

**RP-13.0 RECLAMATION AND BONDING OF DUAL PERMITTED AND LICENSE TO MINE AREAS**

As discussed in Section MP-1, overstrip agreements exist between CRM and the Belle Ayr Mine, located along CRM's northern permit boundary. These agreements specifically identify each parcel of land involved, the rights and obligations of each party, the term of agreement, bonding and permitting of the areas and reclamation activities. In addition, these agreements ensure continuity in postmine topography between both mines in common areas. Copies of all operational agreements are contained in the Adjudication File. As discussed in greater detail in Section RP-15, CRM maintains a reclamation performance bond that is adequate to reclaim all disturbance in the common area.

Nelson Brothers Mining Services LLC conducts activities within CRM's permit area under its own License to Mine. Copies of operational agreements between CRM and Nelson Brothers Mining Services LLC are contained in the Adjudication File. Nelson Brothers Mining Services maintains a reclamation performance bond that is sufficient to reclaim their facilities and all disturbance associated with their operation.

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MAR 14 2006

DEQ - SHERIDAN



*Submitted:* February 2005

*CRM RP13-1*

*Revised:*

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**MP-21.0 PLANS FOR THE OPERATION OF FACILITIES AND STRUCTURES, INCLUDING DUAL PERMITTED AND LICENSE TO MINE AREAS, PROPOSED TO BE SHARED BY TWO OR MORE SEPARATELY PERMITTED OPERATIONS OR REFERENCES TO THESE PLANS AND ALL ASSOCIATED AGREEMENTS**

As discussed in Section MP-1.0, overstrip agreements exist between CRM and the Belle Ayr Mine, located along CRM's northern permit boundary. These agreements are used to manage the dual permitted area and to achieve maximum coal recovery with minimum interference between operations. These agreements specifically identify each parcel of land involved, the rights of each party, the term of agreement, obligations of each party, bonding and permitting of the areas and reclamation activities. In addition, these agreements ensure continuity in postmine topography between both mines in common areas.

Development of new or revised mine and/or reclamation plans for either mine may result in additional or amended agreements that will continue to define rights and obligations along common permit boundaries. Copies of all operational agreements are contained in the Adjudication File.

Nelson Brothers Mining Services, LLC conducts activities with CRM's permit area under its own License to Mine. Copies of operational agreements between CRM and Nelson Brothers Mining Services, LLC are contained in the Adjudication File.

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Revised:

The Buckskin Mine and Rawhide Mine permit areas overlap along Buckskin's southern boundary; the overlap area includes much of the Buckskin rail spur and access road and the area surrounding stockpile OB-1. The Dry Fork Mine permit area also overlaps the extreme southern end of the rail spur. Buckskin and Rawhide have executed a Surface Override Agreement (see Adjudication File), which specifies that the last company to mine this overlap area will tie into the other mines reclamation. Buckskin has already mined this override and is in the process of final reclamation over much of this area. Buckskin's reclamation will blend into existing native ground. Planned final reclamation of the rail spur and access road is addressed in the preceding section. Buckskin maintains a reclamation performance bond which is adequate to reclaim all of disturbance and facilities which occur in this dual permitted area (see Section RP 15.0). Additional details regarding the rail spur appear below.

Buckskin acquired the rail spur right-of-way from a succession of interests, all of whom have reserved use in, or have a reversionary right to, all or portions of the right-of-way. Although the rail spur is entirely within Buckskin's permit area and thus included in the reclamation bond, these reversionary rights require written release by the original grantors or their assignees prior to discontinuing right-of-way use as a rail facility. These restrictions limit Buckskin's ability to commit to final disposition of the rail spur until the final term of permit. During the final term of permit and prior to final reclamation, written release of all reversionary interests will be acquired.

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As described in Section MP 1, the Rawhide Mine is currently conducting coal mining and reclamation activities south of the Buckskin Mine within a permit area that is immediately adjacent to, and overlaps, the southern border of Buckskin Mine's permit area. The Buckskin mine access road and most of the Buckskin mine rail spur are located within the Rawhide Mine permit area. Adjudication File Maps of this permit document graphically depict these details. Appendix C and the Surface Owner Consent sections of the Adjudication File contain copies of the legal documents describing specific operating parameters within these areas of mutual use.

Transfer of mine permits to new operators and development of new or revised mine and reclamation plans for either mine may result in additional or amended agreements which will continue to define rights and obligations within dual permitted areas. Please refer to the Adjudication File for copies of all operational agreements within other permit areas or upon surface owned or controlled by entities other than Buckskin.

Bonding and reclamation of facilities located within other permit areas is described in Section RP-13 of the Reclamation Plan.

ENCOAL Corporation used to own and operate a liquids-from-coal demonstration plant located adjacent to the rail loop and within the Buckskin permit boundary. ENCOAL had a license to mine under the Buckskin Mine permit. ENCOAL prepared a separate Mine Plan and Reclamation Plan specific to its operation which is still contained in Appendix MP-C. This Appendix MP-C is no longer applicable but remains as a part of the permit document until such time that Buckskin can remove references to the Encoal operations from all facets of the permit document.

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The 2005 rail spur construction required a License To Mine under the Rawhide Mine Permit to allow Buckskin use of a preexisting scoria road which is outside of the Buckskin Mine Permit (See Map MP-1 for location). This road will remain in place following Buckskin use to support its premine use as a ranch access road. Construction took place on lands owned by the Buckskin Mine or the Rawhide Mine (Caballo Coal Company).