

APPENDIX E
PERMIT AREA DESCRIPTION



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APPENDIX E

Appendix E consists of a description of the permit area and potential mining encumbrances including roads, railroads, rights-of-way, easements, utilities, water wells, oil and gas wells, occupants, buildings, and political boundaries or special districts. This section contains three subappendices. Appendix E-1 lists oil and gas wells within and adjacent to the permit area. Appendix E-2 lists valid ground water rights within three miles of the permit boundary. Appendix E-3 lists valid surface water rights within and adjacent to the permit boundary.

Permit Area and Lands to be Affected

The permit boundary is illustrated on Map E-1. The lands to be affected are shown on Map MP-1.

Roads, Railroads, Rights-of-Way, Easements, and Utilities

The location of known encumbrances located within the permit area are shown on Exhibit A-1. Interstate 90 is located along the western limits of the permit area. Rifle Pit Road is a Crook County road located along the northern limits of the permit area and provides access to the permit area. A Powder River Energy Corporation electrical line provides power to the scale house facility. No other utility easements were identified within the permit area.

Groundwater and Surface Water Rights

Appendix E-2 lists the groundwater permits of record within the permit area and a 3-mile buffer around the permit area. Surface water permits of record within and adjacent to the permit area including a 1/2 mile buffer around the permit area and a 3 mile buffer in the downstream drainages, as filed with the Office of the Wyoming State Engineer, are listed in Appendix E-3. These tables include the locations of the permits by their legal descriptions. Water rights are shown on Map E-1 There are two recorded ground water and three surface water rights recorded within the permit area.

Drainages relative to the mine location are shown on Map E-1.



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Rights of Way, Easements, Water, Oil and Gas Well Locations

Map E-1 shows surface and ground water rights. Easements are shown on Map A-1.

There are no active oil or gas wells and only one dry hole within the permit area. Map E2 shows the oil and gas well locations. Appendix E-1 presents oil and gas well information obtained from the Wyoming Oil and Gas Conservation Commission records for the permit areas and adjacent lands and is current to November 1, 2008.

Probable Limits of Underground and Surface Mines

No underground mining operations have been conducted on the permit area. At present, there is no other active mining operation of any kind within one-half mile of the permit area.

Occupants and Buildings on Permit Area and Adjacent Lands

There are no residences located on or within one-half mile of the permit area.

Political Boundaries and Special Districts

The permit area and adjacent lands are totally within the boundaries of Crook County. There are no other political or special districts of which the permit area is a part. Crook County has no zoning regulations in effect at the time of this submittal.



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APPENDIX E-1
OIL AND GAS WELLS WITHIN
OR ADJACENT TO THE PERMIT AREA



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Appendix E-1 Oil and Gas Wells Within or Adjacent to the Permit Area										
API Number	T	R	Sec	QQ	Well Number	Company	Status	Footage 1	Footage 2	Total Depth
1109559	52	62	25	SENW	No. S-9	Shell Oil Company	PA	1700 FNL	1500 FWL	400
1109543	52	62	35	SWNW	No. S-10	Shell Oil Company	EP	1980 FNL	400 FWL	440

Search conducted on October 21, 2008 based on Wyoming Oil and Gas Conservation Commission website.

Notes for Status:

AI	Active Injector	PO	Producing Oil Well
AP	Permit to Drill	PR	Pumping Rods
DH	Dry Hole	PS	Pumping Submersible
DR	Dormant	SI	Shut-In
EP	Expired Permit	SP	Well Spudded
FL	Flowing	SR	Subsequent Report of Abandonment
NI	Notice of Intent to Abandon	TA	Temporarily Abandoned
NR	No Report	UNK	Unknown
PA	Permanently Abandoned	WP	Waiting on Approval
PG	Producing Gas Well		



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APPENDIX E-2
VALID GROUND WATER RIGHTS
WITHIN THREE MILES OF THE PERMIT AREA

App. E-2.1



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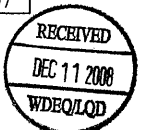
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Appendix E-2 -Valid Ground Water Rights Within Three Miles of the Permit Area

Permit	T	R	Sec	QQ	Status	Use	Applicant	Facility	Static	Depth	Priority
P88056W	51	61	4	NESE	UNA	DOM, STO	Medicine Lake Ranch	Seeley #1 Spring	-4	4	5/21/1992
P84631W	51	61	4	NWNW	UNA	STO	Bush Ranches	Spring #2	-4	6	3/18/1991
P88057W	51	61	4	NESW	UNA	STO	Medicine Lake Ranch	Seeley #2 Spring	-1	4	5/21/1992
P5654P	51	61	5	NWSW	PUW	DOM, STO	Donald P. Bush ** Florence Lou Wolfe ** Richard J. Fuendeling	Lincoln #1	50	60	12/31/1919
P53997W	51	61	5	NESW	PUW	STO	Bush Ranch	Lincoln #1			9/30/1980
P84633W	51	61	5	NWSW	UNA	STO	Bush Ranches	Spring #4	-4	6	3/18/1991
P171969W	51	61	7	SWNW	GSI	STO	Mark L. Thompson Trust	Sue #1			12/5/2005
P84638W	51	61	7	NENE	UNA	STO	Bush Ranches	Oak Grove Spring	-4	6	3/18/1991
P84128W	51	61	8	NWSW	UNA	STO	Donald G. and Mabel G. Brunson	Brunson #1	105	220	12/12/1990
P84630W	51	61	8	SESW	UNA	STO	Bush Ranches	Spring #1	-4	6	3/18/1991
P109657W	51	61	18	SESW	GST	DOM	Valerio/Linda Dalicandro	Dalicandro #1	40	80	4/24/1998
P109657W	51	61	18	SWNW	GST	DOM	Valerio/Linda Dalicandro	Dalicandro #1	40	80	4/24/1998
P8042P	51	61	18	SESW	PUW	DOM	Alfred Sipe**Alon Sipe	Sipe #1	20	67	12/31/1915
P8043P	51	61	18	SESW	PUW	STO	Alfred Sipe**Alon Sipe	Sipe #2	20	57	12/31/1915
P8045P	51	61	18	SWSW	PUW	STO	Alfred Sipe**Alon Sipe	Spring #2	-1	3	12/31/1955
P31207W	51	62	1	SWSE	PUW	STO	Bush Ranches ** R. J. Fuendeling ** D. P. Bush ** Todd H. Bush**Judith A. Bush	Bush Ranches #3	58	87	9/29/1975
P84640W	51	62	1	SWSE	UNA	STO	Bush Ranches	New Well	60	87	3/18/1991
P85422W	51	62	2	SESW	UNA	MON	Wyoming State Engineer's Office	Ccmow-3	540	990	6/21/1991
P169277W	51	62	3	SWNE	GSI	STO	Leroy & Lila L. Butts	Butts #5			7/25/2005
P104754W	51	62	3	NWSE	UNA	STO	Leroy & Lila L. Butts	Butts #1	12	60	12/20/1996
P104755W	51	62	3	SWNE	UNA	STO	Leroy & Lila L. Butts	Butts #2	26	50	12/20/1996
P104757W	51	62	4	NENE	UNA	DOM, STO	Leroy & Lila L. Butts	Butts #4	12	50	12/20/1996
P104756W	51	62	4	NENE	UNA	DOM, STO	Leroy & Lila L. Butts	Butts #3	12	50	12/20/1996
P72181W	51	62	5	NWSW	PU	MIS	City of Sundance	Enl Cole #3A	432	1123	2/19/1986
P72181W	51	62	5	NESW	PU	MIS	City of Sundance	Enl Cole #3A	432	1123	2/19/1986
P72182W	51	62	5	NESW	PU	MIS	City of Sundance	Enl Cole #3B	429	1236	2/19/1986
P72182W	51	62	5	NWSW	PU	MIS	City of Sundance	Enl Cole #3B	429	1236	2/19/1986
P72180W	51	62	5	NESW	PU	MIS	City of Sundance	Enl Cole #3	471	517	2/19/1986
P72180W	51	62	5	NWSW	PU	MIS	City of Sundance	Enl Cole #3	471	517	2/19/1986
P149218W	51	62	8	SESW	GST	DOM, STO	Arnold T. Linda I Nagel	Nagel 1	112	162	2/7/2003
P75740W	51	62	8	NWSW	PUW	DOM	Eugene E. Martin ** Aleta Martin Coleman	Martin #1	30	60	10/8/1987
P18862P	51	62	8	SWSW	PUW	STO	Ronald Watson ** Phyllis Watson	Watson #3	20	85	12/31/1935
P103105W	51	62	9	NWSW	UNA	STO	Donna G Blackburn	Monument Well	28	100	7/22/1996
P183583W	51	62	10	SENE	GSI	DOM, STO	Watson Land LLC	Main Ranch			10/3/2007
P152679W	51	62	11	SENE	GST	DOM, STO	Watson Land LLC	Headquarters Well	310	415	7/28/2003
P18863P	51	62	11	NWSW	PU	STO	Ronald Watson ** Phyllis Watson	Watson #2	180	218	11/30/1961
P18864P	51	62	11	SENE	PUW	DOM, STO	Ronald Watson ** Phyllis Watson	Watson #1	160	420	12/31/1947
P18857P	51	62	11	SENE	PUW	DOM, STO	Ronald Watson ** Phyllis Watson	Watson #1 Spring	0	8	12/31/1942
P18863P	51	62	11	NWSW	PUW	STO	Ronald Watson ** Phyllis Watson	Watson #2	180	218	11/30/1961
P171969W	51	62	12	SENE	GSI	STO	Mark L. Thompson Trust	Sue #1			12/5/2005
P171969W	51	62	12	SENE	GSI	STO	Mark L. Thompson Trust	Sue #1			12/5/2005
P172033W	51	62	13	SWNE	GSI	DOM	Jack & Terri McGee	Triple M #1			12/14/2005
P145326W	51	62	13	SWSE	GST	DOM	Keith/Brenda Neether	Neether # 1	255	400	7/9/2002
P152159W	51	62	13	SWSE	GST	DOM, STO	Keith/Brenda Neether	Neether #1	255	400	6/27/2003
P72181W	51	62	13	SESE	PU	MIS	City of Sundance	Enl Cole #3A	432	1123	2/19/1986
P72182W	51	62	13	SESE	PU	MIS	City of Sundance	Enl Cole #3B	429	1236	2/19/1986
P72180W	51	62	13	SESE	PU	MIS	City of Sundance	Enl Cole #3	471	517	2/19/1986
P72179W	51	62	13	SESE	PU	MIS, MUN	City of Sundance	Sundance #6	803	1184	1/6/1986
41/10/250W	51	62	13	NWNE	UNA	DOM	Robert T. Landes	Shooter #1			8/25/2008
P173348W	51	62	14	NESE	GSI	DOM, STO	Watson Land LLC	South Pasture			2/28/2006
P183970W	51	62	14	SWSE	GSI	DOM, STO	Garry & Barbara Johnson	Johnson #1			12/10/2007



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Appendix E-2 -Valid Ground Water Rights Within Three Miles of the Permit Area											
Permit	T	R	Sec	QQ	Status	Use	Applicant	Facility	Static	Depth	Priority
P179050W	51	62	14	SWNE	GSI	MIS	Pete Lien & Sons, Inc.	Hunter #1			1/9/2007
P18154P	51	62	15	SESW	PUW	STO	Lewis L. & Eleanor Phillips	Phillips #4	60	355	12/31/1962
P18858P	51	62	15	SESW	PUW	STO	Ronald Watson ** Phyllis Watson	Watson #2 Spring	1	6	11/1/1960
P30295W	51	62	17	NWNW	PUW	STO	Lewis L. & Eleanor Phillips	Green Mountain	20	45	7/3/1975
P91339W	51	62	17	NWNW	UNA	STO	Eleanor M. Phillips	Green Mountain Well	50	100	4/8/1993
P183665W	52	61	7	NWSE	GSI	DOM	Darin & Roberta Noyce	Noyce #1			10/26/2007
P181776W	52	61	7	SWSE	GSI	DOM	Dale Bell	Bell #2			6/22/2007
P181775W	52	61	7	SWSE	GSI	DOM	Dale Bell	Bell #1			6/22/2007
P181777W	52	61	7	SWSE	GSI	DOM	Dale Bell	Bell #3			6/22/2007
P35030W	52	61	7	NESW	PUW	DOM	Edward & Ila Haas	Penny #1	125	200	9/24/1976
P42398W	52	61	17	NWNE	PUW	STO	Palmer Hegge ** Edna Hegge ** Robert Hegge ** Karen Glover	Wilkerson #1	65	75	3/4/1978
P42399W	52	61	17	NWSW	PUW	STO	Palmer Hegge ** Edna Hegge ** Robert Hegge ** Karen Glover	Butte #1	55	171	3/4/1978
40/10/588W	52	61	18	NENW	UNA	MIS	Roger Croell	Croell No. 1			3/7/2008
P42397W	52	61	19	SENE	PUW	DOM, STO	Palmer Hegge ** Edna Hegge ** Robert Hegge ** Karen Glover	George #1	70	120	3/4/1978
P42207W	52	61	19	NESW	PUW	STO	Palmer & Edna Hegge	Robidou #2			3/4/1978
P42396W	52	61	19	SENE	PUW	STO	Palmer Hegge ** Edna Hegge ** Robert Hegge ** Karen Glover	Hegge #1	440	490	3/4/1978
P42397W	52	61	20	NWSW	PU	DOM, STO	Palmer Hegge ** Edna Hegge ** Robert Hegge ** Karen Glover	George #1	70	120	3/4/1978
P42395W	52	61	21	NWNW	PUW	STO	Palmer Hegge ** Edna Hegge ** Robert Hegge ** Karen Glover	Alfreds #1	230	240	3/4/1978
P169710W	52	61	28	NENW	GSI	DOM	Robert E./Nancy M Rhoades	Rhoades #1			8/29/2005
P169710W	52	61	28	NENW	GSI	DOM	Robert E./Nancy M Rhoades	Rhoades #1			8/29/2005
P130717W	52	61	28	NWNW	GST	DOM, STO	Thomas R/Kim M Norby	Norby #1 (Well)	190	440	9/21/2000
P84634W	52	61	29	NESW	UNA	STO	Bush Ranches	Spring #5	-4	6	3/18/1991
P42206W	52	61	30	NENW	PUW	DOM, STO	Palmer & Edna Hegge	Robidou #1	70	120	3/4/1978
P42394W	52	61	30	SENE	PUW	STO	Palmer Hegge ** Edna Hegge ** Robert Hegge ** Karen Glover	Red Canyon #1	185	223	3/4/1978
P84635W	52	61	33	NWNW	UNA	STO	Bush Ranches	Spring #6	-4	6	3/18/1991
P102W	52	62	10	SWSW	UNA	DOM, STO	Lorin W. Harper	Lynch #1	30	97	11/21/1958
P155092W	52	62	11	NWNW	GST	STO	Jon H. Lienemann	L/L Well No. 1	410	760	11/19/2003
P87038W	52	62	11	NWSW	UNA	STO	Orville D. & Wanda J. Harper, Revocable Trust	Lynch Spring Pipeline	-4	3	2/5/1992
P92193W	52	62	11	NENE	UNA	STO	Orville D. & Wanda J. Harper, Revocable Trust	Mccarl Alkali Spring	-4	4	6/30/1993
P511W	52	62	12	SWNW	PUW	DOM, STO	Orville D. Harper**Wanda J. Harper	Harper #2	456.3	812	3/6/1961
P5653P	52	62	24	SESE	PUW	STO	Donald P. Bush**Florence Lou Wolfe**Richard J. Fuendeling	Gould #1	480	520	1/20/1965
P84639W	52	62	24	SESE	UNA	STO	Bush Ranches	Gould	260	520	3/18/1991
41/8/18W	52	62	25	SESW	UNA	STO	Roger Croell	Roger #1i			3/28/2008
P109216W	52	62	26	NWSW	UNA	DOM	Roger Croell	Croell Well #1			3/6/1998
P88890W	52	62	26	SENE	UNA	DOM, STO	Jean Harper	Jean #1	200	420	7/23/1992
P85412W	52	62	26	SWSE	UNA	STO	Lorin W. and Jean Harper	Osgard 3	600	635	6/17/1991
P39884P	52	62	29	NWNE	PUW	STO	Tommy E. Seeley	Kellog #1	60	180	9/2/1977
P5652P	52	62	35	NWNW	PU	STO	Donald P. Bush	Legat #1	295	335	11/29/1966
P75314W	52	62	35	NWNW	PUW	DOM	Rick A. & Wendy J. Kipp	Kipp #1	160	180	8/14/1987



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Appendix E-2 Valid Ground Water Rights Within Three Miles of the Permit Area

Notes:

Search was conducted on SEO database as of October 22, 2008. Water rights with a Status Code of ABA (Abandoned), A&C (Abandoned and Cancelled), and CAN (Cancelled) have been eliminated from the listing provided above, as none of these well codes represent a valid current right. A double asterisk (**) in the Applicant Column represents a separator between parties where multiple parties are involved. Record Suffixes are denoted as follows:

- "A" Indicates adjudicated or finalized water rights and unless the right is a territorial appropriation, there will be a match in the reference column from one of the following permit types for the unadjudicated portion of the water right.
- "C" Permits are well statements of claim filed from 1947 to 1957 for wells completed prior to April 1, 1947.
- "G" Permits are well registrations filed for wells completed after April 1, 1947.
- "P" Permits are for stock and domestic use wells completed prior to May 24, 1969 and registered with the State Engineer's Office prior to December 31, 1972.
- "W" Permits are for wells with a priority date for the date of filing with the State Engineer.

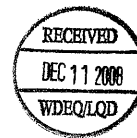
Lands described in these copies are the water rights of record in our office and may or may not reflect the actual situation on the ground. Failure to exercise a water right for five (5) years, when water is available, may constitute grounds for forfeiture.

Status Codes	
APP	Application
ADJ	Adjudicated
EXP	Expired
GST	Good Standing
GSI	Good Standing, Incomplete
GSM	Good Standing, Map Required
GSE	Good Standing, Extended
GSX	Good Standing, Extension Requested
UNA	Unadjudicated*
*	Domestic, Stock, Monitor, Coal Bed Methane and some misc. wells are not adjudicated

Use Codes			
CBM	Coal Bed Methane	MON	Monitoring
DEW	Dewatering	MUN	Municipal
DOM	Domestic	RES	Reservoir Supply
DRI	Drilling	STO	Stock
IND	Industrial	TEM	Temporary
IRR	Irrigation	TST	Test Well
MIS	Miscellaneous		

GW Search Area

T	R	S
T51N	R61W	4-8, 18
T51N	R62W	1-5, 8-17
T52N	R61W	7-8, 16-21, 28-33
T52N	R62W	10-16, 20-29, 32-36



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**Appendix E-3
SURFACE WATER RIGHTS
WITHIN AND ADJACENT TO THE PERMIT BOUNDARY**



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Appendix E-3 Surface Water Rights Within and Adjacent to the Permit Boundary

Permit	T	R	Sec	QQ	Status	Uses	Facility	Applicant	Priority	Source	Amount
P1197S	52	62	34	NWSE	PUO	STO	Well Stock Reservoir	Mabel Waddell Vines	7/26/1955	Sundance Creek	0.8 Acft
P5507D	52	62	34	NWSE	PUD	IRR	Alder Ditch	Conrad Schloredt	5/20/1903	Medicine Flat Creek	0.11 cfs
P20761D	52	62	34	SWNE	PUD	STO	Osgard Pipe Line	Marty E. Osgard	5/14/1951	Sundance Creek	0.056 cfs
P3213D	52	62	34	SESW	PUD	IRR, DOM	Conrad Ditch	Lilly Schloredt	5/28/1901	Medicine Flat Creek	0.03 cfs
C64/108A	52	62	34	SWNE	PUD	STO	Osgard Pipe Line	Marty E. Osgard	5/14/1951	Sundance Creek	
P1197S	52	62	34	NWSE	PU	STO	Well Stock Reservoir	Mabel Waddell Vines	7/26/1955	Sundance Creek	0.8 Acft
P20761D	52	62	34	SWNE	PU	STO	Osgard Pipe Line	Marty E. Osgard	5/14/1951	Sundance Creek	0.056 cfs
C64/108A	52	62	34	SWNE	PU	STO	Osgard Pipe Line	Marty E. Osgard	5/14/1951	Sundance Creek	
P2804S	52	62	35	NESE	PUO	STO	Osgard No. 1 Stock Reservoir	Marty Osgard	8/3/1959	South Draw	1.06 Acft
P24422D	52	62	35	NWNE	PU	TEM, IND, MIS	Sundance Creek Water Haul	Big Horn Construction Company	8/20/1974	Sundance Creek	1.12 cfs
P24422D	52	62	35	NENW	PU	TEM, IND, MIS	Sundance Creek Water Haul	Big Horn Construction Company	8/20/1974	Sundance Creek	1.12 cfs
P24422D	52	62	35	SWNW	PU	TEM, IND, MIS	Sundance Creek Water Haul	Big Horn Construction Company	8/20/1974	Sundance Creek	1.12 cfs
P24422D	52	62	35	SESW	PU	TEM, IND, MIS	Sundance Creek Water Haul	Big Horn Construction Company	8/20/1974	Sundance Creek	1.12 cfs
P24159D	52	62	35	NWNE	PU	TEM, IND	Sundance Creek Water Haul	Big Horn Construction Co.	11/19/1973	Sundance Creek	1.12 cfs
P24159D	52	62	35	NENW	PU	TEM, IND	Sundance Creek Water Haul	Big Horn Construction Co.	11/19/1973	Sundance Creek	1.12 cfs
P24159D	52	62	35	SWNW	PU	TEM, IND	Sundance Creek Water Haul	Big Horn Construction Co.	11/19/1973	Sundance Creek	1.12 cfs
P24159D	52	62	35	SESW	PU	TEM, IND	Sundance Creek Water Haul	Big Horn Construction Co.	11/19/1973	Sundance Creek	1.12 cfs
P24159D	52	62	35	NWSW	PU	TEM, IND	Sundance Creek Water Haul	Big Horn Construction Co.	11/19/1973	Sundance Creek	1.12 cfs
P2804S	52	62	35	NESE	PU	STO	Osgard No. 1 Stock Reservoir	Marty Osgard	8/3/1959	South Draw	1.06 Acft



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Appendix E-3 Surface Water Rights Within and Adjacent to the Permit Boundary

Notes:

Search was conducted on SEO database as of October 22, 2008. Water rights with a Status Code of EXP (Expired) have been eliminated from the listing provided above, as none of these represent a valid current right. A double asterisk (**) in the Applicant Column represents a separator between parties where multiple parties are involved. Record Suffixes are denoted as follows:

- "A" Indicates adjudicated or finalized water rights and unless the right is a territorial appropriation, there will be a match in the reference column from one of the following permit types for the unadjudicated portion of the water right.
- "D" signifies a ditch or pipeline permit.
- "E" signifies an enlargement of a ditch or pipeline permit.
- "S" signifies a stock reservoir permit.
- "R" signifies a reservoir permit.

ABBREVIATIONS FOR STATUS:					
A&C	Abandoned and Cancelled	ELI	Eliminated	REM	Remaining
ABA	Abandoned and Cancelled	EXP	Expired	TEM	Temporary Use
ADJ	Adjudicated	GST	Good Standing	TEM	Temporary
AME	Amended	OTH	Other	TRA	Transferred
CAN	Cancelled	PU	Point of Use	UNA	Unadjudicated
DSC	Description	REC	Lands Received under other permit	?	No Entry in Database
E&C	Eliminated and Cancelled	REJ	Rejected		

ABBREVIATIONS FOR USES:					
DEW	Dewatering	IRR	Irrigation	POW	Power Development
DOM	Domestic	MAN	Manufacturing	REC	Recreation
DSP	Domestic Supply	MED	Medicinal	RES	Reservoir Supply
FIR	Fire Protection	MIN	Mining	STO	Stock
FIS	Fish Propagation	MIS	Miscellaneous	UTI	Public Utility
FLO	Flood Control	MON	Monitoring	WET	Wetlands
HEX	Heat Extraction	MUN	Municipal	WIL	Wildlife
IND	Industrial				

Surface Water Search Area:

T	R	Section
T51N	R61W	1-2
T52N	R61W	30-31
T52N	R62W	23-27, 34-36



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