

C/041/002 Incoming  
cc: Karl



## United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Green River District  
Price Field Office  
125 South 600 West  
Price, UT 84501  
<http://www.blm.gov/ut/st/en/fo/price.html>

**JUL 30 2015**

In Reply Refer To:  
3482(UTG023)  
UTU-90194

RECEIVED  
AUG 04 2015  
DIV. OF OIL, GAS & MINING

Bowie Resource Holding, LLC  
C/O Canyon Fuel Company, LLC  
Attn: Mark Bunnell  
597 S. SR24  
Salina, Utah 84654

Re: Approval of Minor Coal Exploration Plan, Sevier County, Utah

Dear Mr. Bunnell:

The Bureau of Land Management (BLM), Price Field Office (PFO) received a plan from you to explore on Federal Coal Lease UTU-90194 in 2014. An environmental assessment (EA) was conducted and a Finding of No Significant Impacts was signed. The project was approved June 11, 2014, by the PFO and exploration ensued. On May 27, 2015, you sent an email to the PFO requesting to move boring B-14 to a new location named L-15, shown on the attached map. The Manti-LaSal/Fish Lake National Forests (FS) received the request on July 6, 2015, and began processing the request.

A Class III Cultural Survey was conducted by EnviroWest (U-15-EZ-0056f) which included the new location. In the Management Summary dated February 10, 2015, EnviroWest states, "No cultural resource properties were found during the Class III pedestrian inventory of the drill locations."

After reviewing the proposal, the FS concurred with BLM's decision in a letter dated July 28, 2015, saying, "No new issues are present. As provided in 43 CFR 3410.2-3, we concur with the proposed modified Exploration Plan with the associated Conditions of Approval."

Therefore, since an EA has been performed for the entire project and subsequent, site specific analysis has been conducted on the bore-hole's new location, the PFO approves the request and authorizes Bowie Resources to continue its exploration of UTU-90194, subject to the terms and

conditions and special stipulations associated with the lease. Those terms and conditions and special stipulations are attached for your convenience.

This decision may be appealed to the Interior Board of Lands Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from the receipt of this decision. The appellant has the burden of showing that the decision from is in error.

If you have any questions regarding this matter, please contact Chris Conrad at 435-636-3612 or [cconrad@blm.gov](mailto:cconrad@blm.gov).

Sincerely,



Ahmed Mohsen  
Field Manager

Enclosures

cc: Steve Rigby, Price Field Office

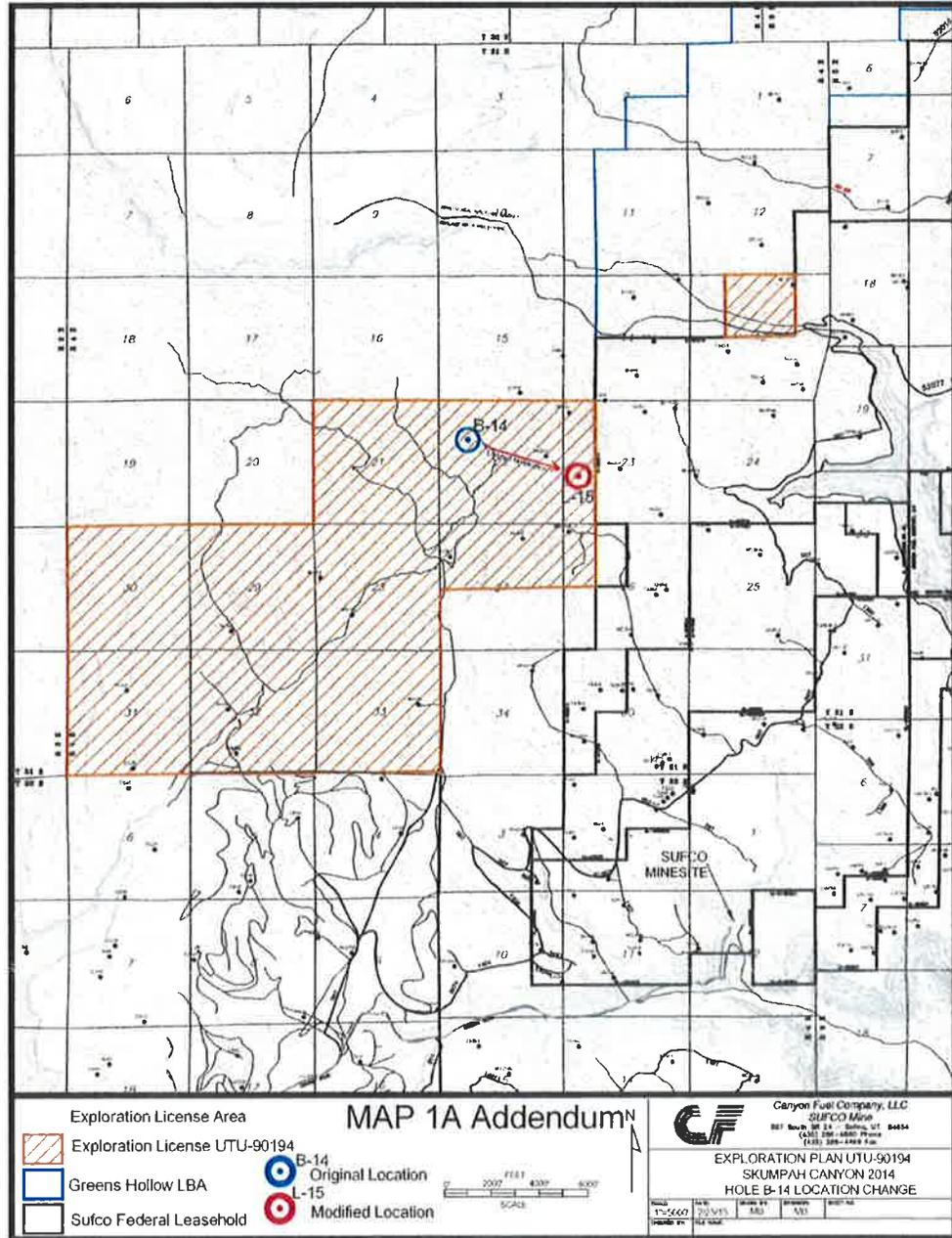
Bill Buge, Utah State Office (UT924)

Mark Pentecost  
Manti-La Sal National Forest  
599 Price River Drive  
Price, Utah 84501

Rob Hamilton  
Fish Lake National Forest  
115 East 900 North  
Richfield, Utah 84701

Dana Dean  
Utah Division of Oil, Gas and Mining  
1594 West North Temple  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

# Boring Modification Map



## **Stipulations for Exploration**

1. **Conducting a pre-work meeting** – A pre-work meeting including the responsible company representative(s), contractors, and the Forest Service must be conducted at the project location prior to commencement of operations. Site-specific Forest Service requirements will be discussed at this time.
2. **Road Use Permit required** – A Road Use Permit must be obtained from the Forest Service before equipment is transported onto National Forest System lands.
3. **Supervision of reclamation; Onsite copy of permit** – Operations including reclamation must be supervised by a responsible representative of the permittee/licensee who is aware of the terms and conditions of the projects permits/licenses. A copy of the appropriate permits/licenses must be available for review at the project site and presented upon demand to any Forest Service Official.
4. **FS notification of heavy equipment presence and work commencement** – The Forest shall be notified 48 hours in advance that heavy equipment will be moved onto National Forest System lands and that surface disturbing activities will commence.
5. **FS notification of changes to Plan of Operation (POO)** – The Forest Service must be notified of any proposed alterations to the plan of operations and alterations shall be approved prior to commencement.
6. **Fire suppression equipment availability** – Fire suppression equipment must be available to all personnel working at the project site. Equipment must include at least on hand tool per crew member consisting of shovels and pulaskis and one properly rated fire extinguisher per vehicle and/or internal combustion engine.
7. **Muffler, spark arrestor requirement** – All gasoline, diesel, and steam-powered equipment must be equipped with effective spark arrestors or mufflers. Spark arresters must meet Forest Service specifications discussed in the “General Purpose and Locomotive (GP/L) Spark Arrestor Guide, Volume 1, April 1988; and “Multi-position Small Engine (MSE) Spark Arrestor Guide, April, 1989.” In addition, all electrical equipment must be properly insulated to prevent sparks.
8. **Liability for fire suppression damage and costs** – The permittee/licensee will be held responsible for damage and suppression costs for fires started as a result of operations. Fires must be reported to Richfield Interagency Fire Center at 435-896-8404 as soon as possible.
9. **Fire restriction compliance requirement** – Operations are subject to Forest Service fire restrictions and the Forest Service reserves the right to suspend operations during periods of high fire potential.
10. **Compliance with water right law requirement** – Water needed in support of operations must be properly and legally obtained in accordance with Utah State water laws.
11. **Compliance with motorized travel plan** – Unauthorized off-road vehicular travel is prohibited.
12. **Protection and replacement of survey markers** – Section corners or other survey markers, including claim corners, in the project area must be located and flagged for preservation prior

to commencement of surface disturbing activities. The removal, displacement, or disturbance of markers must be approved by the proper authority. Replacement will be done by the proper authority at the expense of the permittee/licensee.

13. **Protection of discovered cultural/paleontological resources** – If cultural or paleontological resources are discovered during operations, all operations which may result in disturbance to the resources must cease and the Forest Service must be notified of the discovery.
14. **Liability for damage to roads and other improvements** – The permittee/licensee will be held responsible for all damage to fences, cattleguards, resource improvements, roads, and other structures on National Forest System lands which result from their operations. The Forest Service must be notified of damages as soon as possible.
15. **Coordination with livestock permittees** – Operations must be coordinated with grazing permittees to prevent conflicts.
16. **Wildlife, livestock harassment prohibited** – Harassment of wildlife and livestock is prohibited. Areas of elk calving (nurseries) shall be avoided with adjustments in flight lines
17. **Reporting of water encountered during drilling** – Significant water encountered during drilling must be reported to the Forest Service, including the depth and formation at which it was encountered, and an estimate of the flow.
18. **Plugging of drill holes** – All drill holes must be plugged in accordance with Federal and State regulations.
19. **Busy weekend road use by heavy equipment prohibited** – Drill rigs and heavy equipment (not including water trucks) must not be transported over National Forest System roads during the opening weekend of the general elk hunt nor during the opening weekend of the general deer hunt and during holiday weekends (Friday through Monday for Federal Holiday weekends and Friday through Sunday for the opening weekends of the hunts).
20. **Seed mix requirements** – Seeding will be done with the following basic certified seed mix:

<b>SEED MIX</b>		
Common Name	Scientific Name	Lbs/acre
Western Wheatgrass	<i>Elymus smithii</i>	2.0
Basin Wild Rye	<i>Elymus Cinereus</i>	1.0
Intermediate Wheatgrass	<i>Elymus hispidus</i>	2.0
Blue Leaf Aster	<i>Aster glaucodes</i>	0.25
Lewis Flax	<i>Linum lewisii</i>	0.50
Small Burnet	<i>Sanguisorbia minor</i>	1.0
Silvery Lupine	<i>Lipinus argentis</i>	1.0
True Mahogany	<i>Cercocarpus argentius</i>	1.0
Bitterbrush	<i>Pershia tridentate</i>	1.0
Total		9.75

The certified weed-free seed mixture must be 99 percent pure live seed containing a maximum of 1% weeds none of which are noxious.

21. **Noxious weed control** – The operator will be held responsible for control of noxious weed infestations found to be a result of this drilling operation. Vehicles and drilling equipment are to be cleaned prior to entering National Forest System lands.
22. **Protection of active goshawk nests** – No activities or helicopter flights shall be conducted within ½ mile goshawk buffer and timing restriction must be adhered to (Attachment 1).
23. **Water source and use guidelines** – Recent discovery of whirling disease in additional creeks on the Fishlake N.F. has prompted development of the following guidelines. It is important that we do not move water between drainages within the Salina Creek watershed, and that we do not move waters upstream within a drainage.
  1. Water should come from a local source. It should not be released to a creek or stream but should be discharged (if necessary) to the ground where it soaks in the soil or evaporates.
  2. Pipelines that cross streams/creeks should be built/structured and maintained so that a leak from the pipe won't enter the stream/creek if the water came from somewhere else.
  3. If the same equipment is being used to draft water from different sources, the equipment should be clean and dry between each use. If not, then it should be disinfected with Quat 128 or a Clorox solution. Region Four (USFS) fire operation guidelines provide direction if desired.
24. **Compliance with all USDA rules and regulations** – The licensee/permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II of the Code of Federal Regulations governing the use and management of the National Forest system (NFS) when not inconsistent with the rights granted by the Secretary of the Interior in the license/permit/lease. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of a permit/operation plan by the Secretary of the Interior, (2) uses of all existing improvements, such as Forest Service Roads, within and outside the area licensed, permitted or leased by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by a permit/operating plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

Forest Supervisor  
Fishlake National Forest  
115 East 900 North  
Richfield, UT 84701  
Telephone Number: 435-896-9233

The Forest Supervisor is the authorized representative of the Secretary of Agriculture.

### **Additional BLM Stipulations**

- 1) All drilling fluids, mud, and cuttings shall be contained and properly disposed of prior to reclamation.
- 2) During drilling operations all trash, garbage, and other refuse shall be properly contained on the project site prior to disposal at authorized sites.
- 3) The permittee/licensee shall clean up and remove all drilling equipment, trash, garbage, flagging, vehicles, and other such materials.
- 4) Disturbed areas shall be reclaimed by the end of the field season.
- 5) Contaminated soil and gravel shall be stripped and hauled off prior to site reclamation.
- 6) Drill sites shall be reclaimed by selectively backfilling excavated materials, topsoil last, such that the disturbed area is replaced to its approximate original contour. The disturbed area must be seeded with the specified seed mix.
- 7) All disturbed drainages shall be replaced to their approximate original configuration when the project area is reclaimed.
- 8) Equipment used for transport, storage, or pumping water will be clean and dry prior to entry on the Forest.