	No discharge from seeps noted, 0.5 feet deep x 15x20 foot diameter pond is ~20% full
Joess Mill Pond	23-Aug-00	
Joess Mill Pond Seep	10-Oct-03	Minor seepage, not enough to measure
Joess Mill Pond Seep	09-Jun-04	diffuse seepage
Joess Mill Pond Seep	08-Jul-04	diffuse seepage
Joess Mill Pond Seep	02-Nov-04	Minor seepage, not enough to measure
Joess Mill Pond Seep	16-May-05	2-3 gpm est.
Joess Mill Pond Seep	01-Jun-05	2-3 gpm est.
Joess Mill Pond Seep	15-Jun-05	2-3 gpm est.
Joess Mill Pond Seep	01-Jul-05	1 gpm est.
Joess Mill Pond Seep	15-Jul-05	no flow at surface, damp ground
Joess Mill Pond Seep	30-Aug-05	no flow at surface, saturated soil only
Joess Mill Pond Seep	27-Oct-05	no flow at surface, saturated soil only

UTAH COAL MINING WATER QUALITY DATABASE

DISCLAIMER: The Utah Division of Oil, Gas and Mining provides this data access page free of charge. Data cannot always be validated. DOGM assumes no responsibility for the accuracy or use of the data.

To upload EDI files, you must use Internet Explorer version 4.XX or Netscape version 4.XX or later. Database file format and structure information can be found at: <http://ogm.utah.gov/coal/edi/default.htm>

Flow													
MINE	SITE TYPE	FROM	THRU	SAMPLES									
				#	MEASURABLE			STANDARD DEVIATION					
					#	MINIMUM	AVERAGE	MAXIMUM	STD	-2 STD	-1 STD	+1 STD	+2 STD
SUFCO	PINES 105 Spring	06/01/2000	12/21/2005	18	18	2.940000	5.748076	10.000000	2.14	1.47	3.61	7.89	10.03

Flow BY DATE	
SAMPLE DATE	SUFCO PINES 105 Spring
06/01/2000 17 40	10.000000
08/23/2000 11 10	5.880000
11/16/2000 14 30	7.300000
06/13/2001 14 30	7.890000
08/22/2001 12 45	5.475360
10/01/2001 11 30	3.660000
05/09/2002 14 50	5.520000
09/21/2002 15 00	3.560000
10/09/2002 15 30	5.060000
06/06/2003 15 10	4.890000
08/05/2003 12 45	2.940000
10/17/2003 14 30	4.340000

06/25/2004 17 50	4.560000
08/12/2004 15 20	3.920000
11/02/2004 14 30	3.650000
06/27/2005 16 30	5.880000
09/29/2005 14 30	9.620000
12/21/2005 15 45	9.320000

**NOTE: FOR PASS/FAIL PARAMETERS (P/F), 0=PASS AND 1=FAIL
FOR YES/NO PARAMETERS (Y/N), 0=NO AND 1=YES**

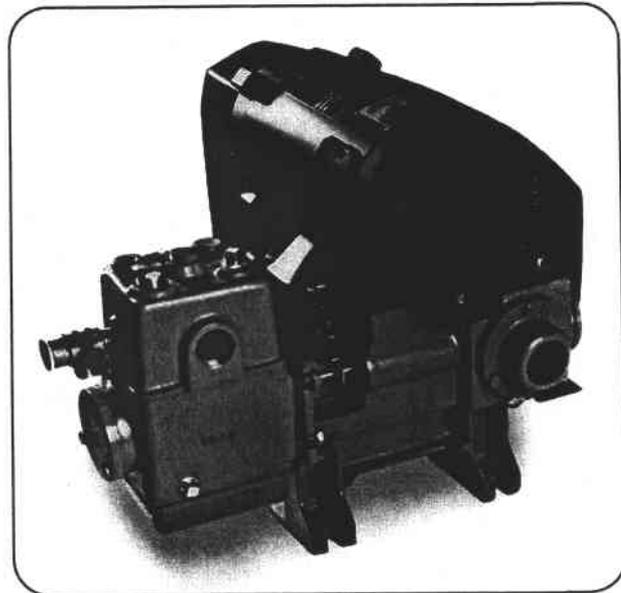
For help, contact Dana Dean (801)538-5320 (danadean@utah.gov)

Conergy Solar Force Piston Pump



Conergy Solar Force Piston Pump draws water from a shallow well, spring, pond, river or tank. It can push water uphill and over long distances for home, village, irrigation or livestock uses. It can use power directly from a photovoltaic array or from storage batteries to fill a storage tank or to pressurize water.

- | **Ultra-Efficient**
 - | Uses less power than any other pump in its range
- | **Economical**
 - | Reduces power system cost by 25-75 % compared to centrifugal or AC pumps
- | **Solar-Direct Application**
 - | Starts pumping in low light conditions
- | **Pressurizing Application**
 - | DC version is most efficient. AC version uses a low-surge permanent magnet motor that greatly reduces starting surge, inverter size, and wire size requirements (when compared to conventional AC pumps).
- | **Rugged and Reliable**
 - | Proven design with a 20-year life expectancy, simple to maintain with common tools (5-10 yr. maintenance interval)
- | **Good Tolerance for Dirt and Dry Run**
- | **Mechanical Drive**
 - | Allows engine or hand-lever backup
- | **Illustrated Instruction Manual**
 - | Makes it easy for anyone to install and service, with no previous experience
- | **Construction**
 - | Cast iron body
 - | Brass cylinder and valve seats
 - | Leather cup piston seals
 - | Neoprene valve seals
 - | Oil-bath crankcase
 - | Gear (timing) belt drive on PV models
 - | Standard V-belt on B models
 - | Pressure relief valve
 - | Permanent Magnet DC Motor
 - | Surge tank included (not in photo)



- | **Voltages Available**
 - | 12, 24, 48 V DC
 - | Note: PV-Direct full working voltage is typically 20 % higher than nominal (example: 29 V for a 24 V system)
 - | 115 V or 230 V AC, 50-60 Hz

Conergy Solar Force Piston Pump



CONERGY

Suction Capacity

| 25 vertical feet (7.6 m) at sea level. Subtract 1 foot for every 1000 ft. elevation (1 m for every 1,000 m). Suction capacity may be further limited by intake pipe friction. Intake piping should be minimum 1" (3010, 3020 models) or minimum 1 1/4" (3040). For best reliability, place the pump as close to the water source as possible.

System Requirements

| Solar-Direct Systems: Chart indicates power (w) required at the pump. The rated power of the PV array must exceed this number by 20 % or more. A pump controller (linear current booster) is required for the pump to start and run in varying light conditions. A solar tracker may be used to increase daily yield (40-55 % in summer).
 | Pressurizing Systems: battery power system, pressure switch, and pressure tank of minimum 60 gallon (230 l) size (captive-air tank, available locally)

Fittings

| Intake: 1 1/4" female pipe thread
 | Outlet: 1" female pipe thread

Dimensions

| 22 x 13 x 16" high (56 x 33 x 41 cm)
 | With Surge Tank (not shown in photo), total height 26" (60 cm)
 | Weight, max. 80 lbs (36 kg)
 | Shipped in 2 or 3 boxes

Warranty

| 2 years against defects in materials and workmanship

Reading the Chart

| Total Lift = vertical Distance from surface of the water source to the pipe outlet or top of storage tank
 Model Designation:
 V=voltage, B=battery model, PV=PV array-direct model

Technical data Conergy Solar Force Piston Pump:

Total Vertical Lift		V = Voltage • Specity 12, 24, 48, 115, 230 AC										
Feet	Meters	Model # 3010 -V- B			Model # 3020 -V- B or PV			Model # 3040 -V- B or PV				
		PSI	KG/sq.cm	GPM	Lpm	Watts	GPM	Lpm	Watts	GPM	Lpm	Watts
20	6.1	8.7	0.61	5.9	22.3	77	5.2	19.7	110	9.3	35.2	168
40	12.2	17.4	1.22	5.6	21.3	104	5.2	19.7	132	9.3	35.2	207
60	18.3	26	1.83	5.3	20.2	123	5.1	19.3	154	9.2	34.9	252
80	24.4	35	2.44	5.0	19.7	152	5.1	19.3	182	9.2	34.9	286
100	30.5	43	3.05	5.1	09.2	171	5.0	18.9	202	9.1	34.5	322
120	36.6	52	3.66	4.9	19.2	200	5.0	18.9	224	9.1	34.5	364
140	42.7	60	4.27	4.9	18.7	226	5.0	18.9	252	9.1	34.5	403
160	48.8	70	4.88				4.9	18.6	269			
180	54.9	78	5.49				4.9	18.6	280			
200	61.0	87	6.10				4.8	18.2	308			
220	67.1	96	6.71				4.7	17.8	314			

Available from:

| Specifications vary ±10 %
 | PV Models are measured at 14, 28, or 56 V (array-direct)

SolarForce-TD-USA-0511



ION M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER
Executive Director

JERRY D. OLDS
State Engineer/Division Director

ORDER OF THE STATE ENGINEER

For Temporary Change Application Number 94-1183 (t31578)

Temporary Change Application Number 94-1183 (t31578) in the name of Castle Valley Ranches L.L.C. was filed on June 8, 2006, to change the point of diversion, place of use, and nature of use of 2.25 acre-feet of water as evidenced by Water Right Number 94-1183. Heretofore, the water has been diverted from a surface source located North 550 feet and West 1150 feet from the S $\frac{1}{4}$ Corner of Section 15, T22S, R5E, SLB&M. The water has been used for the irrigation of 88.24 acres (sole supply of 88.24 acres) from April 1 to October 31, and the stockwatering requirements of 150 head of livestock (in cattle or horses or equivalent species) from January 1 to December 31. The water was used in all or portion(s) of Section 13, 14, 15, T22S, R5E, SLB&M.

Hereafter, it is proposed to divert 2.25 acre-feet of water from a surface source located South 2148 feet and West 969 feet from the NE Corner of Section 13, T21S, R4E, SLB&M. The nature of use of the water is being changed to the stockwatering requirements of 80 head of livestock (in cattle or horses or equivalent species) from June 12 to August 12. The place of use of the water is being changed to all or portion(s) of Section 14, 15, 11, 12, 24, T21S, R5E, SLB&M.

Notice of this temporary change application was not published in a newspaper. It is the opinion of the State Engineer that it meets the criteria of Section 73-3-3 of the Utah Code for the approval of temporary change applications.

It is the opinion of the State Engineer that this change application can be approved without adversely affecting existing rights. The applicant is put on notice that diligence must be shown in pursuing the development of this application which can be demonstrated by the completion of the project as proposed in the change application.

It is, therefore, **ORDERED** and Temporary Change Application Number 94-1183 (t31578) is hereby **APPROVED** subject to prior rights.

This temporary change application shall expire one year from the date hereof.

It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership.

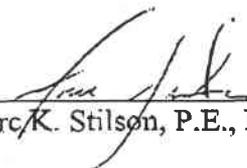
The applicant is advised to contact the Stream Alteration Section of the Division of Water Rights to ascertain if a Stream Alteration permit is required for this Temporary Change Application.

ORDER OF THE STATE ENGINEER
Temporary Change Application Number
94-1183 (t31578)
Page 2

Your contact with this office, should you need it, is with the Southeastern Regional Office. The telephone number is 435-637-1303.

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code which provide for filing either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Order. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this Order, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 9 day of June, 2006.



Marc K. Stilson, P.E., Regional Engineer

Mailed a copy of the foregoing Order this 9 day of June, 2006 to:

Castle Valley Ranches L.L.C.
c/o John F. Bates
455 South 300 East #200
Salt Lake City UT 84111

Stream Alteration Section
Division of Water Rights

ORDER OF THE STATE ENGINEER
Temporary Change Application Number
94-1183 (t31578)
Page 3

CASTLE VALLEY RANCHES LLC
C/O JOHN F BATES
455 SOUTH 300 EAST #200
SALT LAKE CITY UT 84111

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ORDER OF THE STATE ENGINEER
Temporary Change Application Number
94-1183 (t31578)
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STREAM ALTERATION SECTION
DIVISION OF WATER RIGHTS



State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

JON M. HUNTSMAN, JR.
Governor

MICHAEL R. STYLER
Executive Director

JERRY D. OLDS
State Engineer/Division Director

GARY R. HERBERT
Lieutenant Governor

>>>>>>OFFICIAL RECEIPT<<<<<<<<

RECEIPT No. 06-02875	DATE: June 9, 2006
RECEIVED FROM:	
CANYON FUEL CO. CITY PLACE ONE, SUITE 300 ST. LOUIS, MISSOURI 63141	

NATURE OF SERVICE:		FEE:
Change Application	t31578(94-1183)	75.00
	TOTAL:	\$75.00

METHOD OF PAYMENT: Check 1605

RECEIVED BY: SLAWRENC
