



MT NEBO SCIENTIFIC, INC.
research & consulting

November 29, 2004

Utah Coal Regulatory Program
 STATE OF UTAH
 Division of Oil, Gas & Mining
 1594 West North Temple, Suite 1210
 Salt Lake City, Utah 84114-5801

RE: Follow-up: 5-Year Permit Renewal
 Wellington Preparation Plant (C/007/012)

*Incoming
 c/007/001B*

Dear Coal Program Members:

Enclosed please find **4 copies** of the requested information for permit renewal at the Wellington Preparation Plant. This information is a follow-up to the 5-Year Permit Renewal application (pursuant to State Rule R645-303-231) submitted to the Division August 10, 2004. The included information replaces the information submitted August 10, 2004. The following information has been included in this package:

- Evidence of Liability Insurance (see "Attachment A").
- Copy of the Public Notice or an *AFFIDAVIT OF PUBLICATION* announcing the permit renewal (see "Attachment B").
- Violation Update (see "Attachment C").
The information included has been made "insertable" to the existing MRP (see instructions included with this attachment for insertion instructions).
- Performance Bond Information (see "Attachment D").
This bond has also been filed and can be reviewed at the offices of DOGM (Utah Coal Regulatory Program, COAL PROGRAM, Division of Oil, Gas & Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801).
- 2004 List of Officers; corporate secretary certification statement and signature (see "Attachment E").
- Officer & Ownership Update (see "Attachment F").
The information included has been made "insertable" to the existing MRP (see instructions included with this attachment for insertion instructions).

Please contact me if you have questions or comments.

Sincerely,

Patrick D. Collins, Ph.D.
 Resident Agent/Environmental Consultant

cc: R. Bird (NEICO)

RECEIVED

DEC 02 2004

ENVIRONMENTAL

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: NEICO

Mine: Wellington Preparation Plant

Permit Number: _____

Title: 5-Year Permit Renewal (2004)

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

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- | | |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?
<i>Explain:</i> _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)

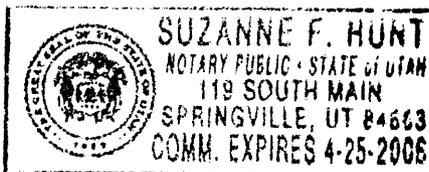
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations herein

PATRICK D. COLLINS
Print Name

Patrick D. Collins Res. Ag. 11/29/04
Sign Name, Position, Date

Subscribed and sworn to before me this 29 day of November, 2004

Suzanne F. Hunt
Notary Public
My commission Expires: April 25, 2006
Attest: State of Utah } ss:
County of Utah



For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining

RECEIVED

DEC 02 2004

Oil, Gas & Mining

ATTACHMENT A
(Proof of Insurance)

REVISED

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)
3/30/2004

PRODUCER PRICE INSURANCE AGENCY 1 W. MAIN ST. PO BOX 871 PRICE, UT 84501-0871 435-637-3351	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURERS AFFORDING COVERAGE	
INSURED NEVADA ELECTRIC INVESTMENT CO. & SIERRA PACIFIC/NEVADA POWER CO. PO BOX 30069 RENO, NV 89520	INSURER A: COLONY INSURANCE COMPANY INSURER B: INSURER C: INSURER D: INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY	—	02/09/04	02/09/05	EACH OCCURRENCE \$ 300,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				FIRE DAMAGE (Any one fire) \$ EXCLUDED
	CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person) \$ EXCLUDED
					PERSONAL & ADV INJURY \$ EXCLUDED
					GENERAL AGGREGATE \$ 600,000
GEN'L AGGREGATE LIMIT APPLIES PER:					PRODUCTS - COMP/OP AGG \$ EXCLUDED
	POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/>				
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS				
	<input type="checkbox"/> NON-OWNED AUTOS				
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
	<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC \$
					AUTO ONLY: AGG \$
	EXCESS LIABILITY				EACH OCCURRENCE \$
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE \$
					\$
	DEDUCTIBLE				\$
	RETENTION \$				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATU-TORY LIMITS OTH-ER
					E.L. EACH ACCIDENT \$
					E.L. DISEASE - EA EMPLOYEE \$
					E.L. DISEASE - POLICY LIMIT \$
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

XCU COVERAGES ARE INCLUDED IN FORM
 \$500 DEDUCTIBLE BODILY INJURY/PROPERTY DAMAGE
 LOCATION: WELLINGTON PREPARATION PLANT, PERMIT # C/007/012

CERTIFICATE HOLDER	ADDITIONAL INSURED; INSURER LETTER:	CANCELLATION
STATE OF UTAH, DIVISION OF OIL, GAS & MINING 1594 W. NORTH TEMPLE, SUITE #1210 SALT LAKE CITY, UTAH 84114-5801		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL EXPRESSLY TO MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, UNLESS OTHERWISE SPECIFIED BY THE POLICY AUTHORIZED REPRESENTATIVE <i>Roy A. Nibbs</i>

ATTACHMENT B

(Public Notice)

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Carbon,)

I, Ken Larson, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and the the first publication was on the 21st of September, 2004, and that the last publication of such notice was in the issue of such newspaper dated the 12th day of October, 2004.

Ken G. Larson

Ken G Larson - Publisher

Subscribed and sworn to before me this 12th day of October, 2004.

Linda Thayne

Notary Public My commission expires January 10, 2007 Residing at Price, Utah

Publication fee, \$ 432.64

NOTICE

Notice is hereby given that Nevada Electric Investment Company ("NEICO"), permittee and operator of the Wellington Preparation Plant (Permit No: C/007/012) is submitting applications for permit renewal to the State of Utah, Division of Oil, Gas & Mining. The application for permit renewal is being sought under the provisions of R645-303-230. The permittee's mailing address is given below.

NEICO
6226 West Sahara Ave
Las Vegas, Nevada, 89146
Attn: Mark Backus

The permit area is located at 6000 Wash Plant Road, City of Wellington, Carbon County, Utah. A total of 1578.09 acres are current in the permit area. A property description of the permit area is given below.

Township 15 South, Range 11 East, Salt Lake Base and Meridian:

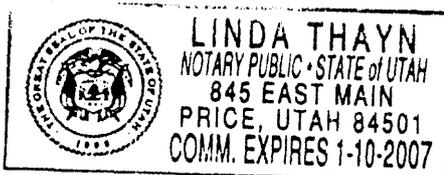
- Section 8 E1/2 SE1/4 (portions s. of Ridge Road), W1/2 SE1/4 (portions s. of Ridge Road; excl. portion n. of railroad tracks),
- Section 9 S1/2, portions of S1/2 N1/2,
- Section 10 W1/2 SW1/4,
- Section 15 W1/2 NW1/4,
- Section 16 All,
- Section 17 E1/2 SE1/4, NE1/4.

The Mining and Reclamation Plan (MRP) can be reviewed at the address given below. Pertinent comments are solicited from anyone affected by this proposal. Such comments should be filed within the next thirty (30) days to the STATE OF UTAH address below.

STATE OF UTAH
Department of Natural Resources
Division of Oil, Gas & Mining
1594 West No. Temple, Suite 1210
Salt Lake City, Utah 84114-5801

CARBON COUNTY COURTHOUSE
120 East Main Street
Price, Utah 84501

Published in the Sun Advocate September 21, 28, October 5 and 12, 2004.



ATTACHMENT C

(violation update)



MT NEBO SCIENTIFIC, INC.

research & consulting

**Comments & Instructions
for Insertions to the Mining & Reclamation Plan
of the Wellington Preparation Plant
C/007/012**

November 26, 2004

Submitted to the State of Utah, Division of Oil, Gas & Mining
Updated Violation Information

Comment:

An application of renewal of the 5-year permit at Wellington has been submitted. With this application the update of violations at the site has been made "insertable" to the Mining & Reclamation Plan (MRP). Please follow instructions below for insertion to the MRP.

Instructions:

Sec. 1.20, p. 10-11, 11/26/04, of this submittal replaces
Sec. 1.20, p. 10-11, 8/10/99, of the current approved MRP.

VIOLATION INFORMATION (R645-301-113)

EARTHCO was a new entity at the time it became the operator of the Wellington site. At that time it had no history of violations. The principal shareholder and affiliated companies had received no violations under the surface mining law within the last three years prior to the date of application to be operator of this property. Since that time violations have been issued at the Wellington site.

113.100-100 Compliance Information

Neither the permittee, operator, or any of their subsidiaries, affiliates or persons controlled by or under common control with the Applicant have had a federal or state mining permit suspended or revoked in the last five years; nor forfeited a mining bond or similar security deposited in lieu of bond.

113.100-250

Not applicable

113.300 Violation Notices

Listed below are violation notices received by the Applicant in connection with any underground or surface coal mining activities for the past five-year period.

- o *N94-39-7-2 (1 of 2).*
Issued by DOGM for failure to inspect MSHA ponds weekly. Pond were inspected. Violation was terminated.
- o *N94-39-7-2 (2 of 2).*
Issued by DOGM. Failure to take water samples. Water samples were then taken. Violation was terminated.
- o *N95-39-2-2 (1 of 2).*
Failure to provide designs for placement of coal mine waste. Designs were then provided. Violation was terminated.
- o *N95-39-2-2 (2 of 2).*
Failure to maintain slopes of refuse pile at 2:1 or less. Pile was regraded. Violation was terminated.
- o *C96-97-39-1-1.*
Conducted unauthorized activities without approval. [Asbestos was removed by unauthorized agent (Covol)]. Asbestos was removed from site by certified specialists. CO was terminated.
- o *Air Quality Violation No. 960300003.*
Failure to remove asbestos properly, train workers, etc. [Asbestos was removed by unauthorized agent (Covol)]. Asbestos was later removed from site by certified specialists.

- o *N96-39-2-1.*
Failure to provide adequate bonding information for asbestos removal. Bonding information was then provided. Violation was terminated.
- o *C97-41-1-1.*
Failure to abate N96-41-2-1. Extension request was then submitted. CO was terminated.
- o *N96-41-2-1.*
Failure to located, construct, and maintain a sediment control structure in accordance with approved plans. Plans and sediment pond were modified. Violation was terminated.
- o *N97-41-5-1.*
Failure to remove, stockpile, and protect soil resources. Soil was imported. Violation was terminated.
- o *C97-41-2-1.*
Failure to conduct operations to minimize damage to hydrologic balance; failure to discharge in accordance with state and federal laws (CO to Covol Technologies). Discharge was ceased and sediments were samples. Violation was terminated.
- o *N97-41-2-1.*
Failure to inspect MSHA ponds weekly. After-the-fact (no abatement possible). Violation was terminated.
- o *N97-41-4-1.*
Failure to respond to requirement of technical analysis. Plans were submitted. Violation was terminated.
- o *N98-41-2-1.*
Failure to locate and construct diversions according to plans. Submitted new plans and modified drainage control structures. Violation was terminated.
- o *N98-41-3-1.*
Failure to conduct discharges in compliance with federal and state water quality laws (violation to Covol Technologies). Water was pumped to slurry pond. Violation was vacated.
- o *N98-41-4-1.*
Failure to submit water monitoring data (to Covol Technologies). Water data was submitted. Violation was terminated.
- o *N98-41-5-1.*
Modified drainage control and moved topsoil piles without approval. Received approval for topsoil piles; changed drainage control to approved plan. Violation was terminated.
- o *N00-39-1*
Inadequate telephone information on main gate. Additional information was added to sign. Violation was terminated.

ATTACHMENT D

(Bond Information)

FIDELITY and DEPOSIT COMPANY

HOME OFFICE

OF MARYLAND

BALTIMORE

225 South Lake Avenue, Suite 700
Pasadena, California 91101-3005

BOND # _____

EXHIBIT "B"
SURETY BOND
(NON-FEDERAL COAL)
--ooOOoo--

This **SURETY BOND** entered into by and between the undersigned **PERMITTEE**, and **SURETY**, hereby jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns unto the State of Utah, Division of Oil, Gas & Mining (**DIVISION**) in the penal sum of \$ 4,904,000.00***** for the timely performance of reclamation responsibilities of the surface disturbance described in Exhibit "A" of the Reclamation agreement.

This **SURETY BOND** will remain in effect until all of the **PERMITTEE's** reclamation obligation have been met and released by the **DIVISION** and is conditioned upon faithful performance of all of the requirements of the Act, the applicable rules and regulations, the approved permit, and the **DIVISION**.

The **SURETY** will not cancel this bond at any time for any reason, including non-payment of premium or bankruptcy of the Principal during the period of liability.

The **SURETY** and their successors and assigns, agree to guarantee the obligation and to indemnify, defend, and hold harmless the **DIVISION** from all expenses which the **DIVISION** may sustain as a result of the **PERMITTEE's** failure to comply with the condition(s) of the reclamation obligation.

The **SURETY** will give prompt notice to the **PERMITTEE** and to the **DIVISION** of any notice received or action alleging the insolvency or bankruptcy of the **SURETY**, or alleging any violations or regulatory requirement which could result in suspension or revocation of the **SURETY's** license.

Terms for release or adjustment of the **BOND** are as written and agreed to by the **DIVISION** and the **PERMITTEE** in the **RECLAMATION AGREEMENT** incorporated by reference herein, to which this **SURETY AGREEMENT** has been attached as Exhibit "B".

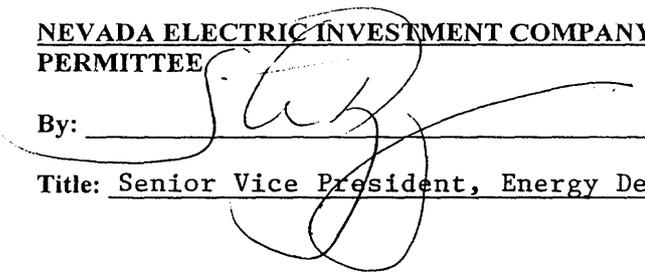
RECEIVED

JAN 24 2000

DIVISION OF
OIL, GAS AND MINING

IN WITNESS WHEREOF, the PERMITTEE has hereunto set it's signature and seal
this 12th day of January, 2000.

NEVADA ELECTRIC INVESTMENT COMPANY
PERMITTEE

By: 

Title: Senior Vice President, Energy Delivery

IN WITNESS WHEREOF, the SURETY has hereto set it's signature and seal this
12th day of January, 2000.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND
SURETY

By: 

Title: Attorney In Fact

ACCEPTED BY THE STATE OF UTAH:



Lowell P. Braxton, Director
Division of Oil, Gas, & Mining

NOTE: An Affidavit of Qualification must be completed and attached to this form for each authorized Agent or officer. Where one signs by virtue of Power of Attorney for a company, such Power of Attorney must be filed with this Agreement. If the PERMITTEE is a corporation, the Agreement shall be executed by it's duly authorized officer.

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
HOME OFFICE: P.O. BOX 1227, BALTIMORE, MD 21203-1227

Know ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by W. B. WALBRECHER, Vice-President, and T. E. SMITH, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Tracey Waldo SCHULTZ, of Las Vegas, Nevada, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 23rd day of March, A.D. 1999.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND





T. E. Smith
Assistant Secretary

By: 

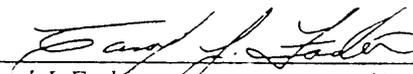
W. B. Walbrecher
Vice-President

State of Maryland } ss:
County of Baltimore }

On this 23rd day of March, A.D. 1999, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came W. B. Walbrecher, Vice-President and T. E. Smith, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

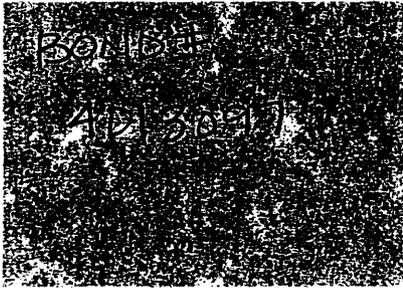
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.





Carol J. Fader
Notary Public
My Commission Expires: August 1, 2000

RECEIVED
JAN 24 2000
DIVISION OF
OIL, GAS AND MINING



AFFIDAVIT OF QUALIFICATION
SURETY COMPANY

--ooOO00--

I, Tracey Waldo Schultz, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) Attorney in Fact, of FIDELITY AND DEPOSIT COMPANY OF Maryland And that he/she is duly authorized to execute and deliver the foregoing obligations; and that said SURETY COMPANY is authorized to execute the same and has complied in all respects with the laws of Utah in reference to becoming sole surety upon bonds, undertakings and obligations herein.

By: Tracey Waldo Schultz
Surety Company Officer / Attorney In Fact Position

Subscribed and sworn to before me this 12th day of January, 2000.

Patsy A Underwood
Notary Public

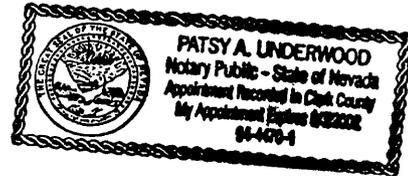
My commission Expires:

AUGUST 3, 2002.

Attest:

STATE OF NEVADA)
COUNTY OF CLARK)

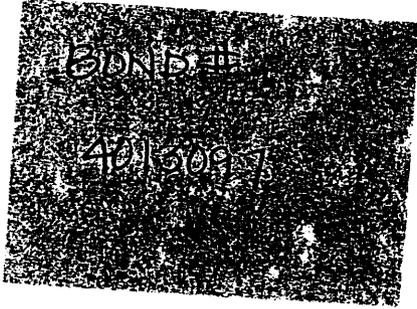
SS:



Page ___ of ___

RECEIVED

JAN 24 2000
DIVISION OF
OIL, GAS AND MINING



Permit # ACT/007/012

EXHIBIT "A"

PERMIT AREA

In accordance with the **RECLAMATION AGREEMENT**, the **PERMITTEE** intends to conduct coal mining and reclamation activities on or within the **PERMIT AREA** as described hereunder: (The bonded area equals the permit area.)

WELLINGTON PREPARATION PLANT ACREAGE

Undisturbed	1307.8
Total Disturbed (see Ch. 1 Rec. Agreement Exh A)	392.0
Total Permit Acreage (see Sec. 1.20 p. 12)	1699.8
Area Removed from Permit Area(north of Ridge Rd)	<u>126.3</u>
Total of the Present Permit Area	<u>1573.5</u>

Legal Description of **PERMIT AREA**:

PROPERTY DESCRIPTION: The permit area is located at 6000 Wash Plant Road, City of Wellington, Carbon County, Utah. A total of 1573.5 acres are current in the permit area. A property description of the permit area is given below.

Township 15 South, Range 11 East, Salt Lake Base and Meridian:

Section 8	E1/2 SE1/4 (portions s. of Ridge Road). W1/2 SE1/4 (portions s. of Ridge Road: Excl. portion n. of railroad tracks)
Section 9	S1/2, portions of S1/2 N1/2.
Section 10	W1/2 SW1/4
Section 15	W1/2 NW1/4
Section 16	All
Section 17	E1/2 SE1/4, NE1/4

This is the **PERMIT AREA** that is covered by the reclamation surety provided in Exhibit "B".

IN WITNESS WHEREOF the **SURETY** has hereunto set it's signature and seal this

12th day of January, 2000.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND
SURETY

By: *Gregory Walden Schultz*

Title: Attorney In Fact

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
HOME OFFICE: P.O. BOX 1227, BALTIMORE, MD 21203-1227

Know ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by W. B. WALBRECHER, Vice-President, and T. E. SMITH, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Tracey Waldo SCHULTZ, of Las Vegas, Nevada, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 23rd day of March, A.D. 1999.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



T. E. Smith

T. E. Smith

Assistant Secretary

By:

W. B. Walbrecher

W. B. Walbrecher

Vice-President

State of Maryland } ss:
County of Baltimore }

On this 23rd day of March, A.D. 1999, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came W. B. Walbrecher, Vice-President and T. E. Smith, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Carol J. Fader

Carol J. Fader

Notary Public

My Commission Expires: August 1, 2000

RECEIVED

FEB 01 2000

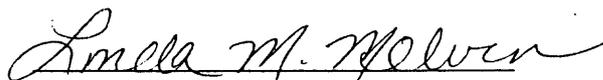
DIVISION OF
OIL, GAS AND MINING

**AFFIDAVIT OF QUALIFICATION
PERMITTEE
--ooOOoo--**

I, Steven W. Rigazio, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) Officer of Nevada Power Company and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said **PERMITTEE** is authorized to execute the same and has complied in all respects with the laws of Utah in reference to commitments, undertakings and obligations herein.

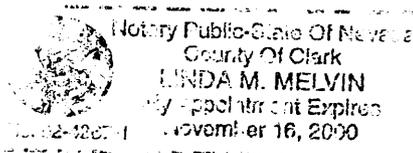

Steven W. Rigazio
Senior Vice President
NAME- POSITION

Subscribed and sworn to before me this 2nd day of February, 2000.


NOTARY PUBLIC

My Commission Expires:

November 16, 2000.



Attest:

STATE OF NEVADA _____)
COUNTY OF CLARK _____)

ss:

ATTACHMENT E

2004 List of Officers
&
Corporate Secretary Certification Statement and Signature

**EXHIBIT A
NEVADA POWER COMPANY
2004 LIST OF OFFICERS**

Walter M. Higgins	Chief Executive Officer
Donald L. "Pat" Shalmy	President
Michael W. Yackira	Executive Vice President & Chief Financial Officer
Ernest E. East	Vice President, General Counsel & Corporate Secretary
Victor H. Peña	Senior Vice President & Chief Administrative Officer
John E. Brown	Vice President & Controller
Susan Brennan	Vice President & Chief Information Officer
Matt H. Davis	Vice President, Distribution
Roberto R. Denis	Vice President, Energy Supply
Julian C. "Jack" Leone	Vice President, Marketing & Communications
Carol M. Marin	Vice President, Customer Service
Mary O. Simmons	Vice President, Rates & Regulation
Steve Wood	Vice President, Human Resources

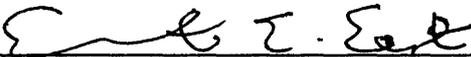
**NEVADA POWER COMPANY
MEETING OF THE BOARD OF DIRECTORS
MAY 12, 2004**

RESOLVED, that the full Board approves and adopts the
slate of officers, as set forth in Exhibit A, attached hereto.

I, the undersigned, hereby certify that I am the Corporate Secretary of Nevada Power Company, a Nevada corporation, and that the foregoing is a true, correct and complete copy of a resolution duly adopted by the Board of Directors of this Corporation, at a Regular Meeting of said Board duly convened and held on May 12, 2004, at which meeting a quorum for the transaction of business was present and acting throughout.

I further certify that said resolution has not been amended or revoked and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and have affixed the corporate seal of said Corporation this 30th day of August, 2004.



Ernest E. East, Secretary

ATTACHMENT F

Officer & Ownership Update
(Chapter 1 Insertions for the MRP)



MT NEBO SCIENTIFIC, INC.

research & consulting

**Comments & Instructions
for Insertions to the Mining & Reclamation Plan
of the Wellington Preparation Plant
C/007/012**

November 26, 2004

**Submitted to the State of Utah, Division of Oil, Gas & Mining
Updated Violation Information**

Comment:

An application of renewal of the 5-year permit at Wellington has been submitted. With this application the update of violations at the site has been made "insertable" to the Mining & Reclamation Plan (MRP). Please follow instructions below for insertion to the MRP.

Instructions:

Sec. 1.20, p. 1-5, 11/26/04, of this submittal replaces
Sec. 1.20, p. 1-5, 10/18/02, of the current approved MRP.

1.20 LEGAL/FINANCIAL/OWNERSHIP

IDENTIFICATION OF INTERESTS - (R645-301-112)

112.100 Identification of Permittee, Operator, and Owner:

- 1) Permittee: The permittee, Nevada Electric Investment Company (NEICO), is a corporation duly organized, validly existing and in good standing under the laws of the State of Nevada.
- 2) Operator: The operator, Nevada Electric Investment Company (NEICO), is a corporation duly organized, validly existing and in good standing under the laws of the State of Nevada.
- 3) Owner: The owner, Nevada Power Company, is the sole owner of NEICO and is a corporation duly organized, validly existing and in good standing under the laws of the State of Nevada.

112.200 Names, Addresses & Telephone Numbers:

1. Permittee

NEVADA ELECTRIC INVESTMENT COMPANY
6226 West Sahara
P.O. Box 230
Las Vegas, Nevada 89102
ph. (702) 367-5692
Employer Identification Number: 88-6002040

2. Operator

NEVADA ELECTRIC INVESTMENT COMPANY
6226 West Sahara
P.O. Box 230
Las Vegas, Nevada 89102
ph. (702) 367-5692
Employer Identification Number: 88-6002040

3. Owner

NEVADA POWER COMPANY
6226 West Sahara Ave.
P.O. Box 230
Las Vegas, Nevada 89151
ph. (702) 367-5692
Employer Identification Number: 88-6002040

112.210 Name, Address & Telephone Number of Resident Agent:

Patrick D. Collins, Ph.D.
MT. NEBO SCIENTIFIC, INC.
330 East 400 South, Suite 6
P.O. Box 337
Springville, Utah 84663
(801) 489-6937

112.230 Abandoned Mine Land Reclamation Fee

The operator listed below will be responsible for the Abandoned Mine Reclamation Fee if "mining" occurs on the property and if this fee is still assessed for the type of mining that is proposed for future activities.

NEVADA ELECTRIC INVESTMENT COMPANY
6226 West Sahara
P.O. Box 230
Las Vegas, Nevada 89102
ph. (702) 367-5692
Employer Identification Number: 88-6002040

112.300 Names and Addresses of Officers, Directors

A. Permittee & Operator:

NEICO OFFICERS

<u>Name and Address</u>	<u>Position (Date Assumed)</u>
Michael Yackira 6226 West Sahara Avenue Las Vegas, Nevada 89102	President (July 2004)

B. Owner

NEVADA POWER COMPANY

<u>Name and Address</u>	<u>Position (Date Assumed)</u>
Walter M. Higgins	Chairman & Chief Exec. Officer (August 2000)
Ernest E. East	Senior Vice President and General Counsel (February 2004)
Michael W. Yackira	Senior Vice President & Chief Financial Officer (January 2003)
Mary O. Simmons	Vice President, Rates & Regulatory Affairs (May 2001)
Julian C. Jack Leone	Vice President, Marketing (June 2002)
Carol M. Marin	Vice President, Customer Service (May 2001)
Victor H. Peña	Senior Vice President & Chief Administrative Officer (May 2001)
Stephen R. Wood	Vice President, Human Resources (July 2004)
Susan Brennan	Vice President, Chief Information Officer (May 2001)
Matt H. Davis	Vice President, Distribution Services (May 2001)
Roberto R. Denis	Vice President, Energy Supply (August 2003)
Donald L. Pat Sidalmy	President (May 2002)

SIERRA PACIFIC RESOURCES DIRECTORS

<u>Name and Address</u>	<u>Position (Date Assumed)</u>
Edward P Bliss	Consultant to Zurich Scudder Investments Company, an investment counsel firm in Boston, Massachusetts; retired partner, Loomis, Sayles & Company, Inc. (7/29/99)
Mary Lee Coleman	President of Coleman Enterprises, a developer of shopping centers and industrial parks. (7/29/99)
Krestine M. Corbin	President and Chief Executive Officer of Sierra Machinery, Inc, a manufacturer of roller burnishing heads and machines. (7/29/99)
T.J. Day	Senior Partner of Hale, Day Gallagher Company, a Nevada-based business and real estate development firm. (7/29/99)
James R. Donnelley	Retired Vice Chairman of the Board of R.R. Donnelley & Sons, a leading printer, information services and logistics provider. (7/29/99). Chairman, PMP, Inc., a publishing/distribution company; Partner, Stet & Query, Ltd., a family-owned investment company.
Fred D. Gibson, Jr.	Retired President, Chief Operating Officer and Director of American Pacific Corporation, a Manufacturer of chemicals and pollution abatement equipment. (7/29/99)
Jerry E. Herbst	Chief Executive Officer of Terrible Herbst, Inc., a large chain of family owned service stations and related businesses. (7/29/99)
James L. Murphy	Certified Public Accountant and retired partner of Grant Thornton, LLP, an international accounting and management consulting firm. (7/29/99)

John F. O'Reilly

Chairman and Chief Executive Officer of the law firm Keefer, O'Reilly and Ferrario; Chief Executive Officer of the O'Reilly Garning Group.

Clyde T. Turner

Chairman & CEO of Turner Investments, Ltd., a general purpose investment company, and several special purpose real estate development companies know as Spectrum Companies (11/7/01).

Dennis E. Wheeler

President and Chief Executive Officer of Coeur d'Alene Mines Corporation, and Idaho-based precious metal mining company. (7/29/99)

NAME(S) UNDER WHICH PERMITTEE AND OPERATOR PREVIOUSLY OPERATED MINING ACTIVITIES - (R645-301-320)

- A. Permittee and Operator:
NEICO previously owned 50% of the Crandall Canyon Mine (ACT/015/032)

112.400 Pending, Current and Previous Coal Permits:

- A. Permittees Previous Coal Permits

Genwal Coal Company, which was in the past owned by NEICO, held a coal mining permit for the Crandall Canyon Mine. It is now dormant and does not conduct business operations. Pertinent information about the mine is as follows:

Name and Address:
Crandall Canyon Mine
Genwal Coal Company
P.O. Box 1420
Huntington, Utah 84528
ph. (435) 687-9813

- B. Owners Previous Coal Permits

Sierra Pacific Resources has had no coal permits in the past 5 years