



Beaver Creek Coal Company
Price, UT

Date: 11/14/91

To: Pam

From: Dan Guy

phone 801 637 5050

- Approval
- Handling
- Note
- Note and return
- Per your request
- Your comment
- Your information
- Your signature
- Your file

Here are the missing
pages from the
"Mystery Drilling Permit".
I'll follow up with
you later for the
D&M requirements. Thank,
Dan

Mountain Coal Company

Trail Mountain Mine
Post Office Box 1378
Price, Utah 84501
Telephone 801 637-5050 (Price Office)
801 637-5203 (Mine Office)
801 748-2140 (Mine Site)



October 16, 1991

*Ms. Dolly Willis
United States Department of the Interior
Bureau of Land Management
Utah State Office
P.O. Box 45155
Salt Lake City, Utah 84145-0155*

*Re: Federal Coal Exploration License Application and Plan Submittal for the
Trail Mountain Area, Emery County, Utah*

Dear Ms. Willis:

Enclosed please find five copies of the Federal Coal Exploration License Application and Exploration Plan submitted by Mountain Coal Company (Beaver Creek) for the Trail Mountain area in Emery County, Utah. A check for the amount of \$250.00 covering the filing fee is attached.

Mountain Coal Company will publish a "Notice of Invitation" in the local newspapers, as per the Federal regulations. Our planned notice can be seen on pages 5 and 6 within the enclosed Exploration License Application Documents.

If you have any questions or comments, please contact me at (303) 929-5015 ext. 246 or (801) 637-5050 ext. 49.

Regards,

MARK W. SCANLON

*Mark W. Scanlon
Sr. Geologist
Mountain Coal Company*

*cc: D. Pick
J. Coffey
A. Gaudielle
D. Guy ✓
J. Hardin
K. Penoyer*

FEDERAL COAL
EXPLORATION LICENSE APPLICATION

&

EXPLORATION PLAN

TRAIL MOUNTAIN AREA
EMERY COUNTY, UTAH

MOUNTAIN COAL COMPANY

PRICE, UTAH

OCTOBER, 1991

FEDERAL COAL
EXPLORATION LICENSE APPLICATION

&

EXPLORATION PLAN

TRAIL MOUNTAIN AREA
EMERY COUNTY, UTAH

MOUNTAIN COAL COMPANY

PRICE, UTAH

OCTOBER, 1991

**FEDERAL COAL EXPLORATION LICENSE APPLICATION
TRAIL MOUNTAIN AREA
TABLE OF CONTENTS**

TEXT	PAGE NO.
<u>EXPLORATION LICENSE APPLICATION</u>	
Introduction	i
Table of Contents	ii
Prelicensing Procedures (43 CFR II, Subpart 3410)	1
Legal Description of Exploration Area	2
"Notice of Invitation" for Publication	5
<u>EXPLORATION PLAN</u>	
Introduction	7
Table of Contents	8
Name & Address of Applicant	9
Narrative Description of Proposed Exploration Area	12
Narrative Description of Proposed Exploration Plan	13
Estimated Timetable of Proposed Exploration	15
Map of Proposed Exploration Plan Area	18
Names and Addresses of Surface & Subsurface Owners	19
	20

INTRODUCTION

This Exploration License Application has been prepared by Mountain Coal Company (Formerly Beaver Creek Coal Company) in accordance with the requirements of the Code of Federal Regulations, Title 43, Chapter II, Subpart 3410. The proposed exploration area covers lands in Emery County, Utah, within which Mountain Coal Company plans to conduct an exploration drilling program, as described herein, to evaluate the reserves and quality of coal seams within the Blackhawk Formation.

The format used in 43 CFR 3410 is used as the format for this Exploration License Application. The exploration plan outlined within this Exploration License Application complies with the requirements of 43 CFR, Chapter II, Subpart 3482, as required by Section 3410.2-1(a)(3). The exploration plan format designated for Bureau of Land Management has been followed in this Exploration License Application.

The information contained in this Exploration License Application demonstrates that environmental protection and reclamation are integral parts of the proposed exploration program, and that reclamation will be performed in tandem with exploration activities. Sufficient information is provided in the Exploration Plan to demonstrate the effectiveness of Mountain Coal Company's proposed reclamation method.

FEDERAL COAL
EXPLORATION LICENSE APPLICATION

EXPLORATION PLAN

TRAIL MOUNTAIN AREA
EMERY COUNTY, UTAH

MOUNTAIN COAL COMPANY

PRICE, UTAH

OCTOBER, 1991

FEDERAL COAL EXPLORATION LICENSE APPLICATION

(AS OUTLINED IN 43 CFR, CHAPTER II, SUBPART 3410)

3410.2 - "PRELICENSING PROCEDURES."

3410.2-1 - "APPLICATION FOR AN EXPLORATION LICENSE."

3410.2-1(a) - "EXPLORATION LICENSE APPLICATIONS SHALL BE SUBMITTED AT THE BUREAU OF LAND MANAGEMENT STATE OFFICE HAVING JURISDICTION OVER THE LANDS COVERED IN THE APPLICATION (43 CFR SUBPART 1821)."

This Exploration License Application is submitted to the Bureau of Land Management District Office in Salt Lake City, Utah, which has jurisdiction over the lands covered in this Application.

"THE APPLICATIONS SHALL BE SUBJECT TO THE FOLLOWING REQUIREMENTS:"

3410.2-1(a)(1) - "NO SPECIFIED FORM OF APPLICATION IS REQUIRED."

3410.2-1(a)(2) - " AN AREA IN A PUBLIC LAND SURVEY STATE FOR WHICH AN APPLICATION IS FILED SHALL BE DESCRIBED BY LEGAL DESCRIPTION OR, IF ON UNSURVEYED LANDS, BY METES AND BOUNDS, IN ACCORDANCE WITH 3471.1-1(D)(1) OF THIS TITLE. AN APPLICATION FOR AN EXPLORATION LICENSE ON ACQUIRED LANDS SHALL DESCRIBE THE AREA ACCORDING TO THE DESCRIPTION IN THE DEED OR DOCUMENT BY WHICH THE UNITED STATES ACQUIRED THE TITLE IN ACCORDANCE WITH 3471.1-1(D)(2) OF THIS TITLE."

The following table lists the legal description of the lands outlined in this Application, according to coal plat records maintained by the Bureau of Land Management.

**LEGAL DESCRIPTION
TRAIL MOUNTAIN 1992
EXPLORATION LICENSE APPLICATION AREA**

T. 17 S., R. 6 E., Salt Lake Meridian, Emery County, Utah.

Section 2,	SW1/4;
Section 3,	All;
Section 4,	Lots 1, 2, 3, S1/2 NE1/4, SE1/4 NW1/4, E1/2 SW1/4, SE 1/4;
Section 9,	E1/2, E1/2 W1/2;
Section 10,	All;
Section 11,	W1/2;
Section 13,	W1/2 W1/2;
Section 14,	All;
Section 15,	All;
Section 16,	NE1/4 NW1/4;
Section 21,	E1/2 W1/2, E1/2;
Section 22,	All;
Section 23,	All;
Section 24,	W1/2 W1/2;
Section 25,	N1/2 NW1/4;
Section 26,	W1/2 SW1/4 NE 1/4, N1/2 NE 1/4, NW1/4, N1/2 SW1/4, W1/2 NW1/4 SE1/4;
Section 27,	NE1/4, NW1/4, N1/2 SW1/4, N1/2 SE1/4;
Section 28,	All;
Section 29,	E1/2 SE1/4;
Section 32,	E1/2;
Section 33,	All;

Containing ^{8,504.64}~~8484.64~~ acres, more or less.

3410.2-1(a)(3) - "EACH APPLICATION SHALL CONTAIN THREE COPIES OF AN EXPLORATION PLAN WHICH COMPLIES WITH THE REQUIREMENTS OF 3482.1(a) OF THIS TITLE."

Three copies of the entire Exploration Permit Application are enclosed. The Exploration Plan makes up the second section of this Application. As required in 3482.1(a)(2), five copies of the Exploration Plan have been submitted to the authorized officer.

3410.2-1(a)(4) - "EACH APPLICATION AND ITS SUPPORTING DOCUMENTS SHALL BE FILED WITH A NONREFUNDABLE FILING FEE (43 CFR 3473.2)."

Enclosed is the non-refundable filing fee of \$250.00.

3410.2-1(a)(5) - "EXPLORATION LICENSE APPLICATIONS SHALL NORMALLY COVER NO MORE THAN 25,000 ACRES IN A REASONABLY COMPACT AREA AND ENTIRELY WITHIN ONE STATE. AN APPLICATION FOR AN EXPLORATION LICENSE COVERING MORE THAN 25,000 ACRES MUST INCLUDE A JUSTIFICATION FOR AN EXCEPTION TO THE NORMAL ACREAGE LIMITATION."

The total number of acres in the proposed exploration area is 8,484.64. The Exploration License Application area is within the 25,000 acre size limitation.

3410.2-1(b) - "NOTHING IN THIS SUBPART SHALL PRECLUDE THE AUTHORIZED OFFICER FROM ISSUING A CALL FOR EXPRESSIONS OF LEASING INTEREST IN AN AREA CONTAINING EXPLORATION LICENSES OR APPLICATIONS FOR EXPLORATION LICENSES."

3410.2-1(c) - "APPLICANTS FOR EXPLORATION LICENSES SHALL BE REQUIRED TO PROVIDE AN OPPORTUNITY FOR OTHER PARTIES TO PARTICIPATE IN EXPLORATION UNDER THE LICENSE ON A PRO RATA COST SHARING BASIS."

3410.2-1(c)(1) - "IMMEDIATELY UPON THE FILING OF AN APPLICATION FOR AN EXPLORATION LICENSE THE APPLICANT SHALL PUBLISH A "NOTICE OF INVITATION," APPROVED BY THE AUTHORIZED OFFICER, ONCE EVERY WEEK FOR TWO CONSECUTIVE WEEKS IN AT LEAST ONE NEWSPAPER OF GENERAL CIRCULATION IN THE AREA WHERE THE LANDS COVERED BY THE LICENSE APPLICATION ARE SITUATED. THIS NOTICE SHALL CONTAIN AN INVITATION TO THE PUBLIC TO PARTICIPATE IN THE INVITATION TO THE PUBLIC TO PARTICIPATE IN THE EXPLORATION UNDER THE LICENSE AND SHALL CONTAIN THE LOCATION OF THE BUREAU OF LAND MANAGEMENT OFFICE IN WHICH THE APPLICATION SHALL BE AVAILABLE FOR INSPECTION. COPIES OF THE NOTICE OF INVITATION SHALL BE FILED WITH THE AUTHORIZED OFFICER AT THE TIME OF PUBLICATION BY THE APPLICANT, FOR POSTING IN THE PROPER BUREAU OF LAND MANAGEMENT OFFICE AND FOR BUREAU OF LAND MANAGEMENT'S PUBLICATION OF THE NOTICE OF INVITATION IN THE FEDERAL REGISTER."

A copy of the "Notice of Invitation" to be published in the local newspapers and the Federal Register is included at the end of this section.

3410.2-1(c)(2) - "ANY PERSON WHO SEEKS TO PARTICIPATE IN THE EXPLORATION PROGRAM CONTAINED IN THE APPLICATION SHALL NOTIFY THE AUTHORIZED OFFICER AND THE APPLICANT IN WRITING WITHIN 30 DAYS AFTER THE PUBLICATION IN THE FEDERAL REGISTER. THE AUTHORIZED OFFICER MAY REQUIRE MODIFICATION OF THE ORIGINAL EXPLORATION PLAN TO ACCOMMODATE THE LEGITIMATE EXPLORATION NEEDS OF PERSONS SEEKING TO PARTICIPATE, AND TO AVOID THE DUPLICATION OF EXPLORATION ACTIVITIES IN THE SAME AREA, OR MAY NOTIFY THE PERSON SEEKING TO PARTICIPATE THAT THE PERSON SHOULD FILE A SEPARATE APPLICATION FOR AN EXPLORATION LICENSE."

3410.2-1(d) - "AN APPLICATION TO CONDUCT EXPLORATION WHICH COULD HAVE BEEN CONDUCTED AS A PART OF EXPLORATION UNDER AN EXISTING OR RECENT COAL EXPLORATION LICENSE MAY BE REJECTED."

**NOTICE OF INVITATION TO PARTICIPATE
IN COAL EXPLORATION PROGRAM
MOUNTAIN COAL COMPANY**

Mountain Coal Company is inviting all qualified parties to participate in its proposed exploration of certain Federal coal deposits in the following described lands in Emery County, Utah:

T. 17 S., R. 6 E., Salt Lake Meridian, Emery County, Utah

- | | |
|-------------|---|
| Section 2, | SW1/4; |
| Section 3, | All; |
| Section 4, | Lots 1, 2, 3, S1/2 NE1/4, SE1/4 NW1/4, E1/2 SW1/4, SE 1/4; |
| Section 9, | E1/2, E1/2 W1/2; |
| Section 10, | All; |
| Section 11, | W1/2; |
| Section 13, | W1/2 W1/2 |
| Section 14, | All; |
| Section 15, | All; |
| Section 16, | NE1/4 NW1/4; |
| Section 21, | E1/2 W1/2, E1/2; |
| Section 22, | All; |
| Section 23, | All; |
| Section 24, | W1/2 W1/2; |
| Section 25, | N1/2 NW1/4; |
| Section 26, | W1/2 SW1/4 NE 1/4, N1/2 NE 1/4, NW1/4, N1/2 SW1/4, W1/2
NW1/4 SE1/4; |
| Section 27, | NE1/4, NW1/4, N1/2 SW1/4, N1/2 SE1/4; |
| Section 28, | All; |
| Section 29, | E1/2 SE1/4; |
| Section 32, | E1/2; |
| Section 33, | All; |

Containing ^{8,504.64}~~8,484.64~~ acres, more or less.

Any party electing to participate in this exploration program must send written notice of such election to the Bureau of Land Management, Utah State Office, 324 S. State Street, Suite 301, Salt Lake City, Utah 84111-2303, and to Mountain Coal Company, P.O. Box 1378, Price, Utah, 84501. Such written notice must be received within thirty days after publication of this notice in the Federal Register.

FEDERAL COAL
EXPLORATION LICENSE APPLICATION

EXPLORATION PLAN

TRAIL MOUNTAIN AREA
EMERY COUNTY, UTAH

MOUNTAIN COAL COMPANY

PRICE, UTAH

OCTOBER, 1991

EXPLORATION PLAN INTRODUCTION

This Exploration Plan has been prepared by Mountain Coal Company (formerly Beaver Creek Coal Company) in accordance with the requirements of the Code of Federal Regulations, Title 43, Chapter II, Subparts 3482 (Exploration Plans) and 3484 (Performance Standards) as well as CFR Title 30, Chapter VII, Part 815 (Permanent Program Performance Standards - Coal Exploration) and the Utah Mining Code Rules for Coal Exploration UMC R614-200 - 203 (General Requirements: Exploration of Less than 250 Tons).

The format used in the Exploration Plan follows the format of 43 CFR, Chapter II, Subpart 3482.1 (exploration and resource recovery and protection plans).

**EXPLORATION PLAN
TABLE OF CONTENTS**

TEXT	PAGE NO.
Introduction	8
Table of Contents	9
List of Figures, Tables, Attachments	11
<u>3482.1 (a)(3) i, ii</u> - Names and Addresses of Applicant, Operator, Lessee of Record, and Representative of Applicant:	12
<u>3482.1 (a)(3) iii</u> - Narrative Description of Proposed Exploration Area:	13
Federal Lease Serial Numbers	
Surface Topography	13
Geology	13
Water Resources	14
Vegetation	14
Soils	14
Wildlife	14
Threatened or Endangered Species	15
Land Use	15
Cultural Resources	15
Proposed Access Roads	15
<u>3482.1 (a)(3) iv</u> - Narrative Description of Coal Exploration Methods:	15
Pre-Drilling Activities	15
Road Construction	16
Drill Site Construction	16

Methods and Equipment to be Used	16
Estimated Size and Depth of Holes	17
Modification of Drill Holes to Surveillance or Water Wells	17
Proposed Drill Hole Plugging Method	17
Reclamation Plan	17
<u>3482.1 (a)(3) v</u> - Estimated Timetable for Construction Drilling, and Reclamation Activities:	18
<u>3482.1 (a)(3) vi</u> - Amount of Coal to be Removed:	18
<u>3482.1 (a)(3) vii</u> - Measures to be Used to Comply with Performance Standards for Exploration (43 CFR II 3484.1(a), 30 CFR 815.15, and Utah State Permanent Program Rules:	18
<u>3482.1 (a)(3) viii</u> - Map of Exploration Area:	19
<u>3482.1 (a)(3) ix</u> - Surface and Subsurface Owners of Record:	20

LIST OF TABLES:

<u>FIGURE NO.</u>		<u>PAGE NO.</u>
1.	Locations and Depths of Proposed Drill Holes:	21
2.	Areas of Disturbance Associated with Access Road and Drill Site Construction:	22

LIST OF FIGURES

1.	Location Map - Trail Mountain Exploration Area:	23
2.	Generalized Stratigraphy of the Trail Mountain Area:	24
3.	Method of Plugging Drill Holes:	25
4.	Proposed Drill Hole and Access Road Location Map:	Pocket

EXPLORATION PLAN

3482.1(A)(3) i, ii - Names and Addresses of Applicant, Operator, and Lessee of Record:

APPLICANT:

Mountain Coal Company (formerly Beaver Creek Coal Company)
P.O. Box 1378
1305 S. Carbon Ave.
Price, Utah 84501

(801) 637-5050

OPERATOR:

Mountain Coal Company (formerly Beaver Creek)

(Address and Number same as above)

LESSEE OF RECORD:

Unleased Federal Coal (No Lessee)

ADJACENT LEASES:

Trail Mountain Mine lease U-64375 (Mountain Coal Co.)
Trail Mountain Mine lease U-49332 (Mountain Coal Co.)
PacifiCorp lease U-083066

Overlaps Lease Application No. U-68012 (PacifiCorp)
Overlaps Exploration Licenses UTU-66524 and UTU-67727
(PacifiCorp)

REPRESENTATIVE OF APPLICANT:

Mark Scanlon

Mountain Coal Company
P.O. Box 1378
1305 S. Carbon Ave.
Price, Utah 84501

(801) 637-5050 ext. 49

EXPLORATION PLAN

3482.1(A)(3)(iii) - Narrative Description of Exploration Area:

The proposed exploration area is located approximately 11 miles northwest of Orangeville, Utah (See Figure 1).

The proposed exploration area lies entirely within T.17 S. R.6 E., to the north and northwest of the existing Trail Mountain Mine. The proposed exploration areas are given in Table 1 and shown in Figures 1 and 4. A legal description of the proposed exploration area is presented within the license application.

SURFACE TOPOGRAPHY:

Exploration activities will take place on top of Trail Mountain and in Cottonwood Canyon, between 8,400 and 9,900 feet elevation. The top of Trail Mountain consists of gently rolling terrain bounded by steep escarpments of the Castlegate Sandstone. The bottom of Cottonwood Canyon consists of gently inclined terrain cut by Cottonwood Creek (a perennial stream). Cliffs of the Castlegate Sandstone form steep bluffs above the canyon bottom.

GEOLOGY:

The proposed Trail Mountain exploration application area lies near the center of the Wasatch Plateau Coal Field within the Mahogany Point and Joes Valley Reservoir U.S.G.S. 7 1/2 minute quadrangle maps (see Figure 4).

Previous geological work has been done in this area by Spieker (1931), Ellis and Frank (1981), and Kitzmiller (1982). The U.S. Geological Survey and the Utah Geological and Mineral Survey have conducted previous exploration drilling programs in and adjacent to the proposed exploration area.

The general stratigraphy of the area consists of members of the Mancos Shale and Mesaverde Group of the Cretaceous System, and the overlying Wasatch Group of Tertiary age (see Figure 2).

The Masuk Shale member of the Mancos Shale outcrops lowest in the area. About 0 - 500' of this unit are exposed along the lower reaches of Straight Canyon and Cottonwood Canyon.

Overlying the Mancos Shale are the Mesaverde Group beds, which consist of, in ascending order, the Star Point Sandstone, the Blackhawk Formation (coal bearing), and the Price River Formation, itself consisting of the lower massive Castlegate Sandstone member and the Upper Price River member. Mesaverde Group outcrops form the steep canyon walls in the area.

The North Horn Formation and overlying remnants of the Flagstaff Limestone of Tertiary age cap the top of Trail Mountain.

The Blackhawk Formation of the Mesaverde Group is the major coal-bearing formation of the area. The only known minable coal at Trail Mountain is the Hiawatha Seam, which is found immediately on top of the Star Point Sandstone, at the contact of the Star Point Sandstone and the overlying Blackhawk Formation. In the northern portion of the exploration area, the Blind Canyon seam, which lies about 100 feet above the Hiawatha seam, may be present in minable thicknesses.

The strata in the Trail Mountain area dip generally at 2 - 5 degrees to the south and west. Minor faulting related to the Joes Valley fault system is likely to occur along the western extent of the exploration area. The Roans Canyon fault zone may extend into the area of proposed drillhole TMX-14.

WATER RESOURCES:

The climate in the Trail Mountain area is considered semi-arid, receiving 10 - 20 inches of precipitation annually, depending on elevation (precipitation increases as elevation increases).

Major streams in the area include Cottonwood Creek, flowing through the eastern portion of the application area, and Straight Canyon Creek to the south, which is supplied year-round by Joes Valley reservoir.

Perched ground water aquifers are known to exist in the North Horn Formation, and in sandstones of the Blackhawk Formation, and the Star Point Sandstone has been identified as a potential regional aquifer. Several springs originating from the North Horn Formation supply water to stock and wildlife ponds on the top of Trail Mountain. Several springs are known to feed Cottonwood Creek as well.

VEGETATION:

Vegetation in the exploration area consists of aspen, conifer, pinyon and juniper trees, and various grasses and mountain shrubs. No threatened or endangered plant species have been identified in the exploration areas.

SOILS

Soils in the exploration areas are mainly derived from the North Horn and Blackhawk formations and have a high clay content. By limiting the size of drill sites and retaining topsoil for reclamation purposes, revegetation should not be a problem in this area.

WILDLIFE:

Trail Mountain is a deer and elk winter range. Other animals in the area include cougar, bobcat, rabbit, squirrel, mice and other rodents, reptiles and amphibians. The proposed exploration program will be scheduled to avoid conflicts with the deer and elk on winter range.

THREATENED OR ENDANGERED SPECIES:

No threatened or endangered plant or animal species have been identified within the proposed exploration areas.

LAND USE:

The present land use of the proposed exploration area consists of domestic grazing, wildlife habitat, watershed, timber lands, recreational lands, and intensive big game hunting. Mountain Coal is presently mining coal underground in a lease area near the proposed exploration area. PacifiCorp is presently mining coal in the Deer Creek and Cottonwood mines on the east side of Cottonwood Creek. Several natural gas wells have been developed along the bottom of Cottonwood Creek.

CULTURAL RESOURCES:

As specified in 43 CFR II Subpart 3482 (a)(3)(viii), Mountain Coal will conduct a cultural resource survey of the proposed drilling locations and access roads. This study will be conducted as soon as ground conditions permit access to the proposed locations. After archaeological studies are concluded, results will be reported immediately to the appropriate regulatory agencies. There are no known structures or sites eligible for listing on the National Register of Historic Places within the proposed exploration area.

PROPOSED ACCESS ROUTES:

U.S.D.A. Forest Service roads #50040 and #50034 will be the main access routes to the proposed exploration area. The proposed drill sites have been located as near to existing roads as possible. Temporary roads, to be constructed and reclaimed as they are used, will be needed for access to the drill sites (see Figure 4 and Table 2). Special-Use and Road-Use permits will be obtained from the U.S.D.A. Forest Service prior to any drilling activities.

3482.1(a)(3)(iv) - Narrative Description of Coal Exploration Methods:

PRE-DRILLING ACTIVITIES:

Prior to any construction or drilling activities, an on-site inspection of proposed drill sites and access routes will be conducted with representatives from all appropriate regulatory agencies to discuss site-specific concerns.

Proper Road-Use and Special-Use permits will be obtained prior to use of U.S.D.A. Forest Service Roads.

State, U.S.D.A. Forest Service, and Bureau of Land Management regulatory personnel will be notified at least 48 hours before any construction or drilling equipment is moved into the project areas. All construction and drilling activities will be supervised by an authorized representative of the applicant. A copy of the exploration permit and all pertinent permit documents will be available for inspection on-site at all times.

Campsites and/or staging areas to be used by the drilling contractor will be reviewed with and approved by the U.S.D.A. Forest Service prior to use.

Any proposed changes in the Exploration Plan after permit approval will be reviewed with the appropriate regulatory agencies before the changes take effect.

ROAD CONSTRUCTION:

Existing roads and trails will be used whenever possible, and movement of equipment across undisturbed land will be kept to a minimum. When necessary, brush will be cleared for a 12' wide path to the drill site. Trees over 8" in diameter will be cut down and skidded to a site designated by the U.S.D.A. Forest Service. New or additional roads will be constructed only when necessary and only as the drilling program progresses. Any top soil removed during road construction will be stockpiled and redistributed when the roads are reclaimed. Erosion control structures such as water bars will be installed in newly constructed roads as required by the State of Utah. Rehabilitation of existing trails and reclamation of constructed roads will be done in accordance with applicable regulations and stipulations.

DRILL SITE CONSTRUCTION:

All drill sites have been located close to existing roads (see Figure 4). Each drill site will be approximately 100' x 150' in size, or the minimum size necessary for efficient drilling operations. Top soil that is present will be stripped from the drill sites and stockpiled to prevent contamination. A mud pit or pits will be dug at each site to contain drill cuttings. Water for drilling operations will be obtained at a site determined in cooperation with the State of Utah, U.S.D.A. Forest Service and the Cottonwood Creek Irrigation Co.

METHODS AND EQUIPMENT FOR DRILLING:

Site preparation will be done with one D-8 sized bulldozer or equivalent and one backhoe. Brush and/or trees will be cleared from the site, then the top soil will be pushed aside before pad construction is begun. Each drill site will be sized to allow sufficient space for all necessary drilling equipment.

Rotary Drilling and coring will be done by a rubber-tired truck-mounted drilling rig. Support equipment will consist of one or two water trucks, one rig-up or support truck, and 4x4 pickups for the crews and company representatives. Stationary equipment for each site will consist of a pipe truck or trailer, one or more truck-mounted air compressors or boosters and a doghouse/supply trailer. One truck mounted geophysical logging unit will be used on each hole location.

Each hole will be rotary drilled to a point approximately 50' above the top of the Hiawatha seam. Casing will be installed in the hole as necessary to keep the hole open and to prevent drilling and circulation problems if possible. Cuttings will be sampled and logged every 10 feet when circulation is present. After the core is retrieved from the hole, the hole will be logged with a standard suite of geophysical coal logs. The hole will then be plugged according to the standards set forth in 43 CFR II 3484.1(a).

The initial diameter of each drill hole will be approximately 10 inches. The core retrieved from the hole will be 2.4 inches or 3 inches in diameter. The primary drilling medium will be compressed air with mist/foam injection to aid in the circulation of cuttings to the surface. If air and foam prove to be an insufficient drilling medium, or if lost circulation becomes a problem, drilling mud and lost circulation materials will be used.

Care will be taken to ensure that the prevailing hydrologic balance will not be adversely affected by the drilling methods used in this program. Biodegradable drilling soap is the only chemical anticipated for use during drilling, and any other potentially toxic materials used will be handled and disposed of in accordance with State and Federal regulations.

ESTIMATED SIZE AND DEPTH OF HOLES:

Below the surface casing (approximately 12 inches in diameter), each hole will be started with a 9 or 10 inch rotary bit. This larger diameter hole will be drilled as far as possible to allow 7-inch diameter casing to be set through the North Horn and upper Price River formations, both of which are known for poor drilling conditions. Below these formations, a smaller (6 1/2 inch) diameter rotary hole will be drilled to core point (50 feet above the Hiawatha seam). The 6 1/2 inch rotary hole will be cased if necessary. The outer diameter of the cored portion of the hole will be 5 inches or less. A complete listing of the locations and depths of the proposed drill holes appears on Table 1.

MODIFICATION OF DRILL HOLES TO SURVEILLANCE OR WATER WELLS:

If significant aquifers are encountered in any of the proposed drill holes, regulatory officials will be notified. They may direct Mountain Coal Company to complete such a hole as a water monitoring well. Since Mountain Coal Company does not anticipate penetrating any significant aquifers in any of the holes, no plans are enclosed for water well completions.

PROPOSED DRILL HOLE PLUGGING METHODS:

The hole plugging method described in 43 CFR II 3484.1(a) will be used for all holes. Each hole will be plugged with cement from bottom to 50 feet above the uppermost thick coal seam and from 50 feet below to 50 feet above any aquifers encountered in the hole (see Figure 3). The rest of the hole will be filled wither with an approved completion mud or gel or cement to within 5 feet of the surface. A 5 foot cement surface plug will be set, and an appropriately labeled monument marker will be cemented into the surface plug. Surface casing will be cut off at or below the level of the soil surface.

RECLAMATION PLAN:

Reclamation activities will follow as closely as possible the completion of each hole.

1. Upon completion of drilling activities at a given site, all debris, trash, and drilling related equipment will be removed from the site.

2. When the mud pit is sufficiently dry, it will be filled with stored soil material and compacted to minimize any settling.
3. A backhoe and a bulldozer will redistribute material on and around the drill pad to achieve as closely as is practicable the original contour of the site.
4. Stored top soil will be distributed as evenly as possible over the disturbed pad area.
5. The entire drill pad area will be re-seeded using a State - approved seed mix at the rate specified.
6. The access road will be restored as closely as possible to the original contour and re-seeded as above.
7. The drill pad and access road reclamation procedure outlined above will apply only to those areas newly disturbed for this proposed exploration. Existing roads will be left in a condition equal to or better than that observed on Mountain Coal Company's entry into the area.

3482.1(a)(3)(y) - Estimated Timetable for Construction, Drilling, and Reclamation Activities:

Because access to the proposed exploration area is dependent on the weather and ground conditions, the estimated startup date for construction and drilling activities will be on or around June 1, 1992.

At this time, Mountain Coal intends to drill all holes during the 1992 drilling season which leaves sufficient time for reclamation activities to be completed at the end of the program.

3482.1(a)(3)(vi) - Amount of Coal to be Removed:

Coal to be removed during this exploration will be in the form of 2 to 3 inch diameter cores. Using a total coal thickness of 12 feet in each hole and a core diameter of 3" total weight of coal to be removed will be less than 300 pounds. This coal will be tested for a wide range of quality parameters by a qualified laboratory.

3482.1(a)(3)(vii) - Measures to be Used to Comply with Performance Standards for Exploration (43 CFR 3484.1(a), 30 CFR 815.15, and Utah State Permanent Program Rules):

3484.1(a)(1) - (Operator shall comply with applicable requirements of surface management agency, 30 CFR 815.15, or approved State program)

All applicable parts of the Federal and State Performance Standards for Coal Exploration have been covered in the preceding exploration and reclamation plans. Mountain Coal has reviewed, and will comply with, all applicable requirements of 30 CFR 815.15 and the Utah Mining Code as stated in UMC R614-200 - 203.

3484.1(a)(2) - (Installation of casing and blowout preventers in drillholes in known oil, gas, and geothermal areas)

The Cottonwood Canyon area is a known natural gas field. Gas occurs in the Ferron Sandstone, approximately 3,000 feet below the Star Point Sandstone. Since the proposed drilling will not penetrate the entire Star Point Sandstone and not drill into the underlying Mancos Shale, blowout preventers will not be used. Casing will be set in each hole as necessary to maintain circulation of cuttings to the surface.

3484.1(a)(3) - (Drillhole plugging requirements)

Each drillhole will be plugged according to the requirements outlined in this section: The hole will be plugged with cement from 50 feet below to 30 feet above any coal bed over 4 feet thick and any aquifer.

The remainder of the hole will be filled with a completion mud (bentonite gel) and drill cuttings or cement to within 5 feet of the surface. A cement surface plug will be set, capped with an appropriately marked brass or aluminum monument, at or below ground level.

3484.1(a)(4) - (Retention of drill and geophysical logs by applicant)

Mountain Coal will retain in its files all drill and geophysical logs for at least 1 year, and will make them available for inspection by any authorized officer. All un-analyzed drill cores will be kept in Mountain Coal's possession for at least 1 year if requested, and will be available for inspection by any authorized officer.

3484.1(a)(5) - (Utilizing drill holes as water monitoring wells)

Mountain Coal does not anticipate encountering any significant aquifers during this drilling program. Mountain Coal does not intend to complete any of these holes as water monitoring wells.

3482.1(a)(3)(viii) - Map of Exploration Area:

A map of the proposed exploration area at a scale of 1:24,000 (1" = 2,000'), showing all drill hole locations, existing roads and access roads to be constructed is included as Figure 4 of this plan.

3482.1(a)(3)(ix) - Surface Owners and Subsurface Owners of Record:

SURFACE OWNER:

U.S. Department of Agriculture
U.S. Forest Service
Manti-LaSal National Forest
Ferron District Office
Ferron, Utah 84532

SUBSURFACE OWNER:

U.S. Department of Interior
Bureau of Land Management
Utah State Office
324 S. State Street
Suite 301
Salt Lake City, Utah 84111-2303

TABLE 1

**LOCATIONS AND DEPTHS OF PROPOSED DRILL HOLES:
(All are located in T.17 S. R.6 E.)**

HOLE NO.	LOCATION	EST. ELEV.	EST. TOTAL DEPTH*
TMX-10	NE1/4 NE1/4 Sec. 33	8320'	1900'
TMX-11	SE1/4 SW1/4 Sec. 22	9180'	2460'
TMX-12	SE1/4 NE1/4 Sec. 9	9880'	2310'
TMX-13	SW1/4 NW1/4 Sec. 11	8220'	680'
TMX-14	SE1/4 SE1/4 Sec. 14	7850'	620'

* Hole depths include a 30' "rat hole" at the bottom of the hole to ensure complete geophysical logging.

TABLE 2

**AREAS OF DISTURBANCE ASSOCIATED WITH ACCESS ROAD
AND DRILL SITE CONSTRUCTION:**

Hole No.	Constructed Road Length	Acres of Road Disturbance	Total Disturbance (Road + 100' x 150' Pad)
TMX-10	200'	.06	.40 ACRES
TMX-11	200'	.06	.40
TMX-12	200'	.06	.40
TMX-13	200'	.06	.40
TMX-14	200'	.06	.40
TOTAL	1,000'	0.30	2.00 ACRES

(Assume 12' disturbed width associated with road construction and 100' x 150' disturbed area for drill pads.)

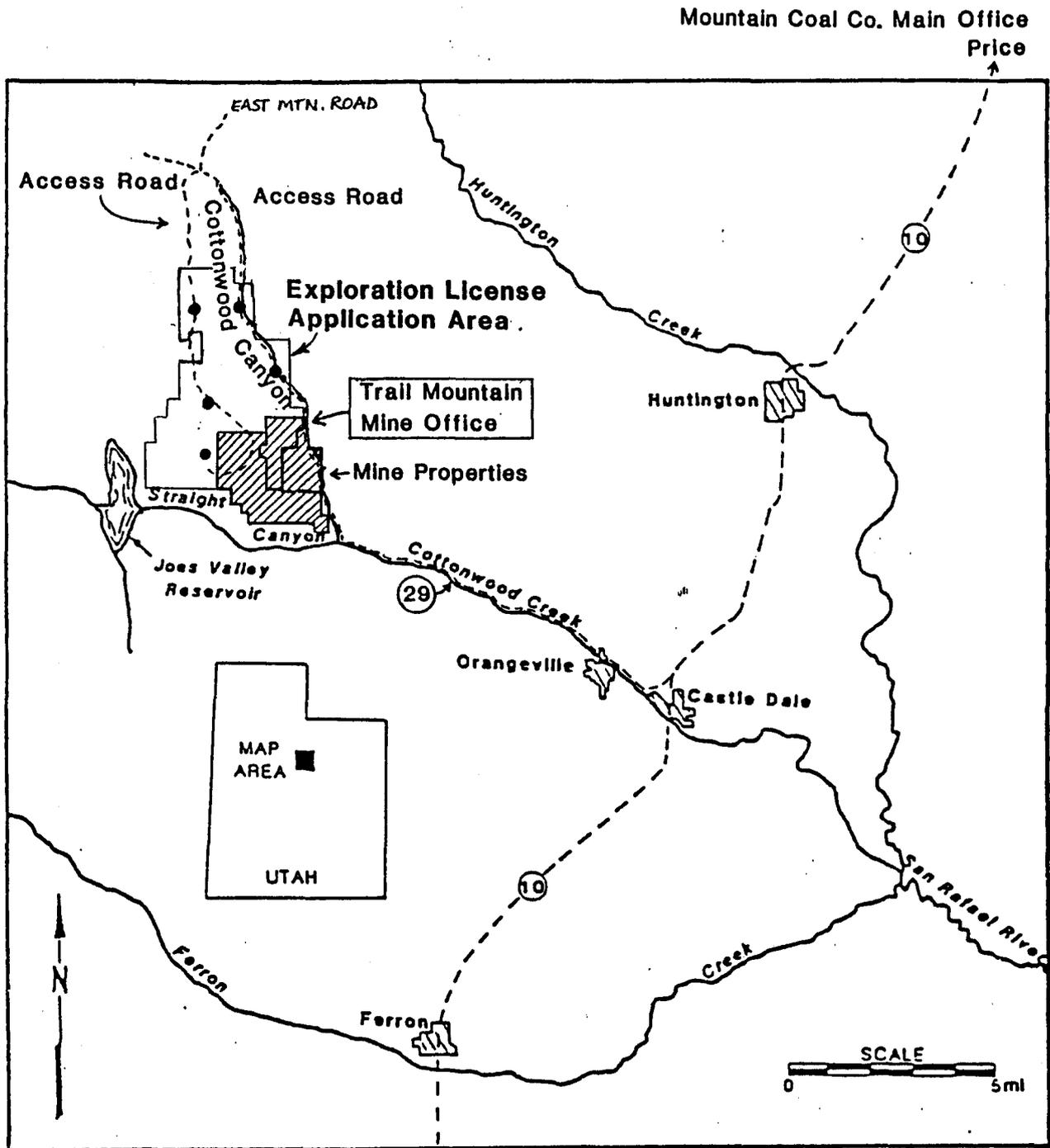


Figure 1. Location of Proposed Exploration Area.

System	Group	Formation		Thickness (feet)	Description
Tertiary	Wasatch	Flagstaff Limestone		100-1,000	Light gray to cream limestone; thin and even bedded; dense; fossiliferous; ledge- and cliff-forming.
		North Horn Formation		900-2,000	Mostly red-, brown-, and salmon-colored shales; varying thicknesses of sandstone, freshwater limestone and conglomerate; slope-forming.
Cretaceous	Mesa Verde	Price River Fm.	Upper Price River Member	400-800	Mostly tan and gray, medium- to coarse-grained sandstone; some gray shale and conglomeratic sandstone; ledge- and slope-forming.
			Castlegate Sandstone Member	150-500	Light gray, yellowish brown, and white, medium- to coarse-grained sandstone and conglomeratic sandstone; cliff-forming.
		Disconformity			
		Blackhawk Formation		400-1,100	Light to medium gray sandstones; gray to black shales; gray siltstones; important coal beds in lower half; sandstones weather tan, brown, yellowish brown; ledge- and slope-forming.
	Star Point Sandstone		200-1,000	Tan, light gray, and white massive sandstones separated by one or more shale tongues; cliff-forming.	
	Mancos Shale	Masuk Shale		300-1,300	Light gray to blue gray sandy marine shale; thins to west and south; slope-forming.

Figure 2. Generalized stratigraphic column of rock units exposed in the Wasatch Plateau Coal Field (Davis and Doelling, 1977).

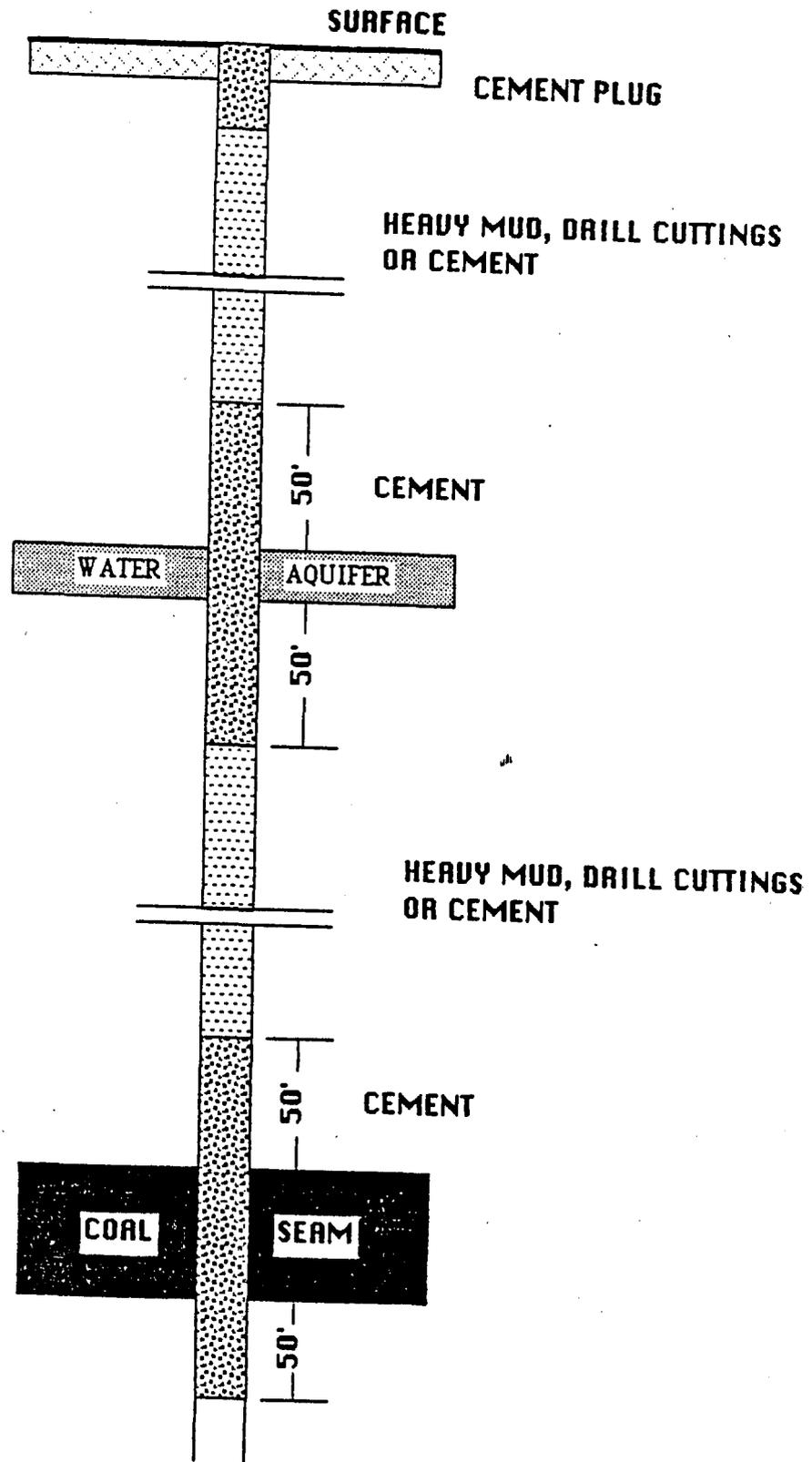


Figure 3. Drill hole plugging method.

STATE COAL

MINOR COAL EXPLORATION APPLICATION

EXPLORATION PLAN

TRAIL MOUNTAIN AREA

EMERY COUNTY, UTAH

MOUNTAIN COAL COMPANY

PRICE, UTAH

APRIL, 1991

REVISED OCTOBER, 1991

Mountain Coal Company

Trail Mountain Mine
Post Office Box 1378
Price, Utah 84501
Telephone 801 637-5050 (Price Office)
801 637-5203 (Mine Office)
801 748-2140 (Mine Site)



October 9, 1991

Pamela Grubaugh-Littig, Permit Supervisor
Utah Division of Oil, Gas, and Mining
355 West Temple
3 Triad Center - Suite 350
Salt Lake City, Utah 84180-1203

Re: **Application for Coal Exploration Permit (less than 250 tons), Trail Mountain Area, Mountain Coal Company.**

Dear Ms. Grubaugh-Littig:

As requested by Ms. Susan White of the Utah D.O.G.M., Mountain Coal Company (formerly Beaver Creek Coal Company) is hereby submitting an amended application for a permit from the State of Utah to drill 2 coal exploration drill holes on State lands north of the Trail Mountain Mine. This program is outlined in the accompanying Exploration Plan. Within this revised report, the deficiencies amended in my letter dated August 18th are restated, consolidating the accepted plan.

Mountain Coal Company has obtained written permission from Nevada Power Company (NEICO), the current lessee, to drill these holes. A Reclamation Surety Bond is being issued to the State of Utah and all required permits will be obtained.

The drilling of these holes has been deferred and rescheduled for June of 1992. This rescheduling is necessary in order to coordinate activities with other planned drilling projects in the Trail Mountain Area. If you have any questions please call me at (801) 637-5050, Ext. 49 or (303) 929-5015, Ext. 246.

Sincerely,

Mark W. Scanlon
Sr. Geologist

cc: J. Coffey
D. Guy
K. Penoyer
State of Utah - 2 copies

Enclosures

STATE COAL

MINOR COAL EXPLORATION APPLICATION

EXPLORATION PLAN

TRAIL MOUNTAIN AREA

EMERY COUNTY, UTAH

MOUNTAIN COAL COMPANY

PRICE, UTAH

OCTOBER, 1991

INTRODUCTION

This Exploration Application and Exploration Plan has been prepared by Mountain Coal Company (formerly Beaver Creek Coal Company) in accordance with the requirements of the Utah Mining Code Rules for Coal Exploration UMC R614-200 - 203 (General Requirements: Exploration of Less than 250 Tons), the Code of Federal Regulations, Title 43, Chapter II, Subparts 3482 (Exploration Plans) and 3484 (Performance Standards) as well as CFR Title 30, Chapter VII, Part 815 (Permanent Program Performance Standards - Coal Exploration).

The format used in this Exploration Plan follows the format of 43 CFR, Chapter II, Subpart 3482.1 (exploration and resource recovery and protection plans).

**EXPLORATION PLAN
TABLE OF CONTENTS**

TEXT	PAGE NO.
INTRODUCTION	i
TABLE OF CONTENTS	ii
LIST OF FIGURES, TABLES, ATTACHMENTS	iv
<u>3482.3(A)(3) I, II</u> - Names and Addresses of Applicant, Operator, Lessee of Record, and Representative of Applicant:	1
<u>3482.3(a) (3) iii</u> - Narrative Description of Proposed Exploration Area:	2
Federal Lease Serial Numbers	2
Surface Topography	2
Geology	2
Water Resources	3
Vegetation	3
Soils	3
Wildlife	3
Threatened or Endangered Species	4
Land Use	4
Cultural Resources	4
Proposed Access Roads	4
<u>3482.3(a) (3) iv</u> - Narrative Description of Coal Exploration Methods:	4
Pre-Drilling Activities	4
Road Construction	5
Drill Site Construction	5
Methods and Equipment to be Used	5

Proposed Drill Hole Plugging Method	6
Estimated Size and Depth of Holes	6
Modification of Drill Holes to Surveillance or Water Wells	6
Reclamation Plan	7
<u>3482.3(a)(3) v</u> - Estimated Timetable for Construction Drilling, and Reclamation Activities:	8
<u>3482.3(a)(3) vi</u> - Amount of Coal to be Removed:	8
<u>3482.3(a)(3) vii</u> - Measures to be Used to Comply with Performance Standards for Exploration (43 CFR II 3484.1(a), 30 CFR 815.15, and Utah State Permanent Program Rules:	8
<u>3482.3(a)(3) viii</u> - Map of Exploration Area:	9
<u>3482.3(a)(3) ix</u> - Surface and Subsurface Owners of Record:	9

LIST OF FIGURES

<u>FIGURE NO.</u>		<u>PAGE NO.</u>
1.	Location Map - Trail Mountain Exploration Area:	10
2.	Generalized Stratigraphy of the Trail Mountain Area:	11
3.	Method of Plugging Drill Holes:	12
4.	Proposed Drill Hole and Access Road Location Map:	Pocket

LIST OF TABLES:

1.	Legal Description of Proposed Exploration Area:	13
2.	Locations and Depths of Proposed Drill Holes:	14
3.	Areas of Disturbance Associated with Access Road and Drill Site Construction:	15

EXPLORATION PLAN

3482.3(A)(3) I. II - Names and Addresses of Applicant, Operator, and Lessee of Record:

APPLICANT:

Mountain Coal Company (formerly Beaver Creek Coal Company)
P.O. Box 1378
1305 S. Carbon Ave.
Price, Utah 84501

(801) 637-5050

OPERATOR:

Mountain Coal Company (formerly Beaver Creek)

(Address and Number same as above)

LESSEE OF RECORD:

Nevada Electric Investment Co. (NEICO)

ADJACENT LEASES:

Trail Mountain Federal Lease Tract (unleased)
Lease Application No. U-68012 (PacifiCorp)

REPRESENTATIVE OF APPLICANT:

Mark W. Scanlon

Mountain Coal Company
P.O. Box 1378
1305 S. Carbon Ave.
Price, Utah 84501

(801) 637-5050 Ext. 49

or

(303) 929-5015 Ext. 246

EXPLORATION PLAN

3482.1(A)(3)(III) - Narrative Description of Exploration Area:

The proposed exploration area is located approximately 11 miles northwest of Orangeville, Utah (See Figure 1).

The proposed exploration area lies within State sections 2 and 16, T.17 S. R.6 E., to the north and northwest of the existing Trail Mountain Mine. The proposed exploration areas are outlined on Figures 1 and 2, and a Legal Description of the proposed exploration area is presented in Table 1.

SURFACE TOPOGRAPHY:

Exploration activities will take place on top of Trail Mountain and in Cottonwood Canyon, between 8,400 and 9,200 feet elevation. The top of Trail Mountain consists of gently rolling terrain bounded by steep escarpments of the Castlegate Sandstone. The bottom of Cottonwood Canyon consists of gently inclined terrain cut by Cottonwood Creek (a perennial stream). Cliffs of the Castlegate Sandstone form steep bluffs above the canyon bottom.

GEOLOGY:

The proposed Trail Mountain exploration application area lies near the center of the Wasatch Plateau Coal Field within the Mahogany Point and Joes Valley Reservoir U.S.G.S. 7 1/2 minute quadrangle maps (see Figure 4).

Previous geological work has been done in this area by Spieker (1931), Ellis and Frank (1981), and Kitzmiller (1982). The U.S. Geological Survey and the Utah Geological and Mineral Survey have conducted previous exploration drilling programs in and adjacent to the proposed exploration area.

The general stratigraphy of the area consists of members of the Mancos Shale and Mesaverde Group of the Cretaceous System, and the overlying Wasatch Group of Tertiary age (see Figure 2).

The Masuk Shale member of the Mancos Shale outcrops lowest in the area. About 0 - 500' of this unit are exposed along the lower reaches of Straight Canyon and Cottonwood Canyon.

Overlying the Mancos Shale are the Mesaverde Group beds, which consist of, in ascending order, the Star Point Sandstone, the Blackhawk Formation (coal bearing), and the Price River Formation, itself consisting of the lower massive Castlegate Sandstone member and the Upper Price River member. Mesaverde Group outcrops form the steep canyon walls in the area.

The North Horn Formation and overlying remnants of the Flagstaff Limestone of Tertiary age cap the top of Trail Mountain.

The Blackhawk Formation of the Mesaverde Group is the major coal-bearing formation of the area. The only known minable coal at Trail Mountain is the Hiawatha Seam, which is found immediately on top of the Star Point Sandstone, at the contact of the Star Point Sandstone and the overlying Blackhawk Formation. Other seams are present in the Blackhawk Formation, but all are too thin to be of economic importance in the Trail Mountain area.

The strata in the Trail Mountain area dip generally at 2 - 5 degrees to the south-southwest. Minor faulting related to the Joes Valley fault system is likely to occur along the western extent of the exploration area.

WATER RESOURCES:

The climate in the Trail Mountain area is considered semi-arid, receiving 10 - 20 inches of precipitation annually, depending on elevation (precipitation increases as elevation increases).

Major streams in the area include Cottonwood Creek, flowing through Section 2, and Straight Canyon Creek to the south, which is supplied year-round by Joes Valley reservoir.

Ground water aquifers are known to exist in the North Horn Formation, in sandstones of the Blackhawk Formation, and the Star Point Sandstone. Several springs originating from the North Horn Formation supply water to stock and wildlife ponds on the top of Trail Mountain. Several springs are known to feed Cottonwood Creek as well.

Water is to be hauled to the drill sites and obtained from the Trail Mountain Mine for hole TMS-1 and obtained from a stock pond atop Trail Mountain for Hole TMS-2. This water haul plan has been reviewed with the Forest Service (Mr. Dale Harbor, Ferron District Geologist).

Mountain Coal (Beaver Creek) owns 20 shares of water of the Cottonwood Irrigation Company which could be utilized in the event of inadequate water supply. All necessary special use permits will be obtained through the Forest Service.

VEGETATION:

Vegetation in the exploration area consists of aspen, conifer, pinyon and juniper trees, and various grasses and mountain shrubs. No threatened or endangered plant species have been identified in the exploration areas.

SOILS:

Soils in the exploration areas are mainly derived from the North Horn and Blackhawk formations and have a high clay content. By limiting the size of drill sites and retaining topsoil for reclamation purposes, revegetation should not be a problem in this area.

WILDLIFE:

Trail Mountain is a deer and elk winter range. Other animals in the area include cougar, bobcat, rabbit, squirrel, mice and other rodents, reptiles and amphibians. The proposed exploration program will be scheduled to avoid conflicts with the deer and elk on winter range.

THREATENED OR ENDANGERED SPECIES:

No threatened or endangered plant or animal species have been identified within the proposed exploration areas. This determination was made after a field reconnaissance of the drill sites by U.S. Forest Service Biologist (Mr. Bob Thompson) conducted specifically to address this concern.

Similar findings have been confirmed by ARCO personnel after multiple site visits and a review of the following publications.

Dalton, Larry B., Price, Jennifer S., and Romin, Laura A., 1990. Fauna of Southeastern Utah and Life Requisites Regarding their Ecosystems, Utah Dept. Natural Res., Div. of Wildlife Res. Publication #90-11, 326 pages.

Musclow, Heather J., and Dalton, Larry B., 1990. Wildlife Mitigation Technologies for Man-Made Impacts, Utah Dept. of Natural Res., Div. of Wildlife Res. Publication #90-3, 141 pages.

LAND USE:

The present land use of the proposed exploration area consists of domestic grazing, wildlife habitat, watershed, timber lands, recreational lands, and intensive big game hunting. Beaver Creek is presently mining coal ;underground in a lease area near the proposed exploration area. PacifiCorp is presently mining coal in the Deer Creek and Cottonwood mines on the east side of Cottonwood Creek. Several natural gas wells have been developed along the bottom of Cottonwood Creek.

CULTURAL RESOURCES:

As specified in 43 CFR II Subpart 3482 (a)(3)(viii), Beaver Creek will conduct a cultural resource survey of the proposed drilling locations and access roads. This study will be conducted as soon as ground conditions permit access to the proposed locations. After archaeological studies are concluded, results will be reported immediately to the appropriate regulatory agencies. There are no known structures or sites eligible for listing on the National Register of Historic Places within the proposed exploration area.

PROPOSED ACCESS ROUTES:

U.S.D.A. Forest Service roads #50040 and #50034 will be the main access routes to the proposed exploration area. The proposed drill sites have been located as near to existing roads as possible. Temporary roads, to be constructed and reclaimed as they are used, will be needed for access to the drill sites (see Figure 4 and Table 3). Special-Use and Road-Use permits will be obtained from the U.S.D.A. Forest Service prior to any drilling activities.

No haven't

3482.1(a)(3)(iv) - Narrative Description of Coal Exploration Methods:

PRE-DRILLING ACTIVITIES:

Prior to any construction or drilling activities, an on-site inspection of all proposed drill sites and access routes will be conducted with representatives from all appropriate regulatory agencies present, to discuss site-specific concerns.

State bond posted

Proper Road-Use and Special-Use permits will be obtained prior to use of U.S.D.A. Forest Service Roads. ALL REQUIRED PERMITS WILL BE OBTAINED AND A BOND WILL BE POSTED WITH UTAH STATE LANDS.

State, U.S.D.A. Forest Service, and Bureau of Land Management regulatory personnel will be notified at least 48 hours before any construction or drilling equipment is moved into the project areas. All construction and drilling activities will be supervised by an authorized representative of the applicant. A copy of the exploration permit and all pertinent permit documents will be available for inspection on site at all times.

Campsites and/or staging areas to be used by the drilling contractor will be reviewed with and approved by the State of Utah or U.S.D.A. Forest Service prior to use.

Any proposed changes in the Exploration Plan after permit approval will be reviewed with the appropriate regulatory agencies before the changes take effect.

ROAD CONSTRUCTION:

Existing roads and trails will be used whenever possible, and movement of equipment across undisturbed land will be kept to a minimum. When necessary, brush will be cleared for a 12' wide path to the drill site. Trees over 8" in diameter will be cut down and skidded to a site designated by the State of Utah. New or additional roads will be constructed only when necessary and only as the drilling program progresses. Any top soil removed during road construction will be stockpiled and redistributed when the roads are reclaimed. Erosion control structures such as water bars will be installed in newly constructed roads as required by the State of Utah. Rehabilitation of existing trails and reclamation of constructed roads will be done in accordance with State of Utah regulations and stipulations.

DRILLING SITES:

Both drill sites have been located close to existing roads. (see Figure 4). Each drill site will be approximately 100' x 150' in size, or the minimum size necessary for efficient drilling operations. Top soil that is present will be stripped from the drill sites and stockpiled to prevent contamination. A mud pit or pits will be dug at each site to contain drill cuttings. Water for drilling operations will be obtained at a site determined in cooperation with the State of Utah, U.S.D.A. Forest Service and the Cottonwood Creek Irrigation Co.

METHODS AND EQUIPMENT FOR DRILLING:

Site preparation will be done with one D-8 sized bulldozer or equivalent and one backhoe. Brush and/or trees will be cleared from the site, then the top soil will be pushed aside before pad construction is begun. Each drill site will be approximately 100' x 150' to allow sufficient space for all necessary drilling equipment.

Rotary Drilling and coring will be done by a rubber-tired truck-mounted drilling rig. Support equipment will consist of one or two water trucks, one rig-up or support truck, and 4x4 pickups for the crews and company representatives. Stationary equipment for each site will consist of a pipe truck or trailer, one or more truck-mounted air compressors or boosters and a doghouse/supply trailer. One truck mounted geophysical logging unit will be used on each hole location.

Each hole will be rotary drilled to a point approximately 50' above the top of the Hiawatha Seam. Casing will be installed in the hole as necessary to keep the hole open and to prevent drilling and circulation problems if possible. Cuttings will be sampled and logged every 10 feet when circulation is present. After the core is retrieved from the hole, the hole will be logged with a standard suite of geophysical coal logs. The hole will then be plugged according to the standards set forth in 43 CFR II 3484.1(a).

The initial diameter of each drill hole will be approximately 10 inches. The core retrieved from the hole will be 2.4 inches or 3 inches in diameter. The primary drilling medium will be compressed air with mist/foam injection to aid in the circulation of cuttings to the surface. If air and foam prove to be an insufficient drilling medium, or if lost circulation becomes a problem, drilling mud and lost circulation materials will be used.

Care will be taken to ensure that the prevailing hydrologic balance will not be adversely affected by the drilling methods used in this program. Biodegradable drilling soap is the only chemical anticipated for use during drilling, and any other potentially toxic materials used will be handled and disposed of in accordance with State and Federal regulations.

PROPOSED DRILL HOLE PLUGGING METHODS:

The hole plugging method described in 43 CFR II 3484.1(a) will be used for all holes. Each hole will be plugged with cement from bottom to 50 feet above the uppermost thick coal seam and from 50 feet below to 50 feet above any aquifers encountered in the hole (see Figure 3). The rest of the hole will be filled either with an approved completion mud or gel or cement to within 5 feet of the surface. A 5 foot cement surface plug will be set, and an appropriately labeled monument marker will be cemented into the surface plug. Surface casing will be cut off at or below the level of the soil surface.

ESTIMATED SIZE AND DEPTH OF HOLES:

Below the surface casing (approximately 12 inches in diameter), each hole will be started with a 9 or 10 inch rotary bit. This larger diameter hole will be drilled as far as possible to allow 8 inch diameter casing to be set through the North Horn and upper Price River formations, both of which are known for poor drilling conditions. Below these formations, a smaller (6 1/2 inch) diameter rotary hole will be drilled to core point (50 feet above the Hiawatha seam). The 6 1/2 inch rotary hole will be cased, if necessary. The outer diameter of the cored portion of the hole will be 5 inches or less. A complete listing of the locations and depths of the proposed drill holes appears on Table 2.

MODIFICATION OF DRILL HOLES TO SURVEILLANCE OR WATER WELLS:

If significant aquifers are encountered in any of the proposed drill holes, regulatory officials will be notified. They may direct Mountain Coal Company to complete such a hole as a water monitoring well. Since Mountain Coal Company does not anticipate penetrating any significant aquifers in any of the holes, no plans are enclosed for water well completions.

RECLAMATION PLAN:

Reclamation activities will follow as closely as possible the completion of each hole.

1. Upon completion of drilling activities at a given site, all debris, trash, and drilling related equipment will be removed from the site.
2. When the mud pit is sufficiently dry, it will be filled with stored soil material and compacted to minimize later settling.
3. A backhoe and a bulldozer will redistribute material ;on and around the drill pad to achieve as closely as is practicable the original contour of the site.
4. Stored top soil will be distributed as evenly as possible over the disturbed pad area.
5. The topsoil redistributed during reclamation will be left in a roughened condition.
6. The entire drill pad area will be re-seeded using a State-approved seed mix at the rate specified.
7. The access road will be restored as closely as possible to the original contour and re-seeded as above.
8. The drill pad and access road reclamation procedure outlined above will apply only to those areas newly disturbed for this proposed exploration. Existing roads will be left in a condition equal to or better than that observed on Mountain Coal Company's entry into the area.
9. All brush and trees removed from the roads or drill pads during construction will be placed back on the reclaimed area after seeding in order to protect the soil and seed.
10. The following seed mixture approved by the Forest Service will be used during the reclamation activities:

<u>Species</u>	<u>PLS lb/Acre</u>
Thickspike Wheatgrass - Agropyron dasystachyum	3
Slender Wheatgrass - Agropyron trachycaulum	4
Yellow Sweet Clover - Melilotus officinalis	1
Ladak Alfalfa - Medicago sativa ladak	1
Sheep Fescue - Festuca ovina	1
Western Wheatgrass - Agropyron smithii	4
Yarrow - Achillea millifolium	0.2

This seed mixture will be 99 percent pure live seed and applied at the rate of 15 pounds per acre.

3482.1(a)(3)(v) - Estimated Timetable for Construction, Drilling, and Reclamation Activities:

Because access to the proposed exploration area is dependent on the weather and ground conditions, the estimated start-up date for construction and drilling activities will be on or around June 1, 1992.

At this time, Beaver Creek intends to drill both holes during the 1992 drilling season and still leave sufficient time for reclamation activities to be completed by October 31, 1992.

3482.1(a)(3)(vi) - Amount of Coal to be Removed:

Coal to be removed during this exploration will be in the form of 2 to 3 inch diameter cores. Using a total coal thickness of 12 feet in each hole and a core diameter of 3", total weight of coal to be removed will be less than 100 pounds. This coal will be tested for a wide range of quality parameters by a qualified laboratory.

3482.1(a)(3)(vii) - Measures to be Used to Comply with Performance Standards for Exploration (43 CFR II 3484.1(a), 30 CFR 815.15, and Utah State Permanent Program Rules):

3484.1(a)(1) - (Operator shall comply with applicable requirements of surface management agency, 30 CFR 815.15, or approved State program)

All applicable parts of the Federal and State Performance Standards for Coal Exploration have been covered in the preceding exploration and reclamation plans. Beaver Creek has reviewed, and will comply with, all applicable requirements of 30 CFR 815.15 and the Utah Mining Code as stated in UMC R614-200 - 203.

3484.1(a)(2) - (Installation of casing and blowout preventers in drillholes in known oil, gas, and geothermal areas)

The Cottonwood Canyon area is a known natural gas field. Gas occurs in the Ferron Sandstone, approximately 3,000 feet below the Star Point Sandstone. Since the proposed drilling will not penetrate the entire Star Point Sandstone and not drill into the underlying Mancos Shale, blowout preventers will not be used. Casing will be set in each hole as necessary to maintain circulation of cuttings to the surface.

3484.1(a)(3) - (Drillhole Plugging Requirements)

Each drillhole will be plugged according to the requirements outlined in this section: The hole will be plugged with cement from 50 feet below to 50 feet above any coal bed over 4 feet thick and any aquifer.

The remainder of the hole will be filled with a completion mud (bentonite gel) and drill cuttings or cement to within 5 feet of the surface. A cement surface plug will be set, capped with an appropriately marked brass or aluminum monument, at or below ground level.

3484.1(a)(4) - (Retention of drill and geophysical logs by applicant)

Beaver Creek will retain in its files all drill and geophysical logs for at least 1 year, and will make them available for inspection by any authorized officer. All un-analyzed drill cores will be kept in Beaver Creek's possession for at least 1 year if requested, and will be available for inspection by any authorized officer.

3484.1(a)(5) - (Utilizing drill holes as water monitoring wells)

Beaver Creek does not anticipate encountering any significant aquifers during this drilling program.
Beaver Creek does not intend to complete any of these holes as water monitoring wells.

3482.1(a)(3)(viii) - Map of Exploration Area:

A map of the proposed exploration area at a scale of 1:24,000 (1" = 2,000'), showing all drill hole locations, existing roads and access roads to be constructed is included as Figure 4 of this plan.

3482.1(a)(3)(ix) - Surface Owners and Subsurface Owners of Record:

SURFACE OWNERS:

State of Utah
Division of State Lands
Department of Natural Resources
105 State Capital Building
Salt Lake City, Utah 84114

U.S. Department of Agriculture
U.S. Forest Service
Manti-LaSal National Forest
Ferron District Office
Ferron, Utah 84532

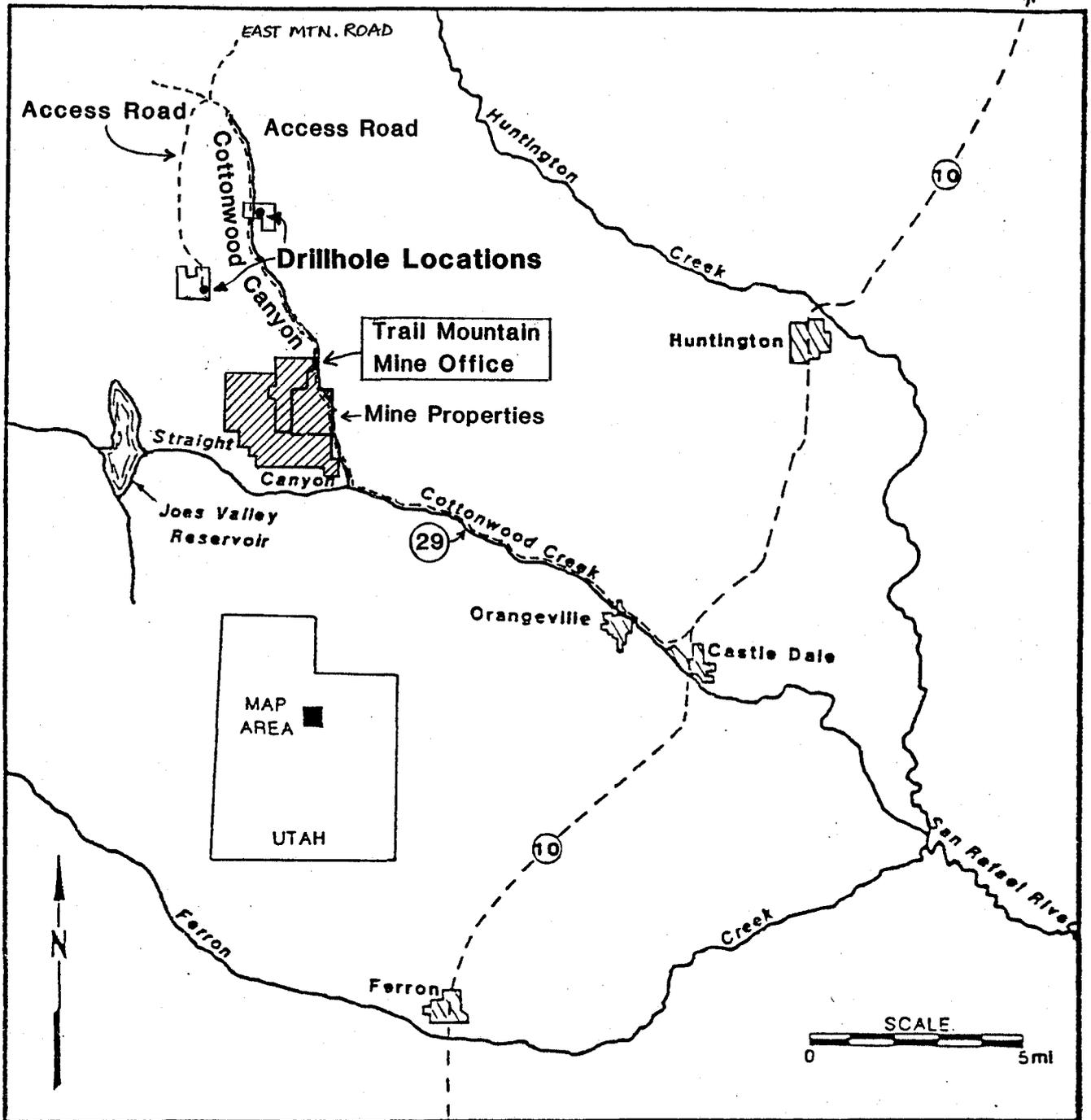
SUBSURFACE OWNER:

State of Utah
Division of State Lands
Department of Natural Resources
105 State Capital Building
Salt Lake City, Utah 84114

U.S. Department of the Interior
Bureau of Land Management
Utah State Office
324 S. State Street Suite 301
Salt Lake City, Utah 84111-2303

John Blake

Mountain Coal Co. Main Office
Price



LOCATION OF TRAIL MOUNTAIN DRILLING PROGRAM

System	Group	Formation		Thickness (feet)	Description
Tertiary	Wasatch	Flagstaff Limestone		100-1,000	Light gray to cream limestone; thin and even bedded; dense; fossiliferous; ledge- and cliff-forming.
		North Horn Formation		900-2,000	Mostly red-, brown-, and salmon-colored shales; varying thicknesses of sandstone, freshwater limestone and conglomerate; slope-forming.
Cretaceous	Mesaverde	Price River Fm.	Upper Price River Member	400-800	Mostly tan and gray, medium- to coarse-grained sandstone; some gray shale and conglomeratic sandstone; ledge- and slope-forming.
			Castlegate Sandstone Member	150-500	Light gray, yellowish brown, and white, medium- to coarse-grained sandstone and conglomeratic sandstone; cliff-forming.
		Disconformity			
		Blackhawk Formation		400-1,100	Light to medium gray sandstones; gray to black shales; gray siltstones; important coal beds in lower half; sandstones weather tan, brown, yellowish brown; ledge- and slope-forming.
	Star Point Sandstone		200-1,000	Tan, light gray, and white massive sandstones separated by one or more shale tongues; cliff-forming.	
	Mancos Shale	Masuk Shale		300-1,300	Light gray to blue gray sandy marine shale; thins to west and south; slope-forming.

Figure 2. Generalized stratigraphic column of rock units exposed in the Wasatch Plateau Coal Field.

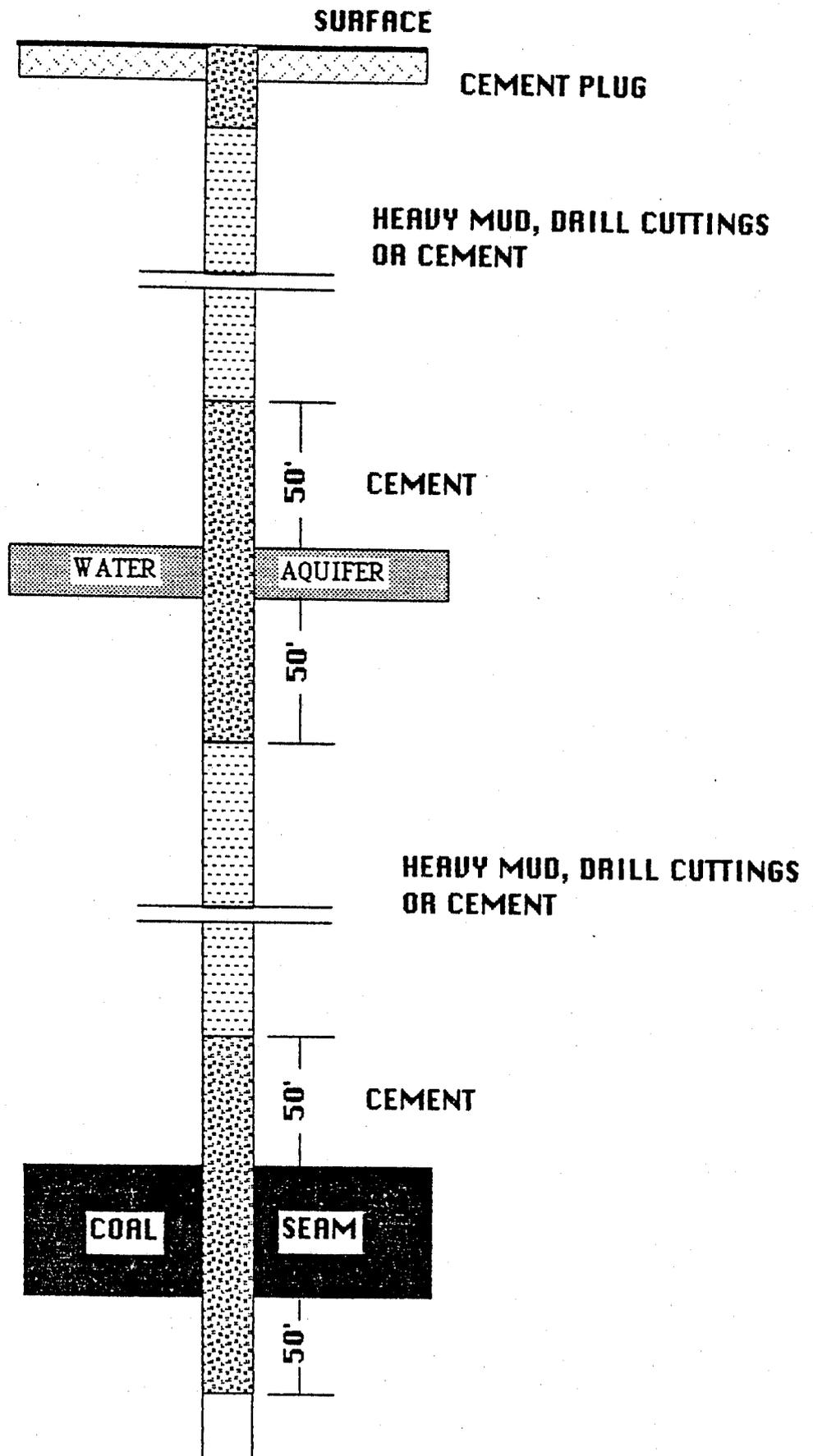


Figure 3. Drill hole plugging method.

TABLE 1

**LEGAL DESCRIPTION
TRAIL MOUNTAIN 1991
STATE COAL EXPLORATION APPLICATION AREA**

T. 17 S., R. 6 E., Salt Lake Meridian, Emery County, Utah.

Section 2, E1/2, NW1/4; (480.00 Ac)

Section 16, E1/2, SW1/4, S1/2 NW1/4 NW1/4. (600.00 Ac)

Containing 1,080.00 acres, more or less.

Drill Hole Locations:

TMS-1 Section 2, SE1/4 SW1/4 NW1/4

TMS-2 Section 16, SW1/4 SE1/4 SE1/4

TABLE 2

LOCATIONS AND DEPTHS OF PROPOSED DRILLHOLES:

HOLE NO.	LOCATION	EST. ELEV.	EST. TOTAL DEPTH*
TMS-1	SW1/4NW1/4 SEC. 2 T17S R6E	8450'	600'
TMS-2	SE1/4SE1/4 SEC. 16 T17S R6E	9350'	2,300'

* Hole depths include a 30' "rat hole" at the bottom of the hole to ensure complete geophysical logging.

TABLE 3

**AREAS OF DISTURBANCE ASSOCIATED WITH ACCESS ROAD
AND DRILL SITE CONSTRUCTION:**

Hole No.	Constructed Road Length	Acres of Road Disturbance	Total Disturbance (Road + 100' x 150' Pad)
TMS-1	1,000'	.30	.64 Acres
TMS-2	.200'	.06	.40
Total	1,200'	0.36	1.04 Acres

(Assume 12' disturbed width associated with road construction and 100' x 150' disturbed area for drill pads.)

PACIFICORP PERMIT TRANSFER TRAIL MOUNTAIN MINE

PERMIT TRANSFER APPLICATION

FOR

TRAIL MOUNTAIN MINE

ACT/015/009

EMERY COUNTY, UTAH

APPLICANT:

PACIFICORP

ONE UTAH CENTER

201 SOUTH MAIN, SUITE 2100

SALT LAKE CITY, UTAH, 84140-0021

(801) 220-2000

ONE UTAH CENTER

201 SOUTH MAIN • SUITE 2100 • SALT LAKE CITY, UTAH 84140-0021 • (801) 220-2000

October 5, 1992

Ms. Pamela Grubaugh-Littig
Division of Oil, Gas & Mining
3 Triad Center, Suite 350
Salt Lake City, UT 84108

RECEIVED

OCT 05 1992

**DIVISION OF
OIL GAS & MINING**

Re: PacifiCorp Application for Permit Transfer
Trail Mountain Mine, ACT/015/009
Emery County, Utah

Dear Ms. Littig:

Transmitted herewith please find one copy of PacifiCorp's Application for Transfer of the Mining and Reclamation Permit for the Trail Mountain Mine.

If you have any questions concerning the submittal, please call me at 220-4584 or Val Payne at 653-2312. Your assistance in this matter is greatly appreciated.

Sincerely,



J. Blake Webster
Permitting Administrator

Enclosure

PERMIT TRANSFER APPLICATION

FOR

TRAIL MOUNTAIN MINE

ACT/015/009

EMERY COUNTY, UTAH

APPLICANT:

PACIFICORP

ONE UTAH CENTER

201 SOUTH MAIN, SUITE 2100

SALT LAKE CITY, UTAH 84140-0021

(801) 220-2000

EXHIBIT LIST

EXHIBIT	TITLE
A	Identification of Interests
B	Violation Information
C	Right-of-Entry Information Deer Creek Mine
D	Right-of-Entry Information Cottonwood/Wilberg Mine
E	Right-of-Entry Information Des-Bee-Dove Mine
F	Permit Transfer Newspaper Advertisement
G	Notarized Form
H	Performance Bond and Insurance Certificate
I	Right-of-Entry Information Trail Mountain Mine

INTRODUCTION

BEFORE THE
UTAH DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

In the Matter of:)	
)	APPLICATION FOR APPROVAL
Mountain Coal Company)	OF TRANSFER OF PERMIT
PO Box 1378)	
Price, Utah 84501)	
)	
Permit No. ACT/015/009 (UDOGM))	
Trail Mountain Mine)	

Pursuant to R645-303-300, **PACIFICORP**, an Oregon corporation, authorized to do business in the State of Utah, with an office located at One Utah Center, 201 South Main, Suite 2100, Salt Lake City, Utah 84140, telephone number (801) 220-4618, hereby applies to the Utah Division of Oil, Gas and Mining (UDOGM) for approval of the transfer of the captioned Permit from Mountain Coal Company to PacifiCorp.

IDENTIFICATION OF INTERESTS (R645-301-112)

On January 9, 1989 Utah Power and Light (UP&L) Company, a Utah Corporation and PacifiCorp, A Maine Corporation, were merged with and into Pacificorp, an Oregon Corporation. At that time all outstanding shares of Capital Stock of Pacificorp Maine and UP&L were converted into shares of Capital Stock of Pacificorp Oregon. UP&L became a Division of Pacificorp Oregon. On October 1, 1990, Energy West Mining Company, a wholly owned subsidiary of PacifiCorp, replaced the UP&L Mining Division as operator of the following coal mines: The Deer Creek Mine, the Cottonwood/Wilberg Mine and the Des Bee Dove Mine (currently

idled).

No single shareholder holds in excess of 5% of the stock. There are a total of 123.2 million shares of Pacificorp Common Stock outstanding.

The permit applicant is:

PacifiCorp
201 South Main
Suite 2100
Salt Lake City, Utah 84140-0021
(801) 220-4618

The operator is:

Energy West Mining Company, a wholly owned subsidiary of
PacifiCorp
PO Box 310
Huntington, Utah 84528
(801) 687-9821

PacifiCorp, an Oregon Corporation, with an office located at One Utah Center, 201 South Main, Suite 2100, Salt Lake City, Utah 841480-0021, telephone number (801) 220-4618, will be responsible for the payment of the reclamation fee. Due to the fact that PacifiCorp is a corporation, no one person or entity is individually responsible for payment of the reclamation fee; however, PacifiCorp remains responsible for payment of said fee.

The resident Agent who will accept Service of Process is Val E. Payne, PacifiCorp - Fuel Resources Department, Huntington Field Office, PO Box 1005, Huntington, Utah 84528, (801) 653-2312.

A list of the Applicants directors and principal officers, with addresses and telephone numbers, is included in Exhibit A (Identification of Interests) and is incorporated herein by reference. No other person "owns or controls" PacifiCorp.

Applicant has not operated underground or surface coal mines in the United States during the five years preceding the date of this application under any other name. However, on October 1, 1990 Energy West Mining Company, a wholly owned subsidiary of PacifiCorp, an Oregon Corporation, replaced the Utah Power & Light Company Mining Division as the mine operator. Utah Power & Light Company assumed operations of its mines on April 27, 1986, replacing Emery Mining Corporation as its operator.

PacifiCorp, successor in interest to Utah Power & Light Company presently holds the following coal mining permits:

Des Bee Dove Mines

DOGM ACT/015/017 issued August 29, 1985

MSHA ID NO.

Deseret 42-00988

Beehive 42-00082

Little Dove 42-01393

Cottonwood/Wilberg Mine

DOGM ACT/015/019 issued July 6, 1989

MSHA ID NO. 42-00080 42-01944

Deer Creek Mine

DOGM ACT/015/018 issued February 7, 1986

MSHA ID NO. 42-00121

Centralia Coal Mine

OSMRE PERMIT NO. WA-0001B

MSHA ID NO. 45-00416

PacifiCorp is the majority shareholder in NERCO, Inc.,
which includes the following list of permits:

ANTELOPE COAL COMPANY

DEQ-LQD PERMIT NO. 525-T4

MSHA ID NO. 48-01337

ASSOCIATES MINING COMPANY

AMC Tipple

DOR PERMIT NO. P-00011

MSHA ID NO. 12-01652

American Pit

DOR PERMIT NO. S-00170

MSHA ID NO. 12-01652

Indian Pit

DOR PERMIT NO. S-00072

MSHA ID NO. 12-01652

Center Pit

DOR PERMIT NO. S-00148

MSHA ID NO. 12-01652

Odon II Siding

DOR PERMIT NO. P-00037

MSHA ID NO. 12-01943

Clay City

DOR PERMIT NO. S-00037

MSHA ID NO. 12-01903

Martin County #1

DOR PERMIT NO. S-00100

MSHA ID NO. 12-01904

BRIDGER COAL COMPANY

DEQ-LQD PERMIT NO. 338-T2

MSHA ID NO. 48-00677

GLENROCK COAL COMPANY

DEQ-LQD PERMIT NO. 291-T3

MSHA ID NO. 48-00085

NDG, INC.

Martin Tipple

DSMRE PERMIT NO. 436-8031

MSHA ID NO. 15-13506

Owensboro River Terminal
DSMRE PERMIT NO. 830-6000
MSHA ID NO. N/A

NERCO EASTERN COAL COMPANY, INC.

Sayre No. 8 Mine
DEM PERMIT NO. P-3501-01-91-S
MSHA ID NO. N/A

Sayre No. 6 Mine
DEM PERMIT NO. P-3501-01-05-S
MSHA ID NO. N/A

P-V MINING COMPANY

Heitz Pit
DOR PERMIT NO. S-00191
MSHA ID NO. 12-01018

Kohlenlager Pit
DOR PERMIT NO. S-00139
MSHA ID NO. 12-01018

P-V Tipple
DOR PERMIT NO. S-00009
MSHA ID NO. 12-01018

SEQUATCHIE VALLEY COAL CORP

Pit 1: Area A78/A78A
DSM/OSM PERMIT NO. 79-183
MSHA ID NO. 40-00759

Pit 1: Area E80/E80A
DSM/OSM PERMIT NO. 81-143
MSHA ID NO. 40-00759

Area 2-2
DSM/OSM PERMIT NO. 2409
MSHA ID NO. 40-00759

Area 3-3
DSM/OSM PERMIT NO. 2408
MSHA ID NO. 40-00759

Area 2
DSM/OSM PERMIT NO. 83-C-031
MSHA ID NO. 40-00759

Area 3
DSM/OSM PERMIT NO. 83-C-013
MSHA ID NO. 40-00759

Shop and Haulroad
DSM/OSM PERMIT NO. 83-C-024
MSHA ID NO. 40-00759

Tipple No. 1
DSM/OSM PERMIT NO. 2521
MSHA ID NO. 40-01089

SPRING CREEK COAL COMPANY

DSL PERMIT NO. MT-0012/79012R
MSHA ID NO. 24-01457

VANDALIA MINING COMPANY

Barbara Lynn No. 1-Deep
DOE PERMIT NO. U-6018-86
MSHA ID NO. 46-07288

Barbara Lynn No. 1-Strip
DOE PERMIT NO. S-73-85
MSHA ID NO. 46-77265

Barbara Lynn No. 2-Complex
DOE PERMIT NO. U-6037-86
MSHA ID NO. 46-07266

Beech Glen No. 4
DOE PERMIT NO. U-3029-88
MSHA ID NO. 46-07477

Dingess Rum No. 1-Deep
DOE PERMIT NO. U-6008-88
MSHA ID NO. 46-07530

Dingess Rum No. 1-Surface
DOE PERMIT NO. S-3041-88
MSHA ID NO. 46-07823

K&P Haulroad
DOE PERMIT NO. S-16-84
MSHA ID NO. 46-07906

K&P
DOE PERMIT NO. S-3017-89
MSHA ID NO. 46-07906

K&P
DOE PERMIT NO. S-3016-89
MSHA ID NO. 46-07906

Level Land/Nile Road No. 2
DOE PERMIT NO. S-3020-87
MSHA ID NO. 46-07170

Monoc No. 1
DOE PERMIT NO. S-6025-88
MSHA ID NO. 46-07865

Monoc No. 2
DOE PERMIT NO. S-6019-89
MSHA ID NO. 46-07865

Monoc No. 3
DOE PERMIT NO. S-6014-88
MSHA ID NO. 46-07865

Nile Road No. 2
DOE PERMIT NO. S-3089-87
MSHA ID NO. 46-07170

Otter Creek No. 3
DOE PERMIT NO. S-110-82
MSHA ID NO. 46-06402

Polaris Surface

DOE PERMIT NO. S-6021-88
MSHA ID NO. 46-07786
Alloy Loadout
DOE PERMIT NO. O-3059-87
MSHA ID NO. 46-06497
Barbara Lynn No. 2-Refuse
DOE PERMIT NO. O-6013-88
MSHA ID NO. 46-07265

Additional information regarding Identification of Interests is included in Exhibit A.

VIOLATION INFORMATION (R645-301-113)

The Applicant has never had a federal or state mining permit suspended or revoked nor forfeited a mining bond or similar security deposited in lieu of bond.

Information regarding Notices of Violation received by the Applicant during the three year period preceding the application date is presented in Exhibit B, attached hereto and incorporated herein by reference.

RIGHT-OF-ENTRY INFORMATION (R645-301-114)

The Right-of-Entry information is included in the following Exhibits:

- EXHIBIT C - Right-of-Entry Information - Deer Creek Mine
- EXHIBIT D - Right-of-Entry Information - Cottonwood/
Wilberg Mine
- EXHIBIT E - Right-of-Entry Information - Des Bee Dove
Mine

Additionally the only area within the East Mountain complex where the private mineral (coal) estate has been severed from the private surface occurs on an 80 acre parcel in the

E1/2NW1/4 of Section 14, T17S, R7E, SLM.

In this particular case, the mineral is owned by PacifiCorp (successor in interest to Utah Power & Light Company) and the surface is owned by Malcolm McKinnon. In our research of existing files, this 80 acre parcel (surface) was not a part of the mining lease agreement between McKinnon and Peabody (later assigned to UP&L), which gives us consent to utilize the McKinnon lands. This lease agreement included only jointly owned McKinnon surface and McKinnon subsurface in Sections 10, 11 and 14 of T17S, R7E, SLM.

In any event, first mining has already occurred within this parcel with the development of the 2nd North entries in the Beehive, which were mined in March thru June of 1979. Retreat mining has not taken place, however, the approved Des Bee Dove permit indicates it will be mined in the future.

In accordance with previous regulations, notification was sent in 1981 to all surface owners, together with a mine plan, outlining their surface ownership and all future planned mining under their surface. Given the absence of no objection to the notification, we have reason to believe that this was implied consent.

STATUS OF UNSUITABILITY CLAIMS (R645-301-115)

Please refer to the following Exhibits:

- EXHIBIT C - Page 1-48
- EXHIBIT D - Page 1-49 and 1-50
- EXHIBIT E - Page 1-38 and 1-39

PERMIT TERM (R645-301-116)

Please refer to the following Exhibits:

EXHIBIT C - Page 1-49

EXHIBIT D - Page 1-50

EXHIBIT E - Page 1-39

INSURANCE (R645-301-117.100)

Please refer to the following Exhibits:

EXHIBIT C - Page 1-49 through 1-51

EXHIBIT D - Page 1-50 through 1-52

EXHIBIT E - Page 1-40 through 1-42

PROOF OF PUBLICATION (R645-301-117.200)

Please refer to EXHIBIT F for the newspaper advertisement which will be published in the Emery County Progress.

NOTORIZED FORM (R645-301-123)

Please refer to EXHIBIT G.

PERFORMANCE BOND (R645-303-323)

Please refer to EXHIBIT H.

EXHIBIT A

IDENTIFICATION OF INTERESTS

PACIFICORP OFFICERS

<u>NAME</u>	<u>ADDRESS AND TELEPHONE NUMBER</u>
A.M. Gleason Date Position Assumed 1-1-85	President and Chief Executive Officer 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116 (503) 731-2111
Gerard K. Drummond Date Position Assumed 10-14-87	Executive Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116 (503) 731-2120
Charles C. Adams Date Position Assumed 2-19-92	Senior Vice President One Utah Center 201 South Main, Suite 2100 Salt Lake City, UT 84140
William J. Glasgow Date Position Assumed 2-1-92	Senior Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Fredric D. Reed Date Position Assumed 2-19-92	Senior Vice President One Utah Center 201 South Main, Suite 2300 Salt Lake City, UT 84140
Harry A. Haycock Date Position Assumed 5-16-90	Senior Vice President PacifiCorp One Utah Center 201 South Main, Suite 2100 Salt Lake City, Utah 84180- 0021 (801) 220-4603
Robert F. Lanz Date Position Assumed 10-78	Vice President and Treasurer 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116 (503) 731-2110
Daniel L. Spalding Date Position Assumed 10-14-87	Senior Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116 (503) 731-2133

Sally A. Nofziger
Date Position Assumed 5-1-80

Vice President and Corporate
Secretary
700 NE Multnomah, Suite 1600
Portland, OR 97232-4116
(503) 731-2144

Stan M. Marks
Date Position Assumed 7-9-86

Vice President
700 NE Multnomah, Suite 1600
Portland, OR 97232-4116
(503) 731-2115

William C. Brauer
Date Position Assumed 2-19-92

Vice President
PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84180-
0021
(801) 220-4604

J. Brett Harvey
Date Position Assumed 5-16-90

Vice President
PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84180-
0021
(801) 220-4614

Michael C. Henderson
Date Position Assumed 5-1-92

Vice President
851 SW Sixth Avenue, Suite 430
Portland, Oregon 97204

Thomas J. Imeson
Date Position Assumed 11-28-90

Vice President
700 NE Multnomah, Suite 1600
Portland, Oregon 97232-4116

Dennis P. Steinberg
Date Position Assumed 8-15-90

Vice President
700 NE Multnomah, Suite 1600
Portland, Oregon 97232-4116

Shelly R. Faigle
Date Position Assumed 2-19-92

Vice President
920 SW Sixth Avenue, Suite
1500
Portland, OR 97204

Lee D. Weislogel
Date Position Assumed 2-19-92

Vice President
920 SW Sixth Avenue, Suite
1000
Portland, OR 97204

Jacqueline S. Bell
Date Position Assumed 5-17-89

Controller
700 NE Multnomah, Suite 700
Portland, OR 97232-4116
(503) 731-2053

Robert V. Stewart
Date Position Resigned 7-1-92

Assistant Secretary
700 NE Multnomah, Suite 700
Portland, OR 97232-4116

Lenore M. Martin
Date Position Assumed 7-8-87

Assistant Secretary
700 NE Multnomah, Suite 1600
Portland, OR 97232-4116
(503) 731-2132

Gary R. Barnum
Date Position Assumed 7-10-85

Stoel Rives Boley Jones & Grey
950 POP
700 NE Multnomah
Portland, OR 97232

John Detjens III
Date Position Assumed 7-10-85

Stoel Rives Boley Jones & Grey
950 POP
700 NE Multnomah
Portland, OR 97232
(503) 294-9100

John M. Schweitzer
Date Position Assumed 6-13-84

Donald A. Bloodworth
Date Position Assumed 2-19-92

Assistant Treasurers
700 NE Multnomah, Suite 1600
Portland, OR 97232-4116
(503) 731-2064, 731-2074
731-2124

John R. Stageberg
Date Position Assumed 8-15-90

Bruce N. Williams
Date Position Assumed 8-15-90

UTAH POWER & LIGHT COMPANY DIVISION OFFICERS

<u>NAME</u>	<u>ADDRESS AND TELEPHONE NUMBER</u>
Verl R. Topham Date Position Assumed 2-1-90	President and Chief Executive Officer Utah Power & Light Company 1407 West North Temple Salt Lake City, UT 84140 (801) 220-4200
John E. Mooney Date Position Assumed 9-1-91	Executive Vice President Utah Power & Light Company 201 South Main, Suite 2300 Salt Lake City, Utah 84140
Sam F. Chamberlain Date Position Resigned 7-1-92	Vice President and Assistant Secretary Utah Power & Light Company 1407 West North Temple Salt Lake City, UT 84140 (801) 220-4972
Thomas W. Forsgren Date Position Assumed 1-9-89	Vice President Utah Power & Light Company 1407 West North Temple Salt Lake City, UT 84140 (801) 220-6800
Thomas A. Lockhart Date Position Assumed 2-19-92	Vice President 1607 Cy Avenue, 82604 PO Box 720 Casper, WY 82602
Richard D. Westerberg Date Position Assumed 2-21-90	Vice President Utah Power & Light Company PO Box 130 Rexburg, ID 83440
H. Arnold Wagner Date Position Assumed 1-9-89	Controller Utah Power & Light Company 1407 West North Temple Salt Lake City, UT 84140 (801) 220-4043

PACIFIC POWER & LIGHT COMPANY DIVISION OFFICERS

Paul G. Lorenzini
Date Position Assumed 2-1-92

President
920 SW Sixth Avenue
Portland, OR 97204
(503) 464-6304

John A. Bohling
Date Position Assumed 9-1-91

Executive Vice President
920 SW Sixth Avenue, Suite
1500
Portland, Oregon 97204

Sam F. Chamberlain
Date Position Resigned 7-1-92

Vice President and Asst.
Secretary
One Utah Center
201 South Main, Suite 2300
Salt Lake City, UT 84140

Thomas A. Lockhart
Date Position Assumed 2-15-89

Vice President
1607 Cy Avenue, 82604
PO Box 720
Casper, WY 82602

C.K. Ferguson
Date Position Assumed 6-9-82

Assistant Secretary
920 SW Sixth Avenue, Mezz-PSB
Portland, Oregon 97204

John Melnichuk
Date Position Resigned 5-31-92

Vice President
PO Box 1288
Yakima, WA 98907
(509) 575-3180

Diana E. Snowden
Date Position Assumed 1-8-86

Vice President
9120 SW Pioneer Court, Suite B
Wilsonville, OR 97070
(503) 682-4200

DIRECTORS OF PACIFICORP
AN OREGON CORPORATION

C. Todd Conover
Central Banks of Colorado
PO Box 3030
Denver, Colorado 80202
Date Position Assumed 8-21-91

John C. Hampton
Hampton Resources, Inc.
Suite 400
9400 SW Barnes Road
Portland, OR 97225
Date Position Assumed 4-8-83

Gerard K. Drummond
Executive Vice President
700 N.E. Multnomah
Suite 1600
Portland, OR 97232-4116
Date Position Assumed 5-15-91

Keith R. McKennon
Dow Chemical Company
2030 Willard H. Dow Center
Midland, MI 48674
Date Position Assumed 11-28-90

A.M. Gleason
President and Chief
Executive Officer
700 NE Multnomah, Suite 1600
Portland, Oregon 97232-4116
Date Position Assumed 4-13-88

Stanley K. Hathaway
Hathaway, Speight, Kunz,
Trautwein & Barrett
PO Box 1208
Cheyenne, WY 81003-1208
Date Position Assumed 12-10-75

Richard C. Edgley
Church of Jesus Christ of
Latter-Day Saints
50 East North Temple
Salt Lake City, UT 84150
Date Position Assumed 10-14-87

C.M. Bishop, Jr.
Pendleton Woolen Mills
PO Box 1691
Portland, OR 97207
Date Position Assumed 3-11-70

Don C. Frisbee
Chairman of the Board
825 NE Multnomah
Lloyd Tower, Suite 1055
Portland, Oregon 97232
Date Position Assumed 4-19-66

Nancy Wilgenbusch
President
Marylhurst College
Marylhurst, OR 97036
Date Position Assumed 10-8-86

Don M. Wheeler
President
Wheeler Machinery
4901 West 2100 South
Salt Lake City, UT 84120
Date Position Assumed 1-11-89

Micheal O. Leavitt
President
The Leavitt Group
1358 South Main
Salt Lake City, UT 84115
Date Position Assumed 1-11-89

The following federal coal leases, upon which the Applicant bases his right to perform coal mining in the Deer Creek Mine permit area, have all been subleased or assigned to PacifiCorp:

Lease No. SL-064607-064621

Issued to Clara Howard Miller 10/4/46

Section 2	Lots 2, 5, 6, 7, 10, 11 and 12 and SW1/4
Section 3	SE1/4SE1/4
Section 10	NE1/4

Township 17 South, Range 7 East, SLM, Utah, containing 613.92 acres.

Lease No. SL-064900

Issued to Cyrus Wilberg 2/3/45

Section 22	SE1/4SW1/4, SW1/4SE1/4, NE1/4SW1/4, NW1/4SE1/4
------------	--

Township 17 South, Range 7 East, SLM Utah, containing 160 acres.

Lease No. U-1358

Issued to Castle Valley Mining Co. 8/1/67

Section 22	S1/2NW1/4, W1/2SW1/4, E1/2SE1/4
Section 27	E1/2NE1/4

Township 17 South, Range 7 East, SLM Utah, containing 320 acres.

Lease No. SL-070645, U-02292

Issued to Clara Howard Miller 4/1/52

Section 4	SW1/4SE1/4, S1/2SW1/4
Section 5	SE1/4SW1/4, S1/2SE1/4
Section 8	E1/2, E1/2W1/2
Section 9	All
Section 10	W1/2
Section 15	N1/2
Section 16	N1/2
Section 17	NE1/4, E1/2NW1/4

Township 17 South, Range 7 East, SLM Utah, containing 2560 acres.

Lease No. U-084923

Issued to Malcolm N. McKinnon 8/1/64

Section 4	Lots 2, 3, 4, 5, 6, 7, 10, 11, 12, NW1/4SE1/4, N1/2SW1/4
Section 5	Lots 1 thru 12, N1/2S1/2, SW1/4SW1/4
Section 6	Lots 1 thru 11, SE1/4
Section 7	Lots 1 thru 4, E1/2
Section 8	W1/2W1/2
Section 18	Lot 1 and 2, N1/2
Section 17	W1/2NW1/4

Township 17 South, Range 7 East, SLM, Utah, containing
2252.42 acres.

Lease No. U-084924

Issued to Malcolm N. McKinnon 8/1/64

Section 1	Lots 1, 2, 3, S1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, SE1/4
Section 12	E1/2, E1/2W1/2
Section 13	NE1/4, E1/2NW1/4

Township 17 South, Range 6 East, SLM Utah, containing
1211.48 acres.

Lease No. U-083066

Issued to Cooperative Security Corp. 3/1/62

Section 13	E1/2SW1/4, SE1/4
Section 24	E1/2W1/2, E1/2
Section 25	N1/2NE1/4

Township 17 South, Range 6 East, SLM Utah

Section 17	SW1/4, W1/2SE1/4
Section 18	Lots 3 and 4, SE1/4
Section 19	Lots 1, 2, 3, 4, E1/2
Section 20	W1/2, W1/2E1/2
Section 29	NW1/4NE1/4, N1/2NW1/4
Section 30	Lots 1, 2, 3, N1/2NE1/4, SW1/4NE1/4, NW1/4SE1/4

Township 17 South, Range 7 East, SLM Utah, containing
2485 acres.

Lease No. U-040151

Issued to Cooperative Security Corp. 3/1/62

Section 15	SW1/4
Section 16	S1/2
Section 17	E1/2SE1/4
Section 20	E1/2E1/2
Section 21	All
Section 22	N1/2NW1/4
Section 27	N1/2NW1/4
Section 28	N1/2N1/2
Section 29	NE1/4NE1/4

Township 17 South, Range 7 East, SLM Utah, containing 1720 acres.

Lease No. U-044025

Issued to Cooperative Security Corp. 8/1/60

Section 27	NW1/4NE1/4
------------	------------

Township 17 South, Range 7 East, SLM Utah, containing 40 acres.

Lease No. U-024319

Issued to Huntington Corporation 5/1/60

Section 27	SW1/4
Section 28	SE1/4
Section 33	E1/2, E1/2NW1/4, NE1/4SW1/4, S1/2SW1/4
Section 34	NW1/4, NW1/4SW1/4

Township 16 South, Range 7 East, SLM Utah, containing 1040 acres.

Lease No. U-014275

Issued to John Helco 10/1/55

Section 28	E1/2SW1/4
------------	-----------

Township 16 South, Range 7 East, SLM Utah, containing 80 acres.

Lease No. U-47979

Issued to Utah Power & Light Company 10/1/81

Section 34	S1/2NE1/4, NE1/4SW1/4, S1/2SW1/4, SE1/4
------------	--

Township 16 South, Range 7 East, SLM Utah

Section 3 Lots 1-8, 10-12, SW1/4, SW1/4SE1/4
Section 4 Lots 1, 8, 9, E1/2SE1/4

Township 17 South, Range 7 East, SLM Utah, containing
1,063.38 acres, more or less.

OWNERS OF COAL TO BE MINED OTHER THAN THE UNITED STATES

<u>Description of Land</u>		<u>Owner</u>
SE1/4	Section 10	The Estate of Malcom McKinnon
W1/2W1/2, NE1/4NW1/4	Section 11	Zions First National Bank
W1/2NW1/4	Section 14	Trustee
		Salt Lake City, Utah 84111
<hr/>		
All T17S, R7E, SLM		
<hr/>		
SE1/4	Section 15	Cooperative Security Corp.
NE1/4	Section 22	115 East South Temple
		Salt Lake City, Utah 84111
<hr/>		
All T17S, R7E, SLM		

Also:

Beginning at the SE corner of NE1/4SE1/4 Section 25, T17S, R6E, SLM, thence North 160 rods, West 116 rods to center line of Cottonwood Creek; thence southerly along center line of said creek to a point 84 rods West of the beginning; thence East 84 rods to the beginning.

The above listed surface rights and coal leased to PacifiCorp
(successor to Utah Power & Light Company)

SW1/4 (west of the Deer Creek Fault	Section 14	PacifiCorp One Utah Center 201 South Main, Suite 2100 Salt Lake City, Ut 84140-0021
<hr/>		
All T17S, R7E, SLM		

SURFACE OWNERS OF RECORD WITHIN THE PERMIT AREA R645-301-112.500

<u>Description of Land</u>		<u>Owner</u>
Lots 3, 4, 5, and 6	Section 4	Kent Barton 1515 Lavidia Drive Visalia, California 93277
Lots 1-8, Lot 12 and W1/2 of Lot 11	Section 5	
Lots 1, 6 and 7	Section 6	
T17S, R7E, SLM		
<hr/>		
SW1/4	Section 5	Elk Springs Property Users Association
E1/3 SE1/4SE1/4	Section 6	PO Box 21284 Salt Lake City, Utah 84121
T17S, R7E, SLM		
<hr/>		
S1/2NE1/4, SE1/4, E1/2W1/2, NW1/4NE1/4	Section 8	Karl A. Seely, Inc. Castle Dale, Utah 84513
N1/2SE1/4, SW1/4, SW1/4NE1/4, S1/2NW1/4	Section 9	
N1/2, SE1/4, E1/2SW1/4	Section 17	
SE1/4, SE1/4SW1/4, N1/2SW1/4, S1/2SW1/4NW1/4	Section 21	
T17S, R7E, SLM		
<hr/>		
Lots 1-7, 10-12	Section 2	The Estate of Malcolm McKinnon Zions First National Bank Trustee
SE1/4	Section 10	Salt Lake City, Utah 84111
W1/2W1/2, NE1/4NW1/4	Section 11	
NW1/4	Section 14	
All T17S, R7E, SLM		
<hr/>		
SE1/4	Section 15	Cooperative Security Corp.
NE1/4	Section 22	115 East South Temple Salt Lake City, Utah 84111
All T17S, R7E, SLM		

Also:

Beginning at the SE corner of NE1/4SE1/4 Section 25, T17S, R6E, SLM, thence North 160 rods, West 116 rods to center line of Cottonwood Creek; thence Southerly along center line of said creek to a point 84 rods West of the beginning; thence East 84 rods to the beginning.

SW1/4, S1/2NW1/4	Section 4	PacifiCorp One Utah Center
SE1/4, S1/2NE1/4 E1/2SE1/4NW1/4	Section 5	201 South Main, Suite 2100 Salt Lake City, Utah 84140
NE1/4SE1/4, W-2/3 SE1/4SE1/4	Section 6	
NE1/4NE1/4	Section 8	
N1/2NW1/4, S1/2SE1/4	Section 9	
E1/2SW1/4, SE1/4NW1/4	Section 11	
SW1/4 (west of Fault)	Section 14	
N1/2	Section 15	
W1/2SW1/4	Section 17	
E1/2	Section 18	
E1/2	Section 19	
All	Section 20	
SW1/4SW1/4	Section 21	
All T17S, R7E, SLM		

SE1/4 T17S, R7E, SLM	Section 2	State of Utah State Land & Forestry Southeastern Region No. 6 South First East Moab, Utah 84532
SW1/4 T17S, R7E, SLM	Section 2	United States of America Department of the Interior Bureau of Land Management 324 South State Street Suite 301 Salt Lake City, Utah 84111

The remaining surface is controlled by:

The United States of America
Department of Agriculture
US Forest Service
The Manti-LaSal National Forest
599 West Price River Drive
Price, Utah 84501

For coal ownership, see Drawing 1-1 in Drawings and Map section.

For surface owners see Drawing 1-2.

The total acres of surface lands contained in the permit area is approximately 14,500.

OWNERS OF SURFACE LANDS CONTIGUOUS TO THE PERMIT AREA R645-301-112.600

Mountain Coal Company
Orangeville, Utah 84528

Brigham Young University
Provo, Utah 84602

Nevada Electric Investment Company
PO Box 230
Las Vegas, Nevada 89151

C.O.P. Coal Development Corporation
3753 South State
Salt Lake City, Utah 84115

The Estate of Malcolm McKinnon
Zions First National Bank Trustee
Salt Lake City, Utah 84111

State of Utah
Division of State Lands
355 West North Temple
3 Triad Center, Suite 400
Salt Lake City, Utah 84140-1204

Manti-LaSal National Forest
United States of America
Department of Agriculture
US Forest Service
599 West Price River Drive
Price, Utah 84501

United States of America
Department of Interior
Bureau of Land Management
324 South State Street, Suite 301
Salt Lake City, Utah 84111-2303

OWNERS OF SUBSURFACE RIGHTS CONTIGUOUS TO THE PERMIT AREA

United States of America
Department of the Interior
Bureau of Land Management
324 South State Street, Suite 301
Salt Lake City, Utah 84111-2303

State of Utah
Division of State Lands
355 West North Temple
3 Triad Center, Suite 400
Salt Lake City, Utah 84140-1204

Brigham Young University
Provo, Utah 84602

Mountain Coal Company
Orangeville, Utah 84528

Nevada Electric Investment Company
PO Box 230
Las Vegas, Nevada 89151

C.O.P. Coal Development Corporation
3753 South State
Salt Lake City, Utah 84115

The Estate of Malcolm McKinnon
Zions First National Bank Trustee
Salt Lake City, Utah 84111

PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021

The Applicant is the owner of fee surface and coal rights and the holder of leases related to the Des Bee Dove Coal Mine and the Cottonwood/Wilberg Coal Mine which are contiguous to the permit area. These properties are detailed separately in the permit application for those mines.

The Applicant has no option, bid or other interest in any contiguous acreage other than as stated above.

There are no holders of record of any leasehold interest in areas to be affected by surface operations or facilities or coal to be mined other than oil and gas leases and grazing permits.

There are no purchasers of record under a real estated contract of areas to be affected by surface operations and facilities or coal to be mined.

The following federal coal leases, upon which the applicant bases his right to perform coal mining in the Cottonwood/Wilberg Mine permit area, have all been subleased or assigned to PacifiCorp:

Lease No. S1-064900

Issued to Cyrus Wilberg 2/3/45

Section 22

SE1/4SW1/4, SW1/4SE1/4,
NE1/4SW1/4, NW1/4SE1/4

Township 17 South, Range 7 East, SLM, Utah,
containing 160 acres

Lease No. U-1358

Issued to Castle Valley Mining Co. 8/1/67

Section 22

S1/2NW1/4, W1/2SW1/4
E1/2SE1/4

Section 27

E1/2NE1/4

Township 17 South, Range 7 East, SLM, Utah,
containing 320 acres

Lease No. SL-070645, U-02292

Issued to Clara Howard Miller 4/1/52

Section 4

SW1/4SE1/4, S1/2SW1/4

Section 5

SE1/4SW1/4, S1/2SE1/4

Section 8

E1/2, E1/2W1/2

Section 9	All
Section 10	W1/2
Section 15	N1/2
Section 16	N1/2
Section 17	NE1/4, E1/2NW1/4

Township 17 South, Range 7 East, SLM, Utah,
containing 2560 acres

Lease No. U-084923

Issued to Malcolm N. McKinnon 8/1/64

Section 4	Lots 2, 3, 4, 5, 6, 7, 10, 11, 12, NW1/4SE1/4, N1/2SW1/4
Section 5	Lots 1 thru 12, N1/2S1/2, SW1/4SW1/4
Section 6	Lots 1 thru 11, SE1/4
Section 7	Lots 1 thru 4, E1/2
Section 8	W1/2W1/2
Section 18	Lots 1 and 2, N1/2
Section 17	N1/2NW1/4

Township 17 South, Range 7 East, SLM, Utah,
containing 2252.42 acres

Lease No. U-084924

Issued to Malcolm N. McKinnon 8/1/64

Section 1	Lots 1, 2, 3, S1/2NE1/4 SE1/4NW1/4, E1/2SW1/4, SE1/4
Section 12	E1/2, E1/2W1/2
Section 13	NE1/4, E1/2NW1/4

Township 17 South, Range 6 East, SLM, Utah,
containing 1211.48 acres

Lease No. U-083066

Issued to Cooperative Security Corp. 3/1/62

Section 13	E1/2SW1/4, SE1/4
Section 24	E1/2W1/2, E1/2
Section 25	N1/2NE1/4

Township 17 South, Range 6 East, SLM, Utah

Section 17	SW1/4, W1/2SE1/4
Section 18	Lots 3 and 4, SE1/4
Section 19	Lots 1, 2, 3, 4, E1/2
Section 20	W1/2, W1/2E1/2
Section 29	NW1/4NE1/4, N1/2NW1/4
Section 30	Lots 1, 2, 3, N1/2NE1/4, SW1/4NE1/4, NW1/4SE1/4

Township 17 South, Range 7 East, SLM, Utah,
containing 2485 acres

Lease No. U-040151

Issued to Cooperative Security Corp. 3/1/62

Section 15	SW1/4
Section 16	S1/2
Section 17	E1/2SE1/4
Section 20	E1/2E1/2
Section 21	All
Section 22	N1/2NW1/4
Section 27	N1/2NW1/4
Section 28	N1/2N1/2
Section 29	NE1/4NE1/4

Township 17 South, Range 7 East, SLM, Utah
containing 1720 acres

Lease No. U-044025
Issued to Cooperative Security Corp. 8/1/60

Section 27 NW1/4NE1/4

Township 17 South, Range 7 East, SLM, Utah,
containing 40 acres

In addition, Federal Coal Lease U-47978 issued to Utah
Power & Light Company October 1, 1981.

Section 27	S1/2NW1/4, N1/2SW1/4
Section 28	S1/2N1/2, S1/2
Section 29	S1/2N1/2, S1/2
Section 30	Lot 4, SE1/4NE1/4 NE1/4SE1/4, S1/2SE1/4
Section 31	Lot 1, E1/2
Section 32	All
Section 33	N1/2, SW1/4, W1/2SE1/4
Section 34	NW1/4NW1/4, S1/2NW1/4

Township 17 South, Range 7 East, SLM, Utah

Section 4	Lots 2 thru 4
Section 5	Lots 1 thru 4, S1/2NW1/4

Township 18 South, Range 7 East, SLM, Utah
containing 3347.31 acres

OWNERS OF COAL TO BE MINED OTHER THAN THE UNITED STATES

<u>Description</u>		<u>Owner</u>
SE1/4	Section 10	The Estate of Malcolm McKinnon Zions First National Bank
W1/2NW1/4	Section 14	Trustee Salt Lake City, Utah 84111

All T17S, R7E, SLM

Surface rights and coal leased to PacifiCorp

SE1/4	Section 15	Cooperative Security Corp 115 East South Temple
-------	------------	--

NE1/4 Section 22 Salt Lake City, Utah 84111

All T17S, R7E, SLM

Also:

Beginning at the SE corner of NE1/2SE1/4 Section 25, T17S, R6E, SLM, thence North 160 rods, West 116 rods to center line of Cottonwood Creek; thence Southerly along center line of said creek to a point 84 rods West of the beginning; thence East 84 rods to the beginning.

Surface rights and coal leased to PacifiCorp

SW1/4 (west of the Deer Creek Fault)	Section 14	PacifiCorp One Utah Center 201 South Main Suite 2100 Salt Lake City, Utah 84140
--	------------	---

All T17S, R7E, SLM

SURFACE OWNERS OF RECORD WITHIN THE PERMIT AREA

Description of Land

Owner

Lot 1	Section 31	Hunter Investment Co. Castle Dale, Utah 84513
-------	------------	--

T17S, R7E, SLM

SE1/4, E1/2SW1/4	Section 8	Betty Jane Poulsen Guy Karl Seely, Trustees Castle Dale, Utah 84513
------------------	-----------	---

T17S, R7E, SLM

E1/2NW1/4, W1/2 NE1/4, SE1/4NE1/4	Section 8	Karl A. Seely, Inc. Castle Dale, Utah 84513
--------------------------------------	-----------	--

S1/2NW1/4, SW1/4 NE1/4	Section 9	
---------------------------	-----------	--

NE1/4, NW1/4, SE1/4, E1/2SW1/4	Section 17	
-----------------------------------	------------	--

SE1/4, SE1/4SW1/4,
N1/2SW1/4, S1/2
SW1/4NW1/4

Section 21

T17S, R7E, SLM

NE1/4NE1/4

Section 8

PacifiCorp
One Utah Center

S1/2, N1/2NW1/4

Section 9

201 South Main, Suite 2100
Salt Lake City, Utah 84140-

0021

NE1/4, NW1/4

Section 15

W1/2SW1/4

Section 17

NE1/4, SE1/4

Section 18

NE1/4, SE1/4

Section 19

All

Section 20

SW1/4SW1/4NE1/4,
N1/2NW1/4, SE1/4
NW1/4, N1/2SW1/4
NW1/4

Section 21

T17S, R7E, SLM

SE1/4

Section 10

The Estate of Malcolm McKinnon
Zions First National Bank
Trustee

NW1/4

Section 14

Salt Lake City, Utah 84111

All T17S, R7E, SLM

SE1/4

Section 15

Cooperative Security Corp
115 East South Temple

NE1/4

Section 22

Salt Lake City, Utah 84116

All T17S, R7E, SLM

Also:

Beginning at the SE corner of NE1/4SE1/4 Section 25, T17S, R6E, SLM, thence North 160 rods, West 116 rods to center line of Cottonwood Creek; thence Southerly along center line of said creek to a point 84 rods West of the beginning; thence East 84 rods to the beginning.

SW1/4

Section 14

PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140

T17S, R7E, SLM

The remaining surface is controlled by:

The United States of America
Department of Agriculture
US Forest Service
The Manti-LaSal National Forest
599 West Price River Drive
Price, Utah 84501

and

United States of America
Department of Interior
Bureau of Land Management
University Club Building
Salt Lake City, Utah 84138

For coal ownership, see Drawing 1-1 in Drawing and Map Section.

For surface owners see Drawing 1-2.

The total acres of surface lands contained in the permit area is approximately 10,600.

OWNERS OF SURFACE LANDS CONTIGUOUS TO THE PERMIT AREA

Mountain Coal Company
Trail Mountain Mine
Orangeville, Utah 84528

Brigham Young University
Provo, Utah 84602

The Estate of Malcolm McKinnon
Zions First National Bank Trustee
Salt Lake City, Utah 84111

Betty Jan Poulsen
Guy Karl Seely, Trustee
Castle Dale, Utah 84513

State of Utah
Division of State Lands
No. 6 South First East
Moab, Utah 84532

Manti-LaSal National Forest
United States of America
Department of Agriculture
US Forest Service
599 West Price River Drive
Price, Utah 84501

United States of America
Department of the Interior
Bureau of Land Management
University Club Building
Salt Lake City, Utah 84138

OWNERS OF SUBSURFACE RIGHTS CONTIGUOUS TO THE PERMIT AREA

United States of America
Department of the Interior
Bureau of Land Management
University Club Building
Salt Lake City, Utah 84138

State of Utah
Division of State Lands
No. 6 South First East
Moab, Utah 84532

Brigham Young University
Provo, Utah 84602

The Estate of Malcolm McKinnon
Zions First National Bank Trustee
Salt Lake City, Utah 84111

PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84180-0021

The applicant is the owner of fee surface and coal rights and the holder of leases related to the Des Bee Dove Coal Mine and the Deer Creek Coal Mine which are contiguous to the permit area. These properties are detailed separately in the permit application for those mines.

The applicant has no option, bid, or other interest in any contiguous acreage other than as stated above.

There are no holders of record of any leasehold interest in areas to be affected by surface operations or facilities or coal to be mined other than oil and gas leases and grazing permits.

There are no purchasers of record under a real estate contract of areas to be affected by surface operations and facilities or coal to be mined.

The following federal coal leases, upon which the Applicant bases its right to perform coal mining in the Des Bee Dove Mine permit area, have all been subleased or assigned to PacifiCorp.

Lease No. U-02664
Issued to Corporation of the Presiding Bishop of the LDS Church 1/1/57

Section 13	SE1/4SW1/4
Section 23	NE1/4NE1/4, SW1/4
Section 24	W1/2
Section 26	NW1/4, NE1/4SW1/4
and	
Section 14	SW1/4NE1/4, W1/2SE1/4, SE1/4SE1/4

Added by Modification 10/31/79

Township 17 South, Range 7 East, SLM
Utah, containing 920 acres

Lease No. SL-050133
Issued to Bertha Christensen 8/1/33

Section 24	W1/2SE1/4
------------	-----------

Township 17 South, Range 7 East, SLM
Utah, containing 80 acres

Lease No. SL-066116
Issued to Samuel K. Howard 6/1/55

Section 11	E1/2
Section 14	N1/2NE1/4
Section 12	W1/2NW1/4, NW1/4SW1/4

Township 17 South, Range 7 East, SLM
Utah, containing 520 acres

OWNERS OF COAL TO BE MINED OTHER THAN THE UNITED STATES

Description of Land:

Section 11	SE1/4NW1/4, E1/2SW1/4
Section 14	E1/2NW1/4, SW1/4
Section 23	NW1/4, SE1/4, NW1/4NE1/4, S1/2NE1/4
Section 26	NE1/4, NW1/4SE1/4

Township 17 South, Range 7 East, SLM
Utah, containing 1,000 acres

Owner:

PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021

Description of Land:

Section 14	W1/2NW1/4
Section 11	W1/2SW1/4

That part lying East of the Deer Creek Fault
Township 17 South, Range 7 East, SLM Utah

Owner:

The Malcolm McKinnon Estate
Zions First National Bank Trustee
Salt Lake City, Utah 84111

SURFACE OWNERS OF RECORD WITHIN THE PERMIT AREA

Description of Land:

Section 11	SE1/4NW1/4, E1/2SW1/4
Section 14	SW1/4
Section 23	NW1/4, SE1/4, NW1/4NE1/4, S1/2NE1/4

State of Utah
Division of State Lands
355 W. North Temple
3 Triad Center, Suite 400
Salt Lake City, Utah 84140-1204

Manti-LaSal National Forest
United States of America
Department of Agriculture
US Forest Service
599 W. Price River Drive
Price, Utah 84501

United States of America
Department of the Interior
Bureau of Land Management
324 South State Street, Suite 301
Salt Lake City, Utah 84111-2303

OWNERS OF SUBSURFACE RIGHTS CONTIGUOUS TO THE PERMIT AREA (R645-301-112.600)

United States of America
Department of the Interior
Bureau of Land Management
324 South State Street, Suite 301
Salt Lake City, Utah 84111-2303

State of Utah
Division of State Lands
355 West North Temple
3 Triad Center, Suite 400
Salt Lake City, Utah 84140-1204

Brigham Young University
Provo, Utah 84602

The Estate of Malcolm McKinnon
Zions First National Bank Trustee
Salt Lake City, Utah 84111

LDS Church
Cooperative Security Corporation
115 East South Temple
Salt Lake City, Utah 84111

The applicant is the owner of fee surface and coal rights and the holder of leases related to the Deer Creek Coal Mine and the Cottonwood/Wilberg Coal Mine which are contiguous to

the permit area. These properties are detailed separately in the permit application for those mines.

There are no holders of record of any leasehold interest in areas to be affected by surface operations or facilities or coal to be mined other than oil and gas leases and grazing permits.

There are no purchasers of record under a real estate contract of areas to be affected by surface operations and facilities or coal to be mined.

The applicant has no option, bid, or other interest in any contiguous acreage other than as stated above.

EXHIBIT B
VIOLATION INFORMATION

NOV INFORMATION

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
<u>Energy West Mining Company</u>									
09/20/90	Des-Bee-Dove	ACT/015/017	90-20-2-1	Conducting mining activities without valid permit	\$340.00	Terminated	06/04/91	Permit renewed 05/31/91	42-00988 42-00082 42-01393
06/07/91	Des-Bee-Dove	ACT/015/017	91-26-6-1 DOGM	Failure to maintain adequate drainage	\$80.00 Pending	Terminated	06/20/91	Reestablished ditch & repaired erosion	42-00988 42-00082 42-01393
08/08/91	Des-Bee-Dove	ACT/015/017	91-20-2-1 DOGM	Failure to control or prevent erosion	\$0.00	Modified	09/20/91	Implement erosion control measures	42-00988 42-00082 42-01393
04/10/92	Des-Bee-Dove	ACT/015/017	92-26-1-1 DOGM	Failure to maintain road drainage	\$360.00	Pending			
09/14/89	Deer Creek	ACT/015/018	89-26-20-1-2 DOGM	1- Failure to maintain berm and culverts 2- Failure to maintain silt fences	SLC Conference held 10/05/89	Terminated	12/18/89	Cleaned culvert, establish berm and replace silt fence	42-00121 6/77
10/11/89	Deer Creek	ACT/015/018	89-20-1-1 DOGM	Failure to operate in accordance with approved plan	SLC Conference held 12/19/89	Terminated	12/19/89		42-00121 6/77
12/03/90	Deer Creek	ACT/015/018	90-32-6-1 DOGM	Failure to provide maps depicting surface facilities and drainage structures.	\$130 Paid	Terminated	02/25/91	Submitted maps	42-00121 6/77
12/04/90	Deer Creek	ACT/015/018	90-32-7-1 DOGM	Failure to certify underdrain at WRS.	\$140 Paid	Terminated	12/20/90	Certified Underdrain.	42-00121 6/77

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
12/07/90	Deer Creek	ACT/015/018	35-04-01 DOGM	Failure to conduct mining and reclamation activities in accordance with approved plan - Mining within 100 ft. of a stream.	Conference Requested 01/09/91	Terminated	Received 05/06/91	Submitted information for abatement	42-00121 6/77
01/29/91	Deer Creek	ACT/015/018	91-02-246-1 OSM	Permit Transfer	\$1200 Proposed	Pending Administrative Hearing	07/11/91	Permit transfer approved 02/15/91	42-00121 6/77
06/26/91	Deer Creek	ACT/015/018	91-02-244-1 OSM	Haul road		Pending Administrative Hearing	07/11/91	Facts appealed to OHA	42-00121 6/77
10/30/91	Deer Creek	ACT/015/018	91-7-1-1 DOGM	Failure to maintain sediment control structure				Abatement due 11/14/91	42-00121 6/77
05/20/92	Deer Creek	ACT/015/018	92-7-2-1 DOGM	Failure to maintain sediment control structure	Paid \$280	Terminated	06/04/92	Silt fences repaired	42-00121 6/77
03/29/89	Cottonwood Wilberg	ACT/015/019	89-30-2-1 DOGM	Failure to maintain diversion	SLC Conference held 06/28/89	Terminated	07/28/89	Filled in and ripped diversion	42-01944 7/85
09/05/89	Cottonwood Wilberg	ACT/015/019	89-33-1-1 DOGM	Failure to take field water quality measurements	SLC Conference held 11/17/89	Vacated	09/05/89		42-01944 7/85
02/20/90	Cottonwood Wilberg	ACT/015/019	90-32-1-1 DOGM NPDES	Non-compliance with NPDES permit	SLC Conference held 06/18/90	Terminated	07/11/90		42-01944 7/85
10/12/90	Cottonwood Wilberg	ACT/015/019	90-32-4-1 DOGM	Failure to obtain Air Quality Permit for Waste Rock Site.	SLC Conference held 04/24/91	Vacated	05/24/91		42-01944 7/85
02/28/91	Cottonwood Wilberg	ACT/015/019	91-26-1-1 DOGM	Failure to comply with permit stipulation R614-301-231.300	\$200 Paid	Terminated	04/22/91	Submitted maps for abatement	42-01944 7/85
03/28/91	Cottonwood Wilberg	ACT/015/019	91-32-3-1 DOGM	Failure to control or prevent erosion	\$180 Paid	Terminated	05/22/91	Submitted an amendment	42-01944 7/85

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
06/26/91	Cottonwood Wilberg	ACT/015/019	91-02-244-2 OSM	Haul road		Pending Administrative Hearing	07/11/91	Facts appealed to OHA	42-01944 7/85
03/27/92	Cottonwood Wilberg	ACT/015/019	92-32-6-1 DOGM	Conducting coal mining and reclamation operations outside the approved disturbed area.	\$520.00	Pending			
04/13/89	Centralia WIDCO	WA-0001B	008167 Southwest Washington Air Pollution Control Auth. (SWAPCA)	Illegal open burning of prohibited materials (treated timbers)	\$250.00	Abated with \$50 fine. \$200.00 suspended	4/13/89		45-00416 4/71
12/19/90	Centralia WIDCO	WA-0001B	90-1-392-1 1 of 2 OSM	Impoundment construction procedures not approved.	\$1200 Paid	Terminated	01/31/91	Plan submitted to OSM	45-00416 6/77
			90-1-392-1 2 of 2 OSM	Failure to maintain impoundment structure		Terminated	01/18/91	Plan submitted to OSM	45-00416 6/77

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
<u>Associates Mining Company</u>									
05/03/89	Clay City Mine	S-00037T	N90503-S-00037T Indiana Div. of Reclamation	Failure to maintain designed diversion ditch	0	Terminated	06/14/89	Repaired diversion ditch	12-01903 8/20/84
05/03/89	Midway Pit	S-00073	N90503-S-0073 Indiana Div. of Reclamation	Failure to maintain situation structure	0	Terminated	06/02/89	Repaired Basin	12-01903 8/20/84
05/03/89	Clay City Mine	S-00037t	N90503-S-00037T Indiana Div. of Reclamation	Failure to reclaim in a contemporaneous manner	0	Vacated	05/17/89	Met the RA to explain reclamation plan	12-01903 8/20/84
05/03/89	Clay City Mine	S-00037T	N90503-S-00037T	Failure to protect topsoil and subsoil stockpiles from wind and water erosion	0	Terminated	06/14/89	Seeded and mulched stockpiles	12-01903 8/20/84
05/05/89	Indian Pit	S-00072	N90802-S-00072	Failure to meet applicable federal and state effluent limitations	0	Terminated	08/03/89		12-01652 11/16/82
05/05/89	Indian Pit	S-00072	N90509-SO-00072 Indiana Div. of Reclamation	Failure to meet effluent limitations	0	Terminated	05/10/89	Treated Basin to meet effluent limitations	12-01652 11/16/82
08/02/89	Indian Pit	S-0072	N90802-S-00072 Indiana Div. of Reclamation	Failure to meet applicable effluent limitations	0	Terminated	08/03/89		12-01652 11/16/82
10/02/89	Clay City Mine	S-0037	N91120-S-00037 Indiana Div. of Reclamation	Failure to conduct blasting within limits of scale distance formula	\$1,300.00	Terminated	11/20/89		12-01903 8/20/84
11/20/89	Clay City Mine	S-0037	N91120-S-0037 Indiana Div. of Reclamation	Failure to blast within weight distance formula	0	Terminated	11/20/89	Provided blasting records which reflected compliance with applicable	12-01903 8/20/84

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
02/05/90	Clay City Mine	S-00170	N00205-S-00170 Indiana Div. of Reclamation	Failure to comply with conditions of permit	0	Terminated	02/06/90	Submitted required plans	12-01652 11/16/82
02/05/90	American	S-00170	N00205-S-00170 Indiana Div. of Reclamation	Failure to comply with terms and conditions of the permit	0	Terminated	02/06/90		12-01652 11/16/82
04/17/90	Indian	S-00072	N00417-S-00072 Indiana Div. of Reclamation	Failure to comply with terms and conditions of permit	0	Terminated	10/11/90	Permit revision	12-01652 11/16/82
04/24/90	Clay City Mine	S-00037	N00424-S-00037 Indiana Div. of Reclamation	Failure to adequately protect stockpiled topsoil from erosion	0	Terminated	05/14/90	Mine will take corrective action as weather permits	12-01903 8/20/84
04/24/90	Clay City Mine	S-00037	N00424-S-00037 Indiana Div. of Reclamation	Failure to clearly mark soil stockpiles	0	Terminated	06/06/90	Mine will take corrective action as weather permits	12-01903 8/20/84
04/24/90	Clay City Mine	S-00037	N00424-S-00037 Indiana Div. of Reclamation	Failure to protect replaced topsoil materials from wind and water erosion	0	Terminated	06/06/90	Mine will take corrective action as weather permits	12-01903 8/20/84
05/22/90	Odon #2	S-00037 Pending	N-00522-P-00037 Indiana Div. of Reclamation	Failure to meet effluent limitation, specifically pH	0	Terminated	05/25/90		12-01943 6/11/84
06/25/90	Martin County #1	S-00100	N-00625-S-00100 Indiana Div. of Reclamation	Failure to repair and stabilize eroded areas	0	Terminated	08/01/90	Repaired gullies and rills	12-01652 11/16/82
03/06/91	American	S-00170	N-10306-S-00170 Indiana Div. of Reclamation	Failure to conduct blasting operations so that the maximum ground vibration limit is not exceeded	0	Term/Vacated	06/05/91	Violation has been vacated 06/05/91	
03/08/91	Burress Mine	S-00098	N-10308-S-00098 Indiana Div. of Reclamation	Failure to disallow grazing unless approved by the Director	0	Terminated	04/18/91	Complied with abatement action. No appeal	

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
03/26/91	Martin Co. #1	S-00100	N-10326-S-00100 Indiana Div. of	Failure to maintain a designed diversion to prevent erosion	0	Terminated	05/08/91	Abated. No administration action. Violation 1 of 2	
03/26/91	Martin Co. #1	S-00100	N-10326-S-00100 Indiana Div. of Reclamation	Failure to maintain a designed water impoundment to retain adequate freeboard	0	Terminated	03/01/91	Repaired structure - No administrative action. Violation 2 of 2	
05/15/91	American	S-00170	N-10515-S-00170 Indiana Div. of Reclamation	Failure to conduct blasting operations so that the maximum ground vibration limit is not exceeded at location of any dwelling	900.00	Terminated	05/15/91	Abated by next consecutive shot	
08/07/91	Martin Co. #1	S-00100	N-10807-S-00100 Indiana Div. of Reclamation	Failure to maintain the spillway of a designed water impoundment to prevent erosion	0	Terminated	08/22/91	Corrective measures were taken to resolve the alleged violation	
08/29/91	Indian Pit	S-0072	N-10829-S-00072 Indiana Div. of Reclamation	Failure to conduct blasting operations so that the maximum ground vibration limit is not exceeded	800.00	Terminated	08/29/91	Penalty paid 10/21/91- no legal proceedings pending	
09/19/91	Center Pit	S-00148	N-10313-S-00148 Indiana Div. of Reclamation	Failure to conduct blasting operations so that the maximum ground vibration limit is not exceeded	0	Terminated	09/19/91	No legal proceedings pending	
10/31/91	Center Pit	S-00148	N-10919-S-00148 Indiana Div. of Reclamation	Failure to conduct blasting operations so that the maximum allowable charge-weight of explosive to be detonated in any form is not exceeded	600.00	Terminated	10/31/91	Blasting performed in compliance with regulations. Assessment paid 12/26/91	
04/24/92	Center Pit	S-00148	N20424-S-00148 Indiana Div. of Reclamation	Failure to constrict and maintain drainage control structures. Failure to clearly mark the permit perimeter. Failure to conduct ground water monitoring according to the approved plan.	Pending	Unabated	05/01/92		

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
<u>Bridger Coal Company (through Pacific Minerals, Inc.)</u>									
02/26/91	BCC	338-T2	100287 LQD	Failure to publish Blasting Notice in a timely fashion	0	Terminated	02/26/91	The violation was the result of an oversight on BCC's part	
<u>Bright Coal Group</u>									
02/14/89	Level Land Surface Mine	S-3020-87	5N DOE	Failed to certify haulroad construction	0	Terminated	03/16/89	Corrected haulroad and certified construction	46-07170 1988
03/16/89	Nile Road #2 Surface Mine	S-3089-87	1N DOE	Failed to properly construct drainage system	0	Terminated	05/15/89	Completed drainage system per plan	46-07170 1988
04/04/89	Barbara Lynn #2 Deep Mine	U-6037-86	5N(2) DOE	Failed to place refuse in 2' lifts	\$528.00	Terminated	05/23/89	Placed refuse in 2' lifts	46-07265 1985
04/04/89	Barbara Lynn #2 Refuse Area	O-6013-88	1N DOE	Failed to place refuse in required 2' lifts	\$528.00	Terminated	05/22/89	Placed refuse in 2' lifts.	46-07265 1985
05/22/89	Barbara Lynn #2 Deep Mine	U-6037-86	6C DOE	Failed to comply with NOV #5	0	Terminated	05/23/89	Worked refuse area with dozer. Assessment pending	46-07265 1985
05/22/89	Barbara Lynn #2 Refuse Area	O-6013-88	2C DOE	Failed to comply with NOV #1	0	Pending	05/23/89	Worked refuse area with 3 dozers	46-07265 1985
06/08/89	Beach Glen #4 Deep Mine	V-3029-88	6E DOE	Placed material downslope at stockpile area	0	Terminated	06/23/89	Pulled coal spillage back up hill to permit area and seeded disturbance	46-07477 1988
06/13/89	Monoc #1 Surface Mine	S-6025-88	1N DOE	Constructed haulroad off bonded area	\$328.00	Terminated	08/07/89	Submitted IBR to add disturbed area to permit	46-07865 1985

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
06/13/89	Monoc #1 Surface Mine	S-6025-88	2N DOE	Failed to construct valley-fill per pre-plan	\$478.00	Terminated	08/07/89	Constructed rock core and placed fill in lifts	46-07865 1985
06/14/89	Barbara Lynn Prep Plant & #2 Deep Mine	U-6037-86	7N DOE	Failed to protect off-site areas from damage	0	Terminated	09/15/89	Submitted IBR to over-bond surface mine area on deep mine permit	46-07265 1985
07/07/89	Nile Road #2 Surface Mine	S-3089-87	2N DOE	Failed to pass drainage thru sediment structure	\$643.00	Terminated	10/06/89	Corrected and certified sediment controls	46-07170 1988
07/07/89	Nile Road #2 Surface Mine	S-3089-87	3N DOE	Placed spoil on downslope greater than 20 degrees	0	Terminated	10/06/89	Reclaimed affected area	46-07170 1988
07/07/89	Nile Road #2 Surface Mine	S-3089-87	4N DOE	Failed to promptly revegetate disturbed area	\$464.00	Terminated	10/06/89	Completed seeding	46-7170 1988
09/07/89	Beech Glen #4 Deep Mine	U-3029-88	8N DOE	Failed to maintain drainage structures	0	Terminated	09/22/89	Corrected drainage controls	46-047477 1989
09/13/89	Barbara Lynn #2 Refuse Area	O-6013-88	3N DOE	Failed to construct haulroad as per pre-plan	\$668.00	Terminated	12/01/89	Constructed haulroad per plan	46-07265 1985
09/13/89	Barbara Lynn #2 Refuse Area	O-6013-88	4N DOE	Failed to place refuse material in 2' lifts	0	Terminated	10/31/90	Placed refuse in 2' lifts	46-07265 1985
09/13/89	Barbara Lynn #2 Refuse Area	O-6013-88	5N DOE	Failed to inspect the refuse facility and provide a certified report	0	Terminated	10/31/89	Submitted report	46-07265 1985
09/13/89	Barbara Lynn #2 Refuse Area	O-6013-88	6N DOE	Failed to clean sediment pond when 60% full	\$564.00	Terminated	10/31/89	Cleaned sediment pond	46-07265 1985
09/15/89	Barbara Lynn #1 Surface Mine	S-73-85	2N DOE	Failed to place all spoil material per pre-plan	0	Terminated	10/10/89	Submitted modification, graded and seeded fill	46-07265 1985
09/28/89	Level Land Surface Mine	S-3020-87	6N DOE	Failed to properly maintain haulage way	0	Terminated	10/31/89	Cleaned sumps and regraded road	46-07170 1988

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
10/24/89	Beech Glen #1 Deep Mine	D-137-82	8N DOE	Failed to maintain haulroad drainage and dust control	0	Terminated	10/31/89	Cleared haulroad of truck spillage	46-06608 1985
10/31/89	Barbara Lynn #2 Refuse Area	O-6013-88	7C DOE	Failed to abate NOV #5	0	Terminated	11/01/89	Submitted quarterly report. Assessment pending	46-07265 1985
10/31/89	Barbara Lynn #2 Refuse Area	O-6013-88	8C DOE	Failed to comply with NOV #4	0	Terminated	11/01/89	Regraded refuse. Assessment pending	46-07265 1985
11/01/89	K&P Surface Mine	S-3017-89	7N DOE	Failed to control or prevent haulroad dust from leaving the permitted area	Pending	Terminated	11/11/91	Haulroad has been watered to control dust	
12/14/89	Nile Road #2 Surface Mine	S-3089-87	5N DOE	Failed to adhere to scale-distance formula	0	Terminated	12/15/89	Used correct formula for next blast	46-07170 1988
01/03/90	Nile Road #2 Surface Mine	S-3089-87	6N DOE	Failed to follow approved pre-plan	0	Terminated	01/10/90	Discontinued mining near gas line and backfilled area	46-07170 1988
01/03/90	Nile Road #2 Surface Mine	S-3089-87	7N DOE	Failed to maintain effluent limitations	\$859.00	Terminated	01/04/90	Diverted water into mine pit until quality improved	46-07170 1988
01/03/90	Beech Glen #4 Deep Mine	U-3029-88	9N DOE	Failed to properly maintain haulageway	\$1,163.00	Terminated	01/04/90	Cleaned mud from Route 39, cleaned sumps	46-07477 1988
01/16/90	Beech Glen #4 Deep Mine	U-3029-88	9N DOE	Placed coal from stockpile over outslope	0	Terminated	04/17/90 1988	Cleaned coal from	46-07477
01/30/90	Nile Road #2 Surface Mine	S-3089-87	8N DOE	Failed to maintain haulageway - tracked mud	\$1,920.00	Terminated	01/31/90	Cleaned mud from County Rt. 5	46-07170 1988
02/01/90	Barbara Lynn No. 1 Surface	S-73-85	3N DOE	Failed to maintain drainage system	0	Terminated	03/14/90	All ponds and sediment ditches have been cleaned to 100% capacity	46-07265 1985

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
02/01/90	Barbara Lynn Prep Plant & #2 Deep Mine	U-6037-86	8N DOE	Failed to pass all drainage through a sediment control structure	0	Terminated	03/14/90	Constructed and repaired sediment control sump	46-07265 1985
03/02/90	Otter Crk. #3 Surface Mine	S-110-82	1N DOE	Failed to submit for inactive status	0	Terminated	03/16/90	Submitted request for inactive status	46-06497 1988
03/22/90	Beech Glen #1 Deep Mine	D-137-82	9N DOE	Failed to maintain drainage control	0	Terminated	04/12/90	Cleaned sumps and repaired exit channel	46-06608 1982
03/22/90	Mile Road #2 Surface Mine	S-3089-87	12C DOE	Failed to abate 10N	0	Terminated	08/28/90	Cut & removed all woody debris, trees stumps, etc., from regrade spoil and the sediment structures	46-07170 1988
04/12/90	Beech Glen #1 Deep Mine	D-137-82	10N DOE	Failed to maintain haulroad surface - tracked mud	0	Terminated	04/13/90	Cleaned State Rt. 39 and spread gravel on haulroad surface	46-06608 1982
04/23/90	Monoc #1 Surface Mine	S-3041-88	3N DOE	Failed to obtain operator reassignment approval prior to beginning operations	0	Terminated	08/14/90	DMM-19 (operator reassignment) has been submitted	46-07823 1989
04/30/90	Dingess-Rum Surface Mine	S-3041-88	1N DOE	Failed to clear all trees from valley fill area	\$204.00	Terminated	07/24/90	Removed vegetation	46-07823 1989
05/07/90	Beech Glen #4 Deep Mine	U-3029-88	10N DOE	Failed to prevent subsidence	\$325.00	Terminated	07/11/90	Submitted IBR, graded, seeded, and provided sediment control	46-07477 1988
06/05/90	K&P Property/ Maplewood 10	S-3017-89	1N DOE	Failed to publish a blasting schedule prior to beginning blasting activities	0	Terminated	06/22/90	The blasting schedule was published. Assumed by BCG when DMM-19A is approved	46-07906 1990

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
07/10/90	K&P Property/Maplewood 10	S-3017-89	2N DOE	Failed to remove all vegetation prior to placement of excess spoil and failed to place spoil in 4 foot lifts	\$252.00	Terminated		Assumed by BCG when DMM-19A is approved	46-07906 1990
08/03/90	Nile Road No. 2 Surface Mine	S-3089-87	9N DOE	Failed to properly maintain drainage system. Repair washout section of sediment ditch LE-1 near discharge 001	\$770.00	Terminated	03/06/91	Repaired washed-out portion of sediment ditch LE-1. Action: Cessation Order modified to 9N. Made payment of \$770.00 to DOE 03/06/91	46-07170 1988
08/03/90	Nile Road No. 2 Surface Mine	S-3089-87	10N, 12C DOE	Failed to follow approved pre-plan. Failed to remove all woody debris, trees, stumps, etc., from regrade spoil and sediment ditch outslopes	\$1,848.00	Terminated	03/06/91	Cut & removed all woody debris, trees, stumps, etc., from regrade spoil and the sediment structures. Made payment of \$1848.00 to DOE	46-07170 1988
08/13/90	Monoc #1 Surface Mine	S-6025-88	4N DOE	Failed to follow the approval pre-plan in valley fill construction	0	Terminated	10/22/90	Valley fill core is unstopped, fill has been graded and seeded	46-07823 1989
08/22/90	Barbara Lynn #1 Surface Mine	S-73-85	3N DOE	Exceeded the effluent limits as set forth in the NPDES permit (pH over 10) on 07/31/90	0	Terminated	03/06/91	Water treated to meet discharge limits. Applied for formal review. No harm occurred off the permit area. Operator abated violation immediately upon discovery and prior to DOE even coming to the site	46-07625 1985
08/22/90	Nile Road #2 Surface Mine	S-3089-87	11C DOE	Failed to abate 9N	\$770.00	Terminated	08/26/90	Repaired washed-out portion of sediment ditch LE-1	46-07170 1988

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
09/05/90	K&P Property/Maplewood 10	S-3017-89	3N DOE	Bulk pond #6 outside bonded limits	0	Terminated	10/02/90	Seeded all areas outside permit area	46-07906 1990
09/26/90	Beach Glen #1 Deep Mine	D-137-82	11N DOE	Failed to control dust from surface of haulageway	0	Terminated	09/27/90	Watered the haulroad	46-06608 1982
12/19/90	Barbara Lynn Complex	U-6037-86	9N DOE	Failed to meet NPDES discharge limits (Black water)	\$248.00	Terminated	12/20/90	Company used water treatment to clear up water discharge	
01/17/91	Monoc #1 Surface Mine	S-6025-88	5N DOE	Failed to properly maintain access/haulage road	\$307.00	Terminated	01/22/91	Repaired haulroad #3 low water bridge and removed trash and debris from bridge culverts.	
01/17/91	Monoc #1 Surface Mine	S-6025-88	6N DOE	Failed to maintain effluent limitations as set forth in the NPDES program	\$1,043.00	Terminated	01/22/91	Treated water to meet NPDES effluent limitations	
01/18/91	Dingess Rum #1 Deep Mine	U-6008-88	3N DOE	Failed to maintain permanent monument	0	Terminated	01/22/91	Established required sign at the permit entrance	
01/23/91	Barbara Lynn #1 Surface Mine	S-73-85	4N DOE	Water not passing through certified drainage structure	\$1,040.00	Terminated	03/28/91	Reconstructed sediment control structure to allow all drainage from disturbed area to pass through the drainage system	
03/21/91	Barbara Lynn #2 Complex	U-6037-86	11N DOE	Failed to clean out sediment control structures when accumulation reached 60% of the design capacity	\$1,163.00	Terminate	03/28/91	Ponds and sumps 100% cleaned.	
07/10/91	Nile Road #2 Surface Mine	S-3089-87	13N DOE	Failed to submit annual drainage certification for constructed and installed drainage control structures	\$977.00	Terminated	07/19/91	Submitted annual drainage certification	
07/10/91	Level Land Surface Mine	S-3020-87	7N DOE	Failed to submit annual drainage certification for constructed and installed drainage control structures	\$861.00	Terminated	07/19/91	Submitted annual drainage certification	

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
07/30/91	Beech Glen #4	U-3029-88	11N DOE	Failure to seal mine portals	\$577.00	Terminated	08/07/91	Temporarily sealed mine entries with dirt	
08/06/91	K&P Surface Mine	S-3017-89	4N DOE	Failed to prevent material damage to the hydrologic balance outside the permit area. Spoil material was placed in the stream	\$719.00	Terminated	09/06/91	All material placed in stream has been removed and stream bank has been seeded and mulched. Grass has germinated	
09/11/91	K&P Surface Mine	S-3017-89	5N DOE	Failed to construct and certify sediment ditch in sections of 1,000 feet or less as measured from the active pit	Pending	Terminated	11/19/91	Certifications have been submitted and sediment ditch constructed	
09/12/91	Monoc #1 Surface Mine	S-6025-88	7N DOE	Failed to maintain the effluent limits as set forth in the NPDES program for outlet 014	\$1,644.00	Terminated	09/18/91	Water has been treated. Caustic treatment will be installed in the future	
10/03/91	Dingess-Rum Surface Mine	S-3041-88	2N DOE	Failed to construct and certify haulroad #21 and on bench haulroad in area S-30	\$405.00	Terminated	10/09/91	Constructed road and submitted certification. Violation was terminated upon request of the operator	
11/01/91	K&P Surface Mine	S-3017-89	6N DOE		Pending	Terminated	12/19/91	Certification for pond #2 has been submitted	
11/13/91	Dingess Rum Surface Mine	S-3041-88	3N DOE	Placed spoil on the downslope below the coal seam being mine (upper coal seam) near the top of the haulroad 21	Pending	Terminated	02/10/92	Have reclaimed all disturbance downslope	
11/22/91	Barbara Lynn Strip	S-73-85	5N DOE	Failed to backfill, compact and grade in order to restore approximate original contour	Pending	Current	12/26/91	Extended. A little remedial work has been done. Must accomplish remedial measures by January 22, 1992	
12/03/91	Barbara Lynn Strip	S-73-85	6N DOE	Failed to regrade, protect and stabilize all disturbed areas in a manner which effectively controls erosion	Pending	Terminated	03/06/92	This violation was corrected by regrading and installation of a rip-rapped flume/ditch line	

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
12/03/91	Barbara Lynn Stip	S-73-85	7N DOE	Failed to protect off-site areas from damage from surface mining operations	Pending	Terminated	01/13/92	Reclaim all disturbance outside of bonded areas. Submit an accurate surveyed progress map showing all disturbance limits and actual permitted area. Must accomplish all remedial measures by 1/3/92. Progress map has been submitted	
12/04/91	K&P Surface Mine	S-3017-89	8N (SB9N) DOE	Failed to clean out Pond #4 when the sediment accumulation reaches 60% of the design capacity	Pending	Current	12/08/91	Clean Pond #4 to 100% of the design capacity. Must accomplish remedial measures by 12/19/91	
12/04/91	K&P Surface Mine	S-3017-89	9N (SB10N) DOE	Failed to certify Pond #4 prior to surface mining activities in the drainage component. (Valley Fill #8 has been started prior to certification of Pond #4)	Pending	Current	12/08/91	Submit certification on Pond #4. Must accomplish remedial measures by 12/19/91	
12/04/91	K&P Surface Mine	S-3017-89	7N (SB8N) DOE	Failed to protect off-site areas from slides or damage occurring surface mining operations, and do not deposit spoil material or waste accumulations outside the permit area. (Below Pond #3) NOV was modified to a cessation order on 12/19/91	Pending	Terminated	1/2/92	All required work has been performed, and the CO terminated	
12/04/91	K&P Surface Mine	S-3017-89	8N (SB9N) DOE	Failed to clean out Pond #4 when the sediment accumulation reaches 60% of the design capacity	Pending	Current	1/2/92	Pond #4 has been cleaned but ice on water prevents inspection to see if 100% of design capacity has been reached. Violation is partially abated and extended to 1/19/92. Must accomplish remedial measures by 1/19/92	

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
12/04/91	K&P Surface Mine	S-3017-89	9N (SB10N) DOE	Failed to certify Pond #4 prior to surface mining activities in the drainage component. (Valley Fill #8 has been started prior to certification of Pond #4)	Pending	Current	1/2/92	Permittee has started on certification on Ponds #3 and #4. Must accomplish remedial measures by 1/19/92	
12/06/91	Barbara Lynn Strip	S-73-85	8N DOE	Failed to follow ground water monitoring plans as approved	Pending	Terminated	01/13/92	Groundwater reports have been submitted. Submit future reports with the surface water discharge reports. (Attached to the DMR's)	
12/06/91	Dingess Rum Deep Mine	U-6008-88	4N DOE	Ceased mining and reclamation operations for a period of 30 days or more without first having an approved inactive status	Pending	Terminated	02/15/92	Inactive status has been denied. (Letter dated 2-1-92) Within 30 days reactivate or begin reclamation. Letter was received by us 2-21-92. *Must reactivate or begin reclamation by 3/22/92	
12/06/91	Dingess Rum Deep Mine	U-6008-88	5N DOE	Failed to follow ground water monitoring pre-plan as approved	Pending	Terminated	02/06/92	Ground water report has been submitted	
12/09/91	Barbara Lynn #1 Surface Mine	S-73-85	9N DOE	Failed to provide certification for all drainage structures to be built as designed	Pending	Terminated	03/10/92	Certifications have been submitted and returned for corrections. Remedial measures must be accomplished before 3/9/92. (No further extensions available)	
12/09/91	Barbara Lynn Strip	S-73-85	10N DOE	Failed to provide certifications for all excess spoil areas as to their construction	Pending	Terminated	03/10/92	Submit construction certification for Valley Fill #4 and the "Road Cut" fill. Must accomplish all remedial measures by 1/9/92	

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
12/09/91	Level Land Surface Mine	S-3020-87	8N DOE	Failed to submit ground water monitoring results to the Director	Pending	Current	01/06/92	The permittee is working with the DEP to obtain a waiver to eliminate sampling this site. Must accomplish remedial measures by 02/07/92	
12/12/91	Dingess Rum Surface Mine	S-3041-88	4N DOE	Failed to maintain, construct and/or certify drainage and drainage and sediment control system in that diversion ditch #1 failed and short circuited: sediment ditch #1 from fill 6 to end of permit was not certified; and sediment ditch #1 from fill 6 through area S-5 has not been constructed	Pending	Terminated	03/09/92	Have constructed ditches 1, 1A and 4 and certified	
01/03/92	Barbara Lynn	U-6018-86	1N DOE	Failed to submit permit renewal application at least 120 days prior to the expiration of the valid permit	Pending	Terminated	01/04/92	DM-17 was submitted on 10-7-91. This needed to be submitted 120 days prior to the expiration date 10/17/91, letter of this notification was dated 1/31/91 concerning this permit requirement	
01/09/92	Monoc #1	S-6025-88	8N DOE	Failed to maintain the effluent limits as set forth in the NPDES program for outlet 013. (Discharging pH 4.5 @ estimated 2 gallons per minute)	Pending	Terminated	01/14/92	Discharge 013 pH 4.5. Modified to CO #9 (1/14/92-11:15 am) Water has been chemically treated pH 9.0 (terminated @ 3:20 pm)	
01/14/92	Monoc #1	S-6025-88	9CO DOE	Failed to abate NOV #8 (1/14/92 - 11:30 am) Discharge 013 pH 4.5)	Pending	Terminated	01/14/92	Water has been chemically pH 9.0. Termination at 3:20 pm	
01/21/92	Monoc #2	S-6019-89	1N DEP	Failed to submit a copy of the Pre-Blast to the Commissioner as requested	Pending	Terminated	01/22/92	Pre-Blast copies were submitted	

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
02/06/92	K&P Surface Mine	S-3017-89	13N DEP	Failed to meet the effluent limitations as set forth in the NPDES program. (Pond #2 discharging Fe (Iron) at 9 mg/l at approximately 5 GPM	Pending	Terminated	02/07/92	Pond #2 has been chemically treated to maintain Iron at less than 6.00 mg/l at all times and a monthly average at 3.00 mg/l or less. pH 8.00, Iron 2.50 mg/l at time of inspection	
02/06/92	K&P Surface Mine	S-3017-89	12N DEP	Failed to construct and maintain haulroad according to the approved pre-plan	Pending	Extended	04/03/92	Additional culverts have been added to haulroad. Haulroad needs additional road material. Must accomplish remedial measures by 5/6/92.	
02/18/92	Barbara Lynn #2 Complex	U-6037-86	12N DEP	Failed to properly construct or maintain haulageway/ access road	Pending	Current	02/18/92	Maintain haulroad No. 2 by grading properly and surfacing to eliminate rutting and excessive muddy conditions. Surface with a durable rock material. Must accomplish all remedial measures by 3/3/92.	
02/28/92	Monoc #2	S-6019-89	2N DEP	Failed to maintain effluent limitations as set forth in the NPDES program or other applicable water quality standards	Pending	Terminated	03/10/92	Water is clear pH - 6.5, Fe- 1.0 mg/l	
02/28/92	Monoc #2	S-6019-89	3N DEP	Failed to properly construct sediment control system in accordance with your approved pre-plan	Pending	Second	04/15/92	Some rip-rap has been added to outlet, but more is needed	
02/28/92	Monoc #2	S-6019-89	4N	Failed to pass all run off from the disturbed area through a sediment control structure	Pending	Second	04/15/92	Additional work has been performed on abatement actions	
02/28/92	Monoc #2	S-6019-89	5N DEP	Failed to protect off-site areas from the damage from surface mining operations	Pending	Second	04/15/92	Additional work has been performed on abatement actions	
02/28/92	Monoc #2	S-6019-89	6N DEP	Failed to properly construct haulageway or access road	Pending	Terminated	04/15/92	Wood & soil has been seperated and slopes seeded	

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
03/03/92	K&P Surface	S-3017-89	14N DEP	Failed to meet the effluent limitations as set forth in the NPDES program.	Pending	Terminated	03/06/92	Pond #2, NPDES outlet 002, has been chemically treated to maintain effluent limitations for iron	
03/03/92	K&P Surface	S-3017-89	15N DEP	Failed to remove all organic materials from the foundation of sediment ditch #4 and exclude sod and roots from material used to construct embankment of sediment ditch #4	Pending	Extended	04/03/92	Part of sediment ditch #4 has been reworked and organic material removed	
03/03/92	K&P Surface	S-3017-89	16N DEP	Failed to establish perimeter markers in locations shown on the proposal map	Pending	Terminated	04/03/92	End of strip markers have been installed	
03/20/92	Lick Branch/ Polaris	S-6019-89	1N DEP	Failed to build sediment ditch as per pre-plan	Pending	Current	03/20/92	Build sediment ditch 013 as pre-plan specifications.	
04/09/92	Lick Branch/ Polaris	S-6021-88	2N DEP	Failed to maintain haulroad #2	Pending	Terminated	04/09/92	Top two haulroad sumps on haulroad #2 were cleaned to 100% of design capacity	
<u>Glenrock Coal Company</u>									
11/15/89	GCC	291-T2	100411	Failure to submit renewal application 120 days prior to expiration	0	Terminated	11/16/89	Renewal application submitted 11/16/89	48-00085 3/09/73
<u>NDG, Inc.</u>									
07/24/90	Martin Rail Siding	436-6031	044967 KY Dept. of Surface Mining Recl. & Enforce	Failure to construct 8" perforated metal pipe next to wall as approved in plan	Pending	Terminated	12/11/90	Approved KY permit revision on 12/3/90	15-13506 3/06/84
10/08/90	Martin Rail Siding	436-8031	044669 KY Dept. of Surface Mining Recl. & Enforce	Failure to meet effluent limitations for pH	1,600.00	Terminated	10/08/90	Initiated treatment measures. Assessment is being contested	15-13506 3/06/84

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
<u>NERCO Eastern Coal Company</u>									
02/13/89	Sayre	P-3227	89-NCD-03 OSM	Failure to construct basin according to plans	0	Terminated	04/07/89	Reclaimed affected area	12-01018 2/13/81
<u>P-V Mining Company</u>									
02/13/89	Kohlenlager	S-00139	N90213-S-00139 Indiana Div. of Reclamation	Failure to meet effluent limitations for settleable solids	0	Terminated	03/16/89	Treated basin to meet effluent limitations	12-01018 2/13/81
01/10/92	Kohlenlager	S-00139	N20110-S-00139 Indiana Div. of Reclamation	Failure to conduct blasting operations so that the maximum allowable charge-weight of explosives in any 8 mos. period is not exceeded	Pending	Terminated	01/10/92	Abated immediately	
03/26/92	Kohlenlager	S-00139	N20326-S-00139 Indiana Div. of Reclamation	Failure to remove and properly segregate soil materials to be used in the reconstruction of prime farmland soil before any other surface disturbance	Pending	Terminated	04/14/92		
<u>Sequatchie Valley Coal Company</u>									
01/25/89	SVC/Tipple	2521 TN0053627	NONC 89-02 DOHE	Discharges violated conditions of NPDES permit	0	Terminated	01/30/89	DOHE = Dept. of Health and Environ. Treated basin to meet effluent limitations	40-01089 4/15/77
02/06/89	SVC/Area #1	81-143 TN0045951	NONC 89-03 DOHE	Discharges from basin 005 violate conditions of NPDES	0	Terminated	01/25/89	DOHE = Dept. of Health and Environ. Treated basin to meet effluent limitations	40-00759 4/3/69
02/06/89	SVC/Area #1	79-183 TN0042536	NONC 89-04 DOHE	Seeps below the embankment flowing, untreated, directly to creek	0	Terminated	05/11/89	Submitted correspondence to DOHE. DOHE = Dept. of Health and Environ.	40-00759 4/3/69

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
03/10/89	SVC/Area #2-2	2409 83-C-031	NONC 89-06 DOHE	Violation of the effluent limitation for manganese in in NPDES permit	0	Terminated	04/21/89	Also Permit TN0052931/TN005 2001 Treated basin to meet effluent limitations	40-00759 4/3/69
03/13/89	SVC/Tipple	2521	89-92-093-01	Failure to meet effluent limitations for discharge water	0	Terminated	03/14/89	Treated basin to meet effluent limitations	40-01089 4/15/77
03/15/89	SVC/Area #2	83-C-031	89-92-180-001 OSM	Failure to meet effluent limitations for discharge basin 2-001	0	Terminated	04/21/89	Treated basin to meet effluent limitations	40-00759 4/3/69
03/15/89	SVC/Area #2-2	2409	89-92-180-002 OSM	Failure to maintain a liability insurance policy	0	Vacated	03/22/89	Showed proof of insurance	40-00759 4/3/69
03/16/89	SVC/Area #3-3	2408	89-92-180-003 OSM	Failure to meet effluent limitations for discharge from Basin 001A	0	Terminated	04/14/89	Treated basin to meet effluent limitations	40-00759 4/3/69
03/21/89	SVC/Tipple	2521 TN0053627	NONC 89-10 DOHE	Mine wastewater was not in compliance with NPDES permit	0	Terminated	04/03/89	Treated basin to meet effluent limitations	40-01089 4/15/77
03/28/89	SVC/Area #3-3	2408 TN0052981	NONC 89-11 DOHE	Effluent limitations were not in compliance with NPDES permit	0	Terminated	03/29/89	Treated basin to meet effluent limitations	40-00759 4/3/69
04/05/89	SVC/Area #1	79-183 TN0052981	NONC 89-13 DOHE	Discharge from seeps flow untreated directly to the creek	0	Terminated	05/11/89	A sump was installed to collect seeps and pumped to a basin	40-00759 4/3/69
07/17/89	SVC/Area #1	81-143	89-92-198-011 OSM	Failure of discharge to be in compliance with applicable NPDES permit requirements	0	Terminated	07/27/89	Treated basin to meet effluent limitations	40-00759 4/3/69
08/23/89	SVC/Area #2-2	2409	89-92-081-002 OSM	Basin 2-001 failure to meet numerical effluent limitations	0	Terminated	08/28/89	Treated basin to meet effluent limitations	40-00759 4/3/69

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
09/19/89	SVC/Area #1	81-143	NONC 89-25 DOHE	Failure to meet effluent limitations	0	Terminated	09/28/89	DOHE = Dept. of Health and Environ. Treated basin to meet effluent limitations	40-00759 4/3/69
02/08/90	SVC/Shop and Haulroad	83-C-024	90-092-081-001	Primary road relocated without regulatory approval	0	Terminated	04/20/90	Permit revision submitted and approved	40-00759 4/3/69
02/26/90	SVC/Area #1	79-183	90-092-179-005	Discharge from areas disturbed by mining with pH of less than (6.0)	0	Terminated	02/26/90	Routed water to sump where it is pumped to a basin for treatment	40-00759 4/3/69
03/19/90	SVC/Area #1	81-143	90-92-179-07(2) OSM	Discharged water from permit area with Fe content in excess of 7 mg/l	0	Terminated	03/22/90	Basin treated to meet effluent limitations	40-00759 4/3/69
03/19/90	SVC/Area #1	79-183	90-92-179-08 OSM	Altered permit condition by changing the drainage control system without regulatory approval	0	Terminated	04/24/90	Pending. Basin treated to meet effluent limitations. Revision submitted to permit the sump and approved	40-00759 4/3/69
10/18/90	SVC/Area #1	81-143	NOHC-90-76 DOHE	Failure to meet effluent limitations	0	Terminated	11/05/90	Installed curtain to enhance mixing of chemical	40-00759 4/3/69
12/27/90	SVC/Tipple #1	2521	90-092-081-05 OSM	Failure to meet effluent limitations for discharge water from area disturbed by mining	0	Terminated	01/17/91	Discharge due to storm event which exceeded 10 yr/24 hr storm	
01/10/91	SVC/Tipple #1	NPDES #TN0053627	NONC #91-2 DOHE	Failure to meet effluent limitations for iron in discharge water, as stipulated in NPDES Permit	None	Terminated	02/11/91	Basin 001A in compliance as of 01/23/91	
02/26/91	SVC/Tipple #1	2521	91-92-190-03 OSMRE	Failure to meet effluent limitations for discharge of waters from area disturbed by mining operations	0	Terminated	02/26/91	Treated ponds to meet effluent limitations. No penalty assessed	

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
03/11/91	SVC/Area #2-2	2409	90-092-082-06 OSM	Failure to remove, segregate, stockpile and protect all available topsoil and/or subsoil as required by permit	0	Terminated	04/11/91		
03/20/91	SVC/Area #1 E-80/E-80-A	NPDES #TN0045951	NONC #91-17 TN Dept. of Conservation	Failure to implement measures for successful wastewater treatment, effluent limitations not in compliance	Pending	Pending	04/17/91	Remedial plan submitted to DOC for approval	
03/28/91	SVC/Area #2-2	2409	91-092-082-07 OSM	Failure to conduct mining operations as described in the approved permit, specifically coal removal operations have progressed with disregard to approved cut sequences	None	Terminated	08/12/91	Abatement due by 5/3/91. Requires a permit revision and approval prior to termination. Permit revision #0510 approved on 8/8/91	
03/28/91	SVC/Area #2-2	2409	91-092-082-07 OSM	Failure to rough grade and backfill all open pit areas within 180 days following coal removal	1,200	Terminated	08/12/91	Abatement due by 5/3/91. Requires a permit revision and approval prior to termination. Permit revision #0510 approved on 8/8/91. Assessment paid	
04-19-91	SVC/Area #3-3	2408	91-092-082-09 OSM	Failure to meet effluent limitations for pH discharge. Lab Analysis: pH = 10.6 std. units	0	Terminated			
04/26/91	SVC/Tipple #1	NPDES #TN0053627	NONC #91-28 TN Dept of Conservation	Low pH water flowing from coal stockpiles is believed to be infiltrating the ground water and causing pollution	0	Terminated	08/12/91	OSM #2521-SVC submitted ground water monitoring plans on 7/30/91 and they are approved as of status date by DOC	
09/13/91	SVC/Area #3	83-C-01/ NPDES TN0048844	NONC 91-74 TN State Dept. Envir. & Conserv.	Pond is believed to be discharging through the embankment either by saturation seepage or direct piping. Poor water quality	0	Terminated	11/18/91	Abatement plans being formulated	
09/17/91	SVC/Area #3	83-C-013	91-92-82-14 OSM	Failure to meet numerical effluent limitations for discharge. Iron = 7.53 ppm	0	Terminated	09/23/91		

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
12/05/91	SVC/Tipple #1	2521	91-92-190-07 OSM	Failure to meet effluent limitations for discharge of water from area disturbed by mining operations	\$1,300.00	Terminated	12/10/91		
03/17/92	Mine Area 2-2	2409	92-92-190-05 OSMRE	Diversion ditch breached on north side of permit above basin 006. Failure to maintain sediment control	Pending	Terminated	03/17/92		
<u>Spring Creek Coal Company</u>									
09/01/89	SCC	MT-0012/79012R	89-88124R-01 MDSL	Failure to renew prospecting permit	\$280.00	Terminated	09/01/89	Submitted required renewal application	24-01457 1/23/79
10/25/89	SCC	MT-0012/790 12R	89-89124R-01 MDSL	Prospecting without approved permit amendment	\$300.00	Terminated		Terminated drilling until amendment approved	24-01457 1/23/79
03/09/90	SCC	MT-0012/790 12R	90-12-01 MDSL	Failure to inspect all sedimentation ponds	0	Terminated		Instituted a quarterly inspection program	24-01457 1/23/79
05/16/90	SCC	MT-0012/790 12R	90-12-01 MDSL	Disturbance outside the permit area	\$260.00	Terminated		Reclaimed the disturbance	24-01457 1/23/79

EXHIBIT C

RIGHT-OF-ENTRY INFORMATION

DEER CREEK MINE

RIGHT OF ENTRY (R645-301-114)

Assignment of the following coal leases and subleases were entered into on March 24, 1977, between Utah Power & Light Company as assignee and Peabody Coal Company as assignor and were approved by the Bureau of Land Management, Utah State Office, effective as of September 1, 1977.

<u>Subleases</u>	<u>Leases</u>
SL-070645-U-02292	SL-064607-064621
U-040151	SL-064900
U-044025	SL-066116
U-083066	U-1358
U-084923	
U-084924	

Assignments of the following additional coal leases were entered into on May 18, 1979, between Utah Power and Light company as assignee, and Peabody Coal Company as assignor and were approved by the Bureau of Land Management, effective January 1, 1980.

Leases

U-014275
U-024319

On October 1, 1981, the Bureau of Land Management issued the following lease to Utah Power & Light Company.

Lease

U-47979

By Coal Mining Lease dated January 1, 1969, Malcolm N.

McKinnon leased surface and coal mining rights as follows to Peabody Coal Company who assigned their rights to UP&L on March 24, 1977.

T17S, R7E, SLM

Section 10: SE1/4

Section 11: W1/2, SW1/4, S1/2SW1/4NW1/4

Section 14: W1/2NW1/4

By Coal Mining Lease dated June 13, 1972, Malcolm N.

McKinnon leased surface and coal mining rights as follows to Peabody Coal Company, who assigned their rights to UP&L on March 24, 1977.

T17S, R7E, SLM

Section 11: N1/2NW1/4, N1/2SW1/4NW1/4

By Coal Mining Lease dated December 30, 1979,

Cooperative Security Corporation leased surface and coal mining rights as follows to Peabody Coal Company, who assigned their rights to UP&L on March 24, 1977.

T17S, R6E, SLM

100 Acres, more or less in the E1/2 of Section 25,

T17S, R7E, SLM

Section 15: SE1/4

Section 22: NE1/4

Section 14: SW1/4 West of Fault

Section 23: NW1/4 West of Fault

None of these documents are subjects of pending litigation.

AREA DESIGNATED UNSUITABLE FOR MINING R645-301-115

In consultation with concerned federal land agencies and the Division of Oil, Gas and Mining, no lands within or adjacent to the permit area have been identified as qualifying under R645-103-400 as areas unsuitable for surface effects of underground coal mining activities.

References:

Land Management Plan
Ferron-Price Planning Unit
Manti-LaSal National Forest

Mr. John Niebergall
US Forest Service
Manti-LaSal National Forest
Ferron, Utah

Mr. Sam Rowley
Bureau of Land Management
Price, Utah

Mr. Ron Daniels
Division of Oil, Gas and Mining
Salt Lake City, Utah

No facilities or operations will be conducted within 300 feet of an occupied dwelling.

Applicant has demonstrated that a financial and legal commitment was made prior to January 4, 1977 (Peabody - UP&LCo. contracts for coal delivery). In addition, an updated contact with the state and federal agencies responsible for administering the unsuitability criteria (US Forest Service, BLM and State of Utah) revealed no action or petition has been initiated.

There are no known restricted areas near the permit

area of the Deer Creek Mine.

PERMIT TERM R645-301-116

This application is for the five (5) year permit term, however, schedules for mining coal included in the mining plan narrative are tabulated for the life of the coal property.

PERSONAL INJURY AND PROPERTY DAMAGE INSURANCE R645-301-117

The liability insurance coverage required by R645-301-890 is provided by a policy issued to Applicant. Applicant will insure that such insurance coverage is maintained in full force and effect during the life of the permit and through completion of reclamation, or will provide evidence that the self-insurance requirements of R645-301-890.100 have been satisfied by it.

MINING PERMITS

The Deer Creek Mine is presently operating under a mining permit issued by the State of Utah, Division of Oil, Gas and Mining (ACT/015/018) issued on February 7, 1986 and renewed February 7, 1991 and approval under 30 CFR 211 issued by the US Geological Survey on January 23, 1978.

The MSHA identification number assigned to the Deer Creek Mine is 42-00121.

CERTIFICATE OF INSURANCE

02/19/92

PRODUCER
MARSH & McLENNAN, INC.
 900 S. W. FIFTH, SUITE 1100
 PORTLAND, OR
 97204-
 PHONE 503-226-9500

THIS CERTIFICATE IS ISSUED AS A STATEMENT 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.

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER A **AEGIS INSURANCE SERVICES, LTD.**
- COMPANY LETTER B
- COMPANY LETTER C
- COMPANY LETTER D
- COMPANY LETTER E

INSURED
PacifiCorp, DBA PacifiCorp
Electric Operations
 920 SW Sixth
 Portland, OR
 97204-

> COVERAGES <=====
 THIS IS TO CERTIFY THAT 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 TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFF DATE	POLICY EXP DATE	ALL LIMITS IN THOUSANDS	
	GENERAL LIABILITY				GENERAL AGGREGATE	35000
A	<input checked="" type="checkbox"/> COMMERCIAL GEN LIABILITY	XO296A1A92	02/24/92	02/24/93	PROOS-COMP/OPS AGG.	
A	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> CLAIMS MADE [] OCC.	retro date:			PERS. & ADVG. INJURY	
	[] OWNER'S & CONTRACTORS PROTECTIVE	12-24-86			EACH OCCURRENCE	35000
A	<input checked="" type="checkbox"/> XCU				FIRE DAMAGE (ANY ONE FIRE)	
	[]				MEDICAL EXPENSE (ANY ONE PERSON)	
	AUTOMOBILE LIAB				CSL	
	[] ANY AUTO				BODILY INJURY (PER PERSON)	
	[] ALL OWNED AUTOS				BODILY INJURY (PER ACCIDENT)	
	[] SCHEDULED AUTOS				PROPERTY	
	[] HIRED AUTOS					
	[] NON-OWNED AUTOS					
	[] GARAGE LIABILITY					
	[]					
A	EXCESS LIABILITY	XO296A1A92	02/24/92	02/24/93	EACH OCC	AGGREGATE
	[] UMBRELLA FORM	(SEE ATTACHED)			35000	35000
	<input checked="" type="checkbox"/> OTHER THAN UMBRELLA FORM					
	WORKERS' COMP AND EMPLOYERS' LIAB				STATUTORY	EACH ACC DISEASE-POLICY LIMIT DISEASE-EACH EMPLOYEE
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

DEERCREEK ACT/015/018

Damage due to explosives is covered. Insurance Company will notify State of Utah of changes or cancellation

> CERTIFICATE HOLDER <=====
STATE OF UTAH, DEPT OF NATURAL RESOURCES, DIV. OF OIL & GAS
 355 W. NORTH TEMPLE
 SALT LAKE CITY, UT
 84180-1203

CANCELLATION <=====
 = SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ADVISE BY MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BY FAX OR TELEPHONE. THE COMPANY SHALL HAVE NO OBLIGATION OR LIABILITY TO THE POLICYHOLDER FOR THE CANCELLATION OF THE POLICY.
 = AUTHORIZED REPRESENTATIVE

ACORD 25-S (3/88)

Andrea D. Johnson

Certificate Number: **No. 22306**

ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED
Hamilton, Bermuda

CERTIFICATE OF INSURANCE

(~~EXCESS~~ Liability)
Primary

This Certificate is furnished to the Certificate Holder named below as a matter of information only. Neither this Certificate nor the issuance hereof modifies the policy of insurance identified below (the "Policy") in any manner. The Policy terms are solely as stated in the Policy or in any endorsement thereto. Any amendment, change or extension of the Policy can only be effected by a specific endorsement issued by the Company and attached to the Policy.

The undersigned hereby certifies that the Policy has been issued by Associated Electric & Gas Insurance Services Limited (the "Company") to the Named Insured identified below for the coverage described and for the policy period specified.

Notwithstanding any requirements, terms or conditions of any contract or other document with respect to which this Certificate may be issued or to which it may pertain, the insurance afforded by the Policy is subject to all of the terms of the Policy.

NAME OF INSURED: PacifiCorp, PacifiCorp dba PacifiCorp Electric Operations
920 SW Sixth
PRINCIPAL ADDRESS: Portland, Oregon 97204

POLICY NUMBER: X0296A1A92 POLICY PERIOD: From: 2-24-92 To: 2-24-93

RETROACTIVE DATE: 12-24-86 Primary

DESCRIPTION OF COVERAGE: Claims-First-Made ~~EXCESS~~ Liability Policy covering claims for Bodily Injury, Property Damage and Personal Injury arising from the operations described below.

LIMIT OF LIABILITY: \$ 35,000,000 per occurrence and in the aggregate, where applicable.

ADDITIONAL INSURED: The Certificate Holder is an additional Insured under the Policy but only (i) to such extent and for such Limits of Liability (subject always to the terms and Limits of Liability of the Policy) as the Named Insured has agreed to provide insurance for the Certificate Holder under the following contract:
DEERCREEK ACT/015/018

and (ii) with respect to the following operations:

Damages due to explosives is covered. Insurance Company will notify State of Utah of changes or cancellation

Should the Policy be cancelled, assigned or changed in a manner that is materially adverse to the Insured(s) under the Policy, the undersigned will ~~endeavor to~~ give 45 days advance written notice thereof to the Certificate Holder, ~~but failure to give such notice will impose no obligation or liability of any kind upon the Company, the undersigned or any agent or representative of either~~

DATE: 2-24-92

ISSUED TO: State of Utah
ADDRESS: Department of Natural Resources
Division of Oil, Gas and Mining
356 West North Temple
Salt Lake City, Utah 84180-1203

("Certificate Holder")

AEGIS INSURANCE SERVICES, INC.

BY: Sandra D. Johnson

At Jersey City, New Jersey

LICENSES, PERMITS AND APPROVALS OBTAINED BY APPLICANT TO CONDUCT

MINING ACTIVITIES

<u>Name and Address of Issuing Authority</u>	<u>License or Permit</u>	<u>ID No. & Issue Date</u>
US Geological Survey Conservation Division 2040 Administrative Bldg. 1745 West 1700 South Salt Lake City, Utah 84104	Mining Permit (30CFR211)	Leases - SL-070645 U-02292 1/20/78
State of Utah Division of Oil, Gas & Mining 355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, Utah 84180-1203	Mining Permit Hydrologic Monitoring Plan Petition for Bonding Surface Owners Waste Water Disposal	ACT/015/018 2/7/86 10/10/79 12/28/77 10/27/83
State of Utah Dept. of Environmental Quality Division of Water Quality 288 North 1460 West Salt Lake City, Utah 84116	Construction Permit for Sedimentation Pond Wastewater Disposal System	533-6146 2/6/79 10/4/83
US EPA Region VIII 1860 Lincoln Street Denver, Colorado 80203	NPDES Discharge Permit Sedimentation Pond	UT-0023604 8/12/80
US Forest Service Manti-LaSal National Forest 599 West Price River Drive Price, Utah 84501	Special Use Permit 5.85 Acres-Yard Area	3/7/79
State of Utah Division of State Lands 355 West North Temple 3 Triad Center, Suite 400 Salt Lake City, Utah 84180-1203	Special Use Lease Agreement - 160 Acres SE1/4, Section 2, T17S, R7E, SLM	SULA No. 284 11/6/78
Bureau of Land Management 324 South State Salt Lake City, Utah 84111	R/W Power Line R/W Conveyor	U-18934 10/26/72 U-52401 5/3/83

PacifiCorp (successor to Utah Power & Light) commits to stipulations R645-301-731, as issued with the Deer Creek Mine permit ACT/015/018. PacifiCorp does reserve the right to apply for changes to these stipulations as conditons or data collection information dictates.

PacifiCorp commits to the United States Forest Service requirements as addressed in Appendix 1 of the Decision Notice and Finding of No Significant Impact for Mine Breakout Portals, North Fork Meetinghouse Canyon, Federal Coal Lease U-47979 dated April 25, 1986.

LOCATION OF PUBLIC OFFICE FOR FILING OF APPLICATION R645-300-121.130

This application will be submitted to the Division of Oil, Gas and Mining and the Applicant will file a copy of this application for public inspection at the office of:

Emery County Recorder
Emery County Courthouse
Castle Dale, Utah 84513

NEWSPAPER ADVERTISEMENT AND PROOF OF PUBLICATION

The following is a copy of the newspaper advertisement which will be published in a local newspaper of general circulation in the locality of the permit area at least once a week for four consecutive weeks. Proof of Publication will be filed with the Division within four weeks after the date of publication.

Notice

PacifiCorp, An Oregon Corporation, (successor in

interest to Utah Power & Light Company), One Utah Center, 201 South Main, Suite 2100, Salt Lake City, Utah 84140-0021, hereby announces its intent to file an application to renew its Coal Mining Permit ACT/015/018 for the Deer Creek Mine with the Division of Oil, Gas and Mining under the laws of the State of Utah and the Office of Surface Mining.

A copy of the complete application is available for public inspection at the Emery County Recorder's Office, Emery County Courthouse, Castle Dale, Utah 84513.

Written comments on the application should be submitted to the State of Utah, Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

The area to be mined is contained on the USGS 7.5-minute "Red Point", "Rilda" and "Mahogany Point" quadrangle maps.

The approximately 14,500 acres contained in the permit area involve all or part of the following federal and fee coal leases:

Lease No. SL-064607-064621
Issued to Clara Howard Miller 10/4/46

Section 2	Lots 2, 5, 6, 7, 10, 11 and 12 and SW1/4
Section 3	SE1/4SE1/4
Section 10	NE1/4

Township 17 South, Range 7 East, SLM, Utah, containing 613.92 acres.

Lease No. SL-064900
Issued to Cyrus Wilberg 2/3/45

Section 22	SE1/4SW1/4, SW1/4SE1/4, NE1/4SW1/4, NW1/4SE1/4
------------	--

Township 17 South, Range 7 East, SLM Utah containing 160 acres.

Lease No. U-1358

Issued to Castle Valley Mining Co. 8/1/67

Section 22	S1/2NW1/4, W1/2SW1/4, E1/2SE1/4
Section 27	E1/2NE1/4

Township 17 South, Range 7 East, SLM Utah,
containing 320 acres.

Lease No. SL-070645, U-02292

Issued to Clara Howard Miller 4/1/52

Section 4	SW1/4SE1/4, S1/2SW1/4
Section 5	SE1/4SW1/4, S1/2SE1/4
Section 8	E1/2, E1/2W1/2
Section 9	All
Section 10	W1/2
Section 15	N1/2
Section 16	N1/2
Section 17	NE1/4, E1/2NW1/4

Township 17 South, Range 7 East, SLM Utah, containing
2560 acres.

Lease No. U-084923

Issued to Malcolm N. McKinnon 8/1/64

Section 4	Lots 2, 3, 4, 5, 6, 7, 10, 11, 12, NW1/4SE1/4, N1/2SW1/4
Section 5	Lots 1 thru 12, N1/2S1/2, SW1/4SW1/4
Section 6	Lots 1 thru 11, SE1/4
Section 7	Lots 1 thru 4, E1/2
Section 8	W1/2W1/2
Section 18	Lot 1 and 2, N1/2
Section 17	W1/2NW1/4

Township 17 South, Range 7 East, SLM, Utah, containing
2252.42 acres.

Lease No. U-084924

Issued to Malcolm N. McKinnon 8/1/64

Section 1	Lots 1, 2, 3, S1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, SE1/4
Section 12	E1/2, E1/2W1/2
Section 13	NE1/4, E1/2NW1/4

Township 17 South, Range 6 East, SLM Utah, containing
1211.48 acres.

Lease No. U-083066

Issued to Cooperative Security Corp. 3/1/62

Section 13	E1/2SW1/4, SE1/4
Section 24	E1/2W1/2, E1/2
Section 25	N1/2NE1/4

Township 17 South, Range 6 East, SLM Utah

Section 17	SW1/4, W1/2SE1/4
Section 18	Lots 3 and 4, SE1/4
Section 19	Lots 1, 2, 3, 4, E1/2
Section 20	W1/2, W1/2E1/2
Section 29	NW1/4NE1/4, N1/2NW1/4
Section 30	Lots 1, 2, 3, N1/2NE1/4, SW1/4NE1/4, NW1/4SE1/4

Township 17 South, Range 7 East, SLM Utah, containing
2485 acres.

Lease No. U-040151

Issued to Cooperative Security Corp. 3/1/62

Section 15	SW1/4
Section 16	S1/2
Section 17	E1/2SE1/4
Section 20	E1/2E1/2
Section 21	All
Section 22	N1/2NW1/4
Section 27	N1/2NW1/4
Section 28	N1/2N1/2
Section 29	NE1/4NE1/4

Township 17 South, Range 7 East, SLM Utah, containing
1720 acres.

Lease No. U-044025

Issued to Cooperative Security Corp. 8/1/60

Section 27	NW1/4NE1/4
------------	------------

Township 17 South, Range 7 East, SLM Utah, containing
40 acres.

Lease No. U-024319

Issued to Huntington Corporation 5/1/60

Section 27	SW1/4
------------	-------

Section 28 SE1/4
 Section 33 E1/2, E1/2NW1/4, NE1/4SW1/4,
 S1/2SW1/4
 Section 34 NW1/4, NW1/4SW1/4

Township 16 South, Range 7 East, SLM Utah, containing
 1040 acres.

Lease No. U-014275
 Issued to John Helco 10/1/55

Section 28 E1/2SW1/4

Township 16 South, Range 7 East, SLM Utah, containing
 80 acres.

Lease U-47979
 Issued to Utah Power & Light Company 10/1/81.

Section 34 S1/2NE1/4, NE1/4SW1/4, S1/2SW1/4,
 SE1/4

Township 16 South, Range 7 East, SLM Utah

Section 3 Lots 1-8, 10-12, SW1/4, SW1/4SE1/4
 Section 4 Lots 1, 8, 9, E1/2SE1/4

Township 17 South, Range 7 East, SLM Utah, containing
 1,063.38 acres, more or less.

OWNERS OF COAL TO BE MINED OTHER THAN THE UNITED STATES

Description of Land

Owner

SE1/4	Section 10	The Estate of Malcom McKinnon Zions First National Bank
W1/2W1/2, NE1/4NW1/4	Section 11	Trustee Salt Lake City, Utah 84111
W1/2NW1/4	Section 14	
<hr/>		
SE1/4	Section 15	Cooperative Security Corp. 115 East South Temple
NE1/4	Section 22	Salt Lake City, Utah 84111
All T17S, R7E, SLM		

Also:

Beginning at the SE corner of NE1/4SE1/4 Section 25, T17S, R6E, SLM, thence North 160 rods, West 116 rods to center line of Cottonwood Creek; thence southerly along center line of said creek to a point 84 rods West of the beginning; thence East 84 rods to the beginning.

The above listed surface rights and coal owned or leased by PacifiCorp, successor in interest to Utah Power & Light Company

SW1/4 (west of the Section 14
Deer Creek Fault

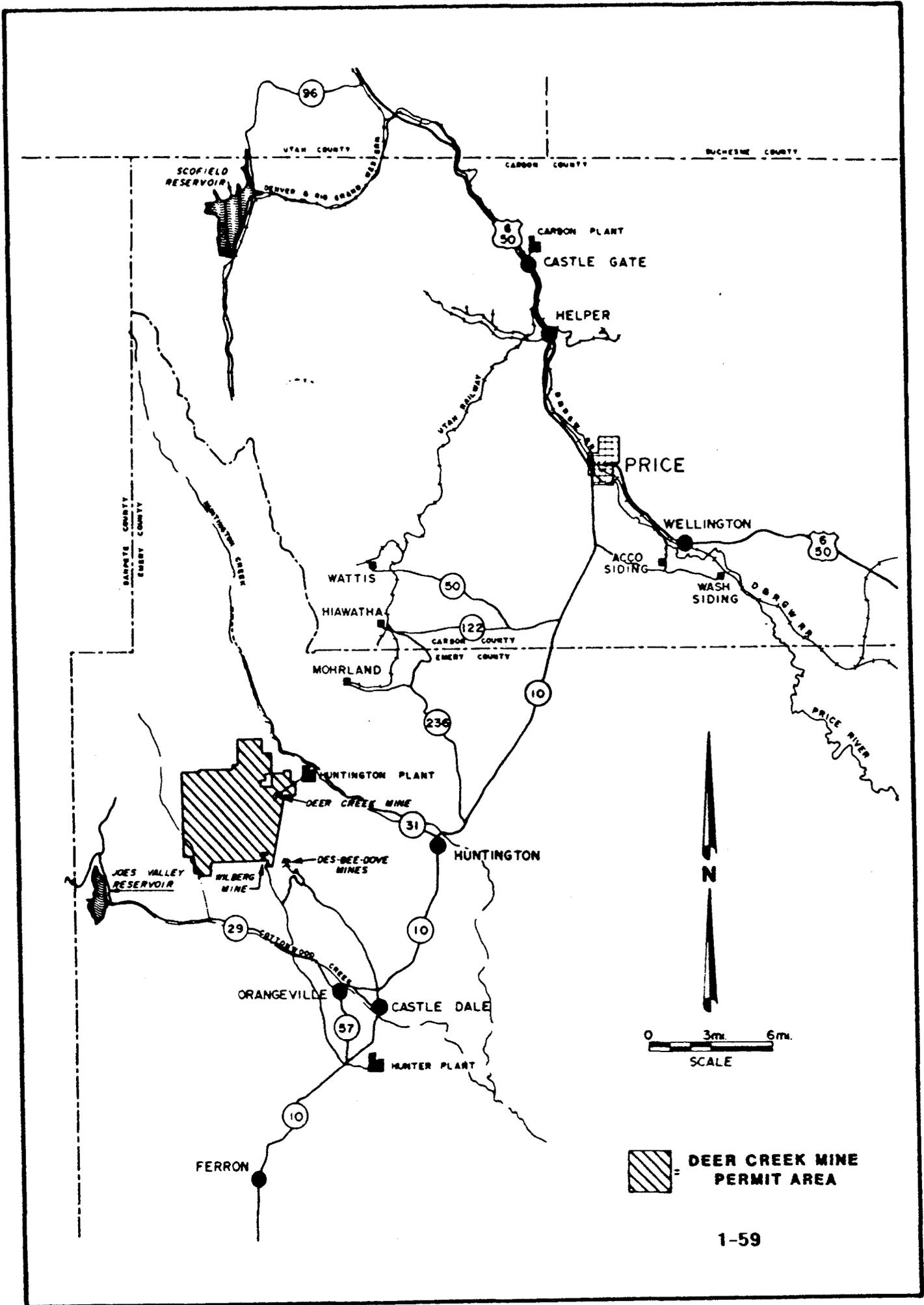
PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021

All T17S, R7E, SLM

ADDITIONAL LANDS TO BE AFFECTED BY MINING

State of Utah Special Use Lease Agreement No. 284 utilized for conveyor and power line right-of-ways located in the southeast quarter of Section 2, T17S, R7E, SLM.

PacifiCorp fee land (successor to Utah Power & Light Company) utilized for a Waste Rock Disposal Site located within Lots 4 and 5 of Section 5 and Lot 1 and the southeast quarter of the northeast quarter of Section 6, T17S, R8E, SLM. (See Volume 10)



 = DEER CREEK MINE PERMIT AREA

EXHIBIT D

RIGHT-OF-ENTRY INFORMATION

COTTONWOOD/WILBERG MINE

RIGHT OF ENTRY R645-301-114

Assignment of the following coal leases and subleases were entered into on March 24, 1977, between Utah Power & Light Company as assignee and Peabody Coal Company as assignor and were approved by the Bureau of Land Management, Utah State Office, effective as of September 1, 1977.

<u>Subleases</u>	<u>Leases</u>
SL-070645-U-02292	SL-064607-064621
U-040151	SL-064900
U-044025	SL-066116
U-083066	U-1358
U-084923	
U-084924	

Assignments of the following additional coal leases were entered into on May 18, 1979, between Utah Power & Light Company as assignee, and Peabody Coal Company as assignor and were approved by the Bureau of Land Management, effective January 1, 1980.

Leases
SI-051221
U-06039
U-014275
U-024317
U-024319

By Coal Mining Lease dated January 1, 1969, Malcolm N. McKinnon leased surface and coal mining rights as follows to Peabody Coal Company, who assigned their rights to UP&L on March 24, 1977.

T17S, R7E, SLM

Section 10: SE1/4

Section 11: W1/2SW1/4, S1/2SW1/4NW1/4

Section 14: W1/2NW1/4

By Coal Mining Lease dated June 13, 1972, Malcolm N. McKinnon leased surface and coal mining rights as follows to Peabody Coal Company, who assigned their rights to UP&L on March 24, 1977.

T17S, R7E, SLM

Section 11: N1/2NW1/4, N1/2SW1/4NW1/4

By Coal Mining Lease dated December 30, 1979, Cooperative Security Corporation leased surface and coal mining rights as follows to Peabody Coal Company, who assigned their rights to UP&L on March 24, 1977.

T17S, R6E, SLM

100 Acres, more or less is the E1/2 of Section 25,

T17S, R7E, SLM

Section 15: SE1/4

Section 22: NE1/4

Section 14: SW1/4 West of Fault

Section 23: NW1/4 West of Fault

Federal Coal Lease U-47978 was issued by the Bureau of Land Management to Utah Power & Light Company, effective October 1, 1981.

None of these documents are subjects of pending litigation.

AREA DESIGNATED UNSUITABLE FOR MINING

In consultation with concerned federal land agencies and the Division of Oil, Gas and Mining, no lands within or adjacent to the permit area have been identified as qualifying under R645-103 as areas unsuitable for surface effects of underground coal mining activities.

References:

Land Management Plan
Ferron-Price Planning Unit
Manti-LaSal National Forest

Mr. John Niebergall
US Forest Service
Manti-LaSal National Forest
Ferron, Utah

Mr. Sam Rowley
Bureau of Land Management
Price, Utah

Mr. Ron Daniels
Division of Oil, Gas and Mining
Salt Lake City, Utah

The two sedimentation basins and a portion of the access road at the Cottonwood Fan Portal in Cottonwood Canyon are constructed within 300 feet of the existing Trail Mountain Coal Mine facilities. These facilities were approved by the Division of Oil, Gas and Mining, August 8, 1980 (ACT/015/027) and October 8, 1986

(ACT/015/019-86E).

No other facilities or operations will be conducted within 300 feet of an occupied dwelling.

Applicant has demonstrated that a financial and legal commitment was made prior to January 4, 1977 (Peabody- UP&L contract for coal delivery). In addition, an updated contact with the state and federal agencies responsible for administering the unsuitability criteria (US Forest Service, BLM and State of Utah) revealed no action or petition has been initiated.

There are no known restricted areas near the permit area of the Cottonwood/Wilberg Mine.

PERMIT TERM

This application is for the five (5) year permit term; however, schedules for mining coal included in the mining plan narrative are tabulated for the life of the lease. In addition, mine maps submitted show areas to be mined through the life of the lease.

PERSONAL INJURY AND PROPERTY DAMAGE INSURANCE

The liability insurance coverage required is provided by a policy issued to applicant. Applicant will insure that such insurance coverage is maintained in full force and effect during the life of the permit and through completion of reclamation, or will provide evidence that the self-insurance requirements of R645-301-890.100 have been satisfied by it.

CERTIFICATE OF INSURANCE

02/19/92

PRODUCER
MARSH & McLENNAN, INC.

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.

900 S. W. FIFTH, SUITE 1100
PORTLAND, OR
97204-
PHONE 503-226-9500

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER A AEGIS INSURANCE SERVICES, LTD.
- COMPANY LETTER B
- COMPANY LETTER C
- COMPANY LETTER D
- COMPANY LETTER E

INSURED

PacifiCorp, DBA PacifiCorp
Electric Operations
920 SW Sixth
Portland,, OR
97204-

> COVERAGES <=====

THIS IS TO CERTIFY THAT 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 TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFF DATE	POLICY EXP DATE	ALL LIMITS IN THOUSANDS	
	GENERAL LIABILITY				GENERAL AGGREGATE	35000
A	<input checked="" type="checkbox"/> COMMERCIAL GEN LIABILITY	XO296A1A92	02/24/92	02/24/93	PRODS-COMP/OPS AGG.	
A	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> CLAIMS MADE [] OCC. [] OWNER'S & CONTRACTORS PROTECTIVE	retro date: 12-24-86			PERS. & ADVG. INJURY	
A	<input checked="" type="checkbox"/> XCU []				EACH OCCURRENCE	35000
	AUTOMOBILE LIAB				FIRE DAMAGE (ANY ONE FIRE)	
	[] ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS [] SCHEDULED AUTOS [] HIRED AUTOS [] NON-OWNED AUTOS [] GARAGE LIABILITY []				MEDICAL EXPENSE (ANY ONE PERSON)	
	EXCESS LIABILITY				CSL	
A	[] UMBRELLA FORM <input checked="" type="checkbox"/> OTHER THAN UMBRELLA FORM	XO296A1A92 (SEE ATTACHED)	02/24/92	02/24/93	BODILY INJURY (PER PERSON)	
	WORKERS' COMP AND EMPLOYERS' LIAB				BODILY INJURY (PER ACCIDENT)	
	OTHER				PROPERTY	
					EACH OCC	AGGREGATE
					35000	35000
					STATUTORY	
					EACH ACC DISEASE-POLICY LIMIT	
					DISEASE-EACH EMPLOYEE	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

COTTONWOOD/WILBERG ACT/015/019
DAMAGE DUE TO EXPLOSIVES IS COVERED. INSURANCE COMPANY WILL NOTIFY STATE OF UTAH OF CHANGES OR CANCELLATION

> CERTIFICATE HOLDER <=====

STATE OF UTAH, DEPT OF NATURAL RESOURCES, DIV. OF OIL & GAS
355 W. NORTH TEMPLE
SALT LAKE CITY, UT
84180-1203

CANCELLATION <===== >
= SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BY EXPOSURE TO MAIL SUCH NOTICE SHALL IMPROVE NO CANCELLATION OR CANCELLATION OF ANY KIND FROM THE COMPANY, ITS AGENTS OR REPRESENTATIVES.
= AUTHORIZED REPRESENTATIVE

Sandra A. Johnson

ACORD 25-S (3/88)

ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED
Hamilton, Bermuda

CERTIFICATE OF INSURANCE

(~~Excess~~ Liability)
Primary

This Certificate is furnished to the Certificate Holder named below as a matter of information only. Neither this Certificate nor the issuance hereof modifies the policy of insurance identified below (the "Policy") in any manner. The Policy terms are solely as stated in the Policy or in any endorsement thereto. Any amendment, change or extension of the Policy can only be effected by a specific endorsement issued by the Company and attached to the Policy.

The undersigned hereby certifies that the Policy has been issued by Associated Electric & Gas Insurance Services Limited (the "Company") to the Named Insured identified below for the coverage described and for the policy period specified.

Notwithstanding any requirements, terms or conditions of any contract or other document with respect to which this Certificate may be issued or to which it may pertain, the insurance afforded by the Policy is subject to all of the terms of the Policy.

NAME OF INSURED: PacifiCorp, PacifiCorp dba PacifiCorp Electric Operations
920 SW Sixth
PRINCIPAL ADDRESS: Portland, Oregon 97204

POLICY NUMBER: X0296A1A92
POLICY PERIOD: From: 2-24-92 To: 2-24-93

RETROACTIVE DATE: 12-24-86 Primary

DESCRIPTION OF COVERAGE: Claims-First-Made ~~Excess~~ Liability Policy covering claims for Bodily Injury, Property Damage and Personal Injury arising from the operations described below.

LIMIT OF LIABILITY: \$ 35,000,000 per occurrence and in the aggregate, where applicable.

ADDITIONAL INSURED: The Certificate Holder is an additional Insured under the Policy but only (i) to such extent and for such Limits of Liability (subject always to the terms and Limits of Liability of the Policy) as the Named Insured has agreed to provide insurance for the Certificate Holder under the following contract:
Cottonwood/Wilberg ACT/015/019

and (ii) with respect to the following operations:
Damage due to explosives is covered. Insurance CHmpany will notify State of Utah of changes or cancellation

Should the Policy be cancelled, assigned or changed in a manner that is materially adverse to the Insured(s) under the Policy, the undersigned will ~~endeavor to give 45 days advance written notice thereof to the Certificate Holder, but failure to give such notice will impose no obligation or liability of any kind upon the Company, the undersigned, or any agent or representative of either~~

DATE: February 24, 1992

ISSUED TO: State of Utah

ADDRESS: Department of Natural Resources
Division of Oil, Gas & Mining
356 West North Temple
Salt Lake City, UT 84180-1203

("Certificate Holder")

AEGIS INSURANCE SERVICES, INC.

BY: Sandra L. Johnson

At Jersey City, New Jersey

MINING PERMITS

The Cottonwood/Wilberg Mine is presently operating under an approved mining permit issued by the State of Utah, Division of Oil, Gas & Mining (ACT/015/019) issued on June 15, 1984.

The MSHA identification number assigned to the Wilberg Mine is 42-00080. The MSHA identification number assigned to the Cottonwood Mine is 42-01944.

LICENSES, PERMITS AND APPROVALS OBTAINED BY APPLICANT TO CONDUCT

MINING ACTIVITIES

<u>NAME AND ADDRESS OF ISSUING AUTHORITY</u>	<u>LICENSE OR PERMIT</u>	<u>ID NO. & DATE OF ISSUE</u>
US Geological Survey Conservation Division 2040 Administration Bldg. 1745 West 1700 South Salt Lake City, Utah 84104	Mining Permit (30CFR211)	Leases - SL-064900 et al 1/23/78
State of Utah Division of Oil, Gas & Mining 355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, Utah 84180-1203	Mining Permit (interim)	ACT/015/018 5/11/78
	Hydrologic Monitoring Plan	10/10/79
	Petition for Bonding Surface Owners	12/28/77
	Mining Permit	ACT/015/019 7/6/84
	4th East Tube Conveyor Approval	9/20/85
	Approval to Mine 6th & 7th East Panels	6/25/86
	Cottonwood Fan Portal Hydrology Approval	10/8/86
Modify East Mountain Spring Monitoring Plan (Conditional Approval)	4/28/87	

**NAME AND ADDRESS OF
ISSUING AUTHORITY**

LICENSE OR PERMIT

**ID NO. &
DATE OF ISSUE**

State of Utah
Division of Health
150 West North Temple
Suite 426
PO Box 2500
Salt Lake City, Utah
84110

Construction Permit for
Sedimentation Pond

533-6146
8/9/79

Construction Approval for
Water Treatment Plant and
Wastewater Disposal
Facilities

5/12/78

Approval for Mine Water
Discharge

12/8/76 &
1/6/76

Air Quality

3/9/78

State of Utah
Southeastern Utah Health
District
Courthouse
Castle Dale, Utah 84513

Drain Field Approval

5/27/80

Office of Surface Mining
Brooks Towers, Room 2115
1020 15th Street
Denver, Colorado 80202

Construction of
Sedimentation Ponds

11/9/79

South Wilberg Portals

10/6/82

US EPA
Region VIII
1860 Lincoln Street
Denver, Colorado 80203

NPDES Discharge Permit,
UT-0022896 Mine Water &
Sedimentation Ponds

11/13/80
1/1/88

Coal Preparation Plant
Air Quality

7/17/78

US Forest Service
Manti-LaSal National Forest
599 Price River Drive
Price, Utah 84501

Special Use Permit-1.30
Acres for 8" Waste Water
Pipeline

11/9/76

Special Use Permit-6.73
Acres for Access Roads,
Water & Sewer Lines

2/16/78

**NAME AND ADDRESS OF
ISSUING AUTHORITY**

LICENSE OR PERMIT

**ID NO. &
DATE OF ISSUE**

	Special Use Permit-4.78 Acres Sedimentation Ponds and Soil Stockpile - Submitted 3/4/83	Pending
Bureau of Land Management 136 East South Temple Salt Lake City, Utah 84111	R/W Sewer Line & Absorption Field	U-37641 8/31/77
	R/W Waste Rock Disposal Site	U-37642 8/31/77
	R/W Power Line	U-3652 8/22/67
	R/W Power Line	U-38063 8/30/77
	R/W Haul Road	U-38044 8/31/77
	R/W Telephone Line	U-28643 7/14/75

LOCATION OF PUBLIC OFFICE FOR FILING OF APPLICATION

This application will be submitted to the Division of Oil, Gas and Mining
and the applicant will file a copy of this application for public inspection at the office of
the:

Emery County Recorder
Emery County Courthouse
Castle Dale, Utah 84513

NEWSPAPER ADVERTISEMENT AND PROOF OF PUBLICATION

The following is a copy of the newspaper advertisement which will be

published in a local newspaper of general circulation in the locality of the permit area at least once a week for four consecutive weeks. Proof of Publication will be filed with the Division within four weeks after the date of publication.

NOTICE

PacifiCorp, An Oregon Corporation, (successor in interest to Utah Power and Light Company), One Utah Center, 201 South Main, Suite 2100, Salt Lake City, Utah 84140-0021, hereby announces its intent to file an application to renew its Coal Mining Permit ACT/015/018 for the Cottonwood/Wilberg Mine with the Division of Oil, Gas and Mining under the laws of the State of Utah and the Office of Surface Mining.

A copy of the complete application is available for public inspection at the Emery County Recorder's Office, Emery County Courthouse, Castle Dale, Utah 84513.

Written comments on the application should be submitted to the State of Utah, Division of Oil, Gas and Mining, 355 W. North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203. Said comments must be submitted within thirty (30) days from May 24, 1989, the date of last publication of this notice.

The area to be mined is contained on the U.S.G.S. 7.5 minute "Red Point" and "Mahogany Point" quadrangle maps. A map depicting the general area of the Cottonwood/Wilberg Mine is published herewith.

Approximately 10,600 acres are contained in the permit area described as follows:

TOWNSHIP 17 SOUTH, RANGE 6 EAST, SLM

- SECTION 1:** SE1/4, E1/2 SW1/4, S1/2 SE1/4 NE1/4, SE1/4 SW1/4 NE1/4;
- SECTION 12:** E1/2, E1/2 W1/2;
- SECTION 13:** E1/2, E1/2 W1/2;
- SECTION 24:** E1/2, E1/2 W1/2;
- SECTION 25:** N1/2 NE1/4, E1/2 NW1/4 SE1/4;

TOWNSHIP 17 SOUTH, RANGE 7 EAST, SLM

- SECTION 6:** LOTS 9, 10, 11; W1/2 W1/2 SW1/4;
- SECTION 7:** LOTS 1, 2, 3, 4; W1/2 NW1/4 NW1/4; SW1/4 NW1/4; S1/2;
- SECTION 8:** S1/2 SW1/4, S1/2 NW1/4 SW1/4, SW1/4 NE1/4 SW1/4, S1/2 S1/2 SE1/4, N1/2 SW1/4 SE1/4;
- SECTION 9:** S1/2 S1/2 SW1/4, SE1/4 SE1/4, S1/2 SW1/4 SE1/4, NE1/4 SW1/4 SE1/4, SE1/4 NE1/4 SE1/4;
- SECTION 10:** S1/2 SW1/4, S1/2 N1/2 SW1/4;
- SECTION 15:** N1/2, SW1/4;
- SECTION 16:** ALL
- SECTION 17:** ALL
- SECTION 18:** ALL
- SECTION 19:** ALL
- SECTION 20:** ALL
- SECTION 21:** ALL

SECTION 22: NW1/4, S1/2;
SECTION 27: NW1/4, N1/2 SW1/4, NE1/4;
SECTION 28: ALL
SECTION 29: ALL
SECTION 30: ALL
SECTION 31: LOT 1, E1/2, E1/2 W1/2;
SECTION 32: ALL
SECTION 33: N1/2, SW1/4, W1/2 SE1/4;
SECTION 34: S1/2 NW1/4, NW1/4 NW1/4, E1/2 SE1/4 NW1/4
NE1/4, S1/2 SE1/4 NE1/4, E1/2 NW1/4 NE1/4
SE1/4, NE1/4 NE1/4 SE1/4, N1/2 SE1/4 NE1/4
SE1/4, E1/2 NE1/4 SE1/4, NW1/4 NE1/4 SE1/4;
SECTION 35: NW1/4 SW1/4 SW1/4, W1/2 NE1/4 SW1/4 SW1/4,
SW1/4 NW1/4 SW1/4, W1/2 NW1/4 NW1/4 SW1/4;

TOWNSHIP 18 SOUTH, RANGE 7 EAST, SLM

SECTION 4: NW1/4 NE1/4, N1/2 NW1/4;
SECTION 5: N1/2 NE1/4, NW1/4;

TOWNSHIP 17 SOUTH, RANGE 6 EAST, SLM

SECTION 25: NE1/4 SE1/4, SE1/4 NE1/4, E1/2 SW1/4 NE1/4;

TOWNSHIP 17 SOUTH, RANGE 7 EAST, SLM

SECTION 10: SW1/4 SE1/4, S1/2 SE1/4 SE1/4;
SECTION 11: S1/2 SW1/4 SW1/4;
SECTION 14: W1/2 W1/2 NW1/4, W1/2 E1/2 W1/2 NW1/4, W1/2
W1/2 W1/2 SW1/4;

SECTION 15: SE1/4;

SECTION 22: NE1/4;

BEGINNING AT THE SE CORNER OF NE 1/4 SE1/4 SECTION 25, TOWNSHIP 17 SOUTH, RANGE 6 EAST, SLM, THENCE NORTH 160 RODS, WEST 116 RODS TO CENTER LINE OF COTTONWOOD CREEK; THENCE SOUTHERLY ALONG CENTER LINE OF SAID CREEK TO A POINT 84 RODS WEST OF THE BEGINNING; THENCE EAST 84 RODS TO THE BEGINNING.

The permit area involves all or part of the following federal and fee coal leases:

Lease No. SL-064900

Issued to Cyrus Wilberg 2/3/45

**Section 22 SE1/4 SW1/4, SW1/4 SE1/4,
NE1/4 SW1/4, NW1/4 SE1/4**

Township 17 South, Range 7 East, SLM Utah, containing 160 acres

Lease No. U-1358

Issued to Castle Valley Mining Co. 8/1/67

**Section 22 S1/2 NW1/4, W1/3 SW1/4,
E1/2 SE1/4**

Section 27 E1/2 NE1/4

Township 17 South, Range 7 East, SLM Utah, containing 320 acres

Lease No. SL-070645, U-02292

Issued to Clara Howard Miller 4/1/52

Section 4 SW1/4SE1/4, S1/2SW1/4

Section 5 SE1/4SW1/4, S1/2SE1/4

Section 8 E1/2, E1/2W1/2

Section 9 All

Section 10	W1/2
Section 15	N1/2
Section 16	N1/2
Section 17	NE1/4, E1/2NW1/4

**Township 17 South, Range 7 East, SLM, Utah,
containing 2560 acres**

**Lease No. U-084923
Issued to Malcolm N. McKinnon 8/1/64**

Section 4	Lots 2, 3, 4, 5, 6, 7, 10, 11, 12, NW1/4SE1/4, N1/2SW1/4
Section 5	Lots 1 thru 12, N1/2S1/2, SW1/4SW1/4
Section 6	Lots 1 thru 11, SE1/4
Section 7	Lots 1 thru 4, E1/2
Section 8	W1/2W1/2
Section 18	Lots 1 and 2, N1/2
Section 17	N1/2NW1/4

**Township 17 South, Range 7 East, SLM, Utah,
containing 2252.42 acres**

**Lease No. U-084924
Issued to Malcolm N. McKinnon 8/1/64**

Section 1	Lots 1, 2, 3, S1/2NE1/4 SE1/4NW1/4, E1/2SW1/4, SE1/4
Section 12	E1/2, E1/2W1/2

Section 13

NE1/4, E1/2NW1/4

Township 17 South, Range 6 East, SLM, Utah,
containing 1211.48 acres

Lease No. U-083066

Issued to Cooperative Security Corp. 3/1/62

Section 13

E1/2SW1/4, SE1/4

Section 24

E1/2W1/2, E1/2

Section 25

N1/2NE1/4

Township 17 South, Range 6 East, SLM, Utah

Section 17

SW1/4, W1/2SE1/4

Section 18

Lots 3 and 4, SE1/4

Section 19

Lots 1, 2, 3, 4, E1/2

Section 20

W1/2, W1/2E1/2

Section 29

NW1/4NE1/4, N1/2NW1/4

Section 30

Lots 1, 2, 3, N1/2NE1/4,
SW1/4NE1/4, NW1/4SE1/4

Township 17 South, Range 7 East, SLM, Utah,
containing 2485 acres

Lease No. U-040151

Issued to Cooperative Security Corp. 3/1/62

Section 15

SW1/4

Section 16

S1/2

Section 17

E1/2SE1/4

Section 20	E1/2E1/2
Section 21	All
Section 22	N1/2NW1/4
Section 27	N1/2NW1/4
Section 28	N1/2N1/2
Section 29	NE1/4NE1/4

**Township 17 South, Range 7 East, SLM, Utah
containing 1720 acres**

**Lease No. U-044025
Issued to Cooperative Security Corp. 8/1/60**

Section 27	NW1/4NE1/4
------------	------------

**Township 17 South, Range 7 East, SLM, Utah,
containing 40 acres**

In addition, Federal Coal Lease U-47978 issued to Utah

Power & Light Company October 1, 1981.

Section 27	S1/2NW1/4, N1/2SW1/4
Section 28	S1/2N1/2, S1/2
Section 29	S1/2N1/2, S1/2
Section 30	Lot 4, SE1/4NE1/4 NE1/4SE1/4, S1/2SE1/4
Section 31	Lot 1, E1/2
Section 32	All
Section 33	N1/2, SW1/4, W1/2SE1/4
Section 34	NW1/4NW1/4, S1/2NW1/4

Township 17 South, Range 7 East, SLM, Utah

Section 4

Lots 2 thru 4

Section 5

Lots 1 thru 4, S1/2NW1/4

**Township 18 South, Range 7 East, SLM, Utah
containing 3347.31 acres**

OWNERS OF COAL TO BE MINED OTHER THAN THE UNITED STATES

Description

Owner

SE1/4	Section 10	The Estate of Malcolm McKinnon Zions First National Bank Trustee Salt Lake City, Utah 84111
W1/2NW1/4	Section 14	

All T17S, R7E, SLM

Surface rights and coal leased to PacifiCorp

SE1/4	Section 15	Cooperative Security Corp 115 East South Temple Salt Lake City, Utah 84111
NE1/4	Section 22	

All T17S, R7E, SLM

Also:

Beginning at the SE corner of NE1/2SE1/4 Section 25, T17S, R6E, SLM, thence North 160 rods, West 116 rods to center line of Cottonwood Creek; thence Southerly along center line of said creek to a point 84 rods West of the beginning; thence East 84 rods to the beginning.

Surface rights and coal leased to PacifiCorp

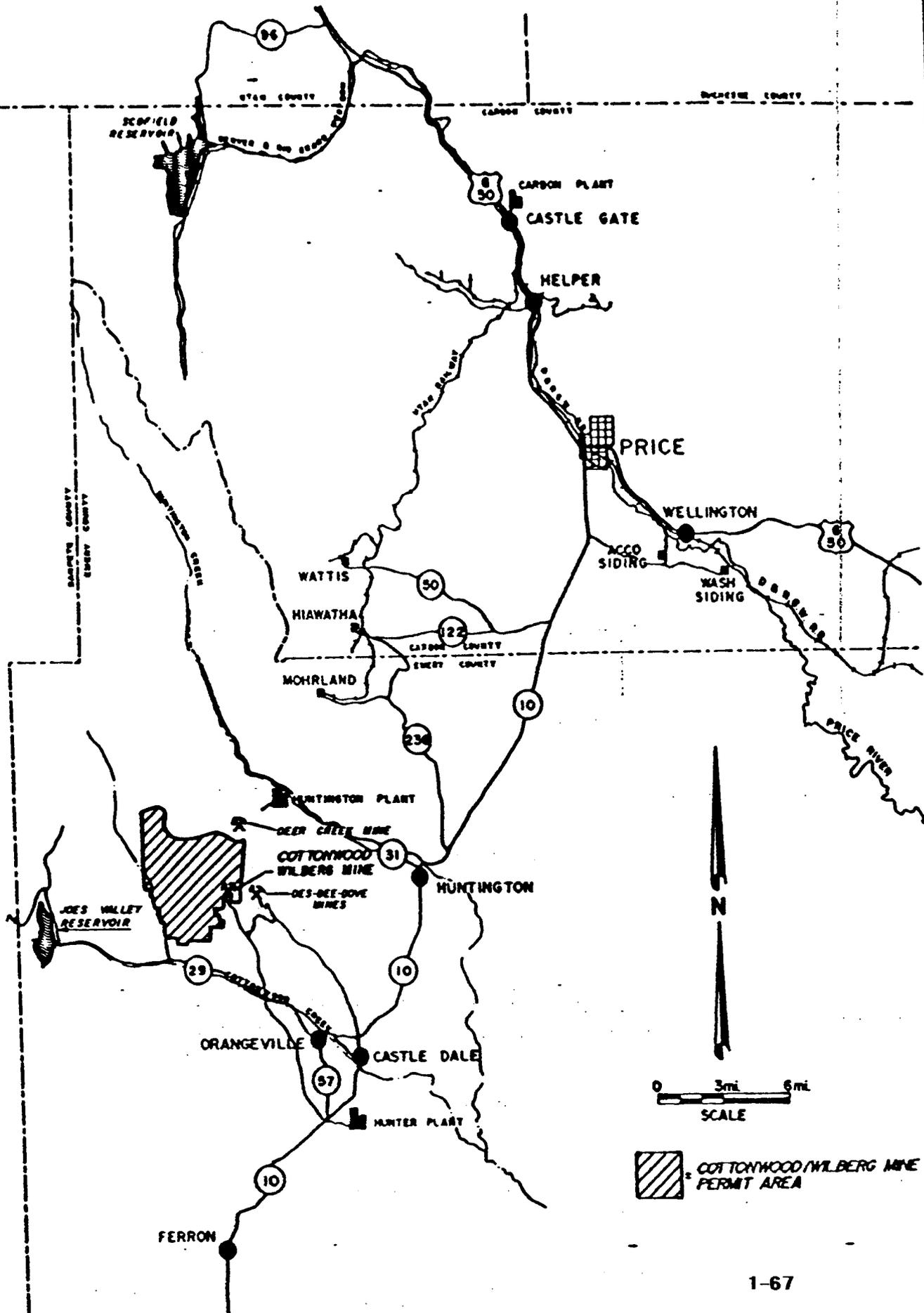
SW1/4 (west of the Deer Creek Fault)	Section 14	PacifiCorp One Utah Center 201 South Main Suite 2100 Salt Lake City, Utah 84140-0021
---	-------------------	---

All T17S, R7E, SLM

Additional Lands to be Affected by Mining

BLM R/W grant U-37641 utilized for sewer line and absorption field. 3.7 acres locted in the N1/2 NE1/4 of Section 34, T17S, R7E, SLM.

BLM R/W grant U-37642 utilized for waste rock disposal. 48.62 acres locate in the E1/2 of Section 34 and the SW1/4 of Section 35, T17S, R7E, SLM.



 COTTONWOOD/WILBERG MINE PERMIT AREA

EXHIBIT E

RIGHT-OF-ENTRY INFORMATION

DES BEE DOVE MINE

RIGHT OF ENTRY (R645-301-114)

By assignment dated 3/15/72, the LDS Church assigned its right to Federal Coal Lease U-02664 to Utah Power and Light Company, approved 7/1/72 by the BLM.

By special Warranty Deed dated 3/15/72, the LDS Church conveyed to Utah Power and Light Company its rights to the following fee land in Township 17 South, Range 7 East:

Section 14	SW1/4
Section 23	NW1/4, W1/2NE1/4, SE1/4NE1/4, SE1/4
Section 26	NE1/4, NW1/4SE1/4

By Warranty Deed dated 11/13/75, the LDS Church conveyed to Utah Power and Light Company its rights to the following fee lands in Township 17 South, Range 7 East:

Section 11	SE1/4NW1/4, E1/2SW1/4
Section 14	E1/2NW1/4

By Assignment dated 3/24/77, Peabody Coal Company assigned to Utah Power and Light Company its rights to Federal Coal Lease SL-066116, approved by the BLM 9/1/77.

By Assignment dated 7/1/76, S. McArthur and R. Moore assigned to Utah Power and Light Company their rights to Federal Coal Lease SL-050133.

None of these documents are subjects of pending litigation.

AREAS DESIGNATED UNSUITABLE FOR MINING (R645-103)

In consultation with concerned federal land agencies and the Division of Oil, Gas and Mining, no lands within or

adjacent to the permit area have been identified as qualifying under R645-103-400 as areas unsuitable for surface effects of underground coal mining activities.

References:

Land Management Plan
Ferron-Price Planning Unit
Manti-LaSal National Forest

Mr. John Niebergall
US Forest Service
Manti-LaSal National Forest
Ferron, Utah

Mr. Sam Rowley
Bureau of Land Management
Price, Utah

Mr. Ron Daniels
Division of Oil, Gas and Mining
Salt Lake City, Utah

No facilities or operations will be conducted within 300 feet of an occupied dwelling.

Applicant has demonstrated that a financial and legal commitment was made prior to January 4, 1977 (Peabody - UP&L contracts for coal delivery). In addition, an updated contact with the state and federal agencies responsible for administering the unsuitability criteria (US Forest Service, BLM and State of Utah) revealed no action or petition has been initiated.

There are no known restricted areas near the permit area of the Des Bee Dove Mine.

PERMIT TERM (R645-300-153)

This application is for the five (5) year permit term,

however, schedules for mining coal included in the mining plan narrative are tabulated for the life of the lease. In addition, mine maps submitted show areas to be mined on a year-by-year basis through the life of the lease.

PERSONAL INJURY AND PROPERTY DAMAGE INSURANCE (R645-301-890)

The liability insurance coverage required by R645-301-890.100 is provided by a policy issued to applicant. Applicant will insure that such insurance coverage is maintained in full force and effect during the life of the permit and through completion of reclamation, or will provide evidence that the self-insurance requirements of R645-301-890.100 have been satisfied by it.

CERTIFICATE OF INSURANCE

02/19/92

PRODUCER

MARSH & McLENNAN, INC.

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.

900 S. W. FIFTH, SUITE 1100
 PORTLAND, OR
 97204-
 PHONE 503-226-9500

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER A **AEGIS INSURANCE SERVICES, LTD.**
- COMPANY LETTER B
- COMPANY LETTER C
- COMPANY LETTER D
- COMPANY LETTER E

INSURED

PacifiCorp, DBA PacifiCorp
Electric Operations
 920 SW Sixth
 Portland, OR
 97204-

> COVERAGES <

THIS IS TO CERTIFY THAT 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 TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFF DATE	POLICY EXP DATE	ALL LIMITS IN THOUSANDS	
	GENERAL LIABILITY				GENERAL AGGREGATE	35000
A	<input checked="" type="checkbox"/> COMMERCIAL GEN LIABILITY	XO296A1A92	02/24/92	02/24/93	PRODS-COMP/OPS AGG.	
A	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> CLAIMS MADE [] OCC. [] OWNER'S & CONTRACTORS PROTECTIVE	retro date: 12-24-86			PERS. & ADVG. INJURY	
A	<input checked="" type="checkbox"/> XCU []				EACH OCCURRENCE	35000
	AUTOMOBILE LIAB				FIRE DAMAGE (ANY ONE FIRE)	
	[] ANY AUTO [] ALL OWNED AUTOS [] SCHEDULED AUTOS [] HIRED AUTOS [] NON-OWNED AUTOS [] GARAGE LIABILITY []				MEDICAL EXPENSE (ANY ONE PERSON)	
	EXCESS LIABILITY				CSL	
A	[] UMBRELLA FORM <input checked="" type="checkbox"/> OTHER THAN UMBRELLA FORM	XO296A1A92 (SEE ATTACHED)	02/24/92	02/24/93	BODILY INJURY (PER PERSON)	
	WORKERS' COMP AND EMPLOYERS' LIAB				BODILY INJURY (PER ACCIDENT)	
	OTHER				PROPERTY	
					EACH OCC	AGGREGATE
					35000	35000
					STATUTORY	
					EACH ACC DISEASE-POLICY LIMIT	
					DISEASE-EACH EMPLOYEE	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

DES/BEE/DOVE ACT/015/017
 DAMAGE DUE TO EXPLOSIVES IS COVERED. INSURANCE COMPANY WILL NOTIFY STATE OF UTAH OF CHANGES OR CANCELLATION

> CERTIFICATE HOLDER <

STATE OF UTAH, DEPT OF NATURAL RESOURCES, DIV. OF OIL & GAS
 355 W. NORTH TEMPLE
 SALT LAKE CITY, UT
 84180-1203

< CANCELLATION >
 = SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, XBX
 = FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES. Z

= AUTHORIZED REPRESENTATIVE

Sandra A. Plason

ACORD 25-S (3/88)

Certificate Number: **No. 22304**

ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED
Hamilton, Bermuda

CERTIFICATE OF INSURANCE

~~XXXX~~
(Excess Liability)
Primary

This Certificate is furnished to the Certificate Holder named below as a matter of information only. Neither this Certificate nor the issuance hereof modifies the policy of insurance identified below (the "Policy") in any manner. The Policy terms are solely as stated in the Policy or in any endorsement thereto. Any amendment, change or extension of the Policy can only be effected by a specific endorsement issued by the Company and attached to the Policy.

The undersigned hereby certifies that the Policy has been issued by Associated Electric & Gas Insurance Services Limited (the "Company") to the Named Insured identified below for the coverage described and for the policy period specified.

Notwithstanding any requirements, terms or conditions of any contract or other document with respect to which this Certificate may be issued or to which it may pertain, the insurance afforded by the Policy is subject to all of the terms of the Policy.

NAME OF INSURED: PacifiCorp, PacifiCorp dba PacifiCorp Electric Operations

PRINCIPAL ADDRESS: 920 SW Sixth
Portland, Oregon 97204

POLICY NUMBER: X0296A1A92 POLICY PERIOD: From: 2-24-92 To: 2-24-93

RETROACTIVE DATE: 12-24-86

DESCRIPTION OF COVERAGE: ~~XXXXX~~ Primary
Claims-First-Made Excess Liability Policy covering claims for Bodily Injury, Property Damage and Personal Injury arising from the operations described below.

LIMIT OF LIABILITY: \$ 35,000,000-- per occurrence and in the aggregate, where applicable.

ADDITIONAL INSURED: The Certificate Holder is an additional Insured under the Policy but only (i) to such extent and for such Limits of Liability (subject always to the terms and Limits of Liability of the Policy) as the Named Insured has agreed to provide insurance for the Certificate Holder under the following contract:

DES/BEE/DOVE ACT 015/017

and (ii) with respect to the following operations:

Damage due to explosives is covered. Insurance Company will notify State of Utah of changes or cancellation

Should the Policy be cancelled, assigned or changed in a manner that is materially adverse to the Insured(s) under the Policy, the undersigned will endeavor to give 45 days advance written notice thereof to the Certificate Holder, but failure to give such notice will impose no obligation or liability of any kind upon the Company, the undersigned or any agent or representative of either.

DATE: 2-24-92

ISSUED TO: State of Utah
Department of Natural Resources
ADDRESS: Division of Oil, Gas & Mining
356 West North Temple
Salt Lake City, UT 84180-1203

("Certificate Holder")

AEGIS INSURANCE SERVICES, INC.

BY: Sandra D. Johnson

At Jersey City, New Jersey

LICENSES, PERMITS AND APPROVALS OBTAINED BY APPLICANT TO CONDUCT
MINING ACTIVITIES (R645-301-112.400)

<u>NAME AND ADDRESS OF ISSUING AUTHORITY</u>	<u>LICENSE OR PERMIT</u>	<u>ID NO. & DATE OF ISSUE</u>
US Geological Survey Conservation Division 2040 Administration Bldg. 1745 West 1700 South Salt Lake City, Utah 84104	Mining Permit	8/12/75
State of Utah Division of Oil, Gas & Mining 355 West North Temple Salt Lake City, Utah 84180	Mining Permit Hydrologic Monitoring Plan	ACT/015/017 8/29/85
State of Utah Division of Health 150 West North Temple Suite 426 PO Box 2500 Salt Lake City, Utah 84110	Construction Permit for Sedimentation Pond	2/6/79
State of Utah Dept. of Health PO Box 16690 Salt Lake City, Utah 84116	UPDES Discharge Permit Sedimentation Pond	UT-0023591 2/11/88
US Forest Service Manti-LaSal National Forest 599 West Price River Drive Price, Utah 84501	Special Use Permit, 100.41 acres for parking lot, warehouse, bathhouse, office, roads, miscellaneous facilities and spring developments.	2/10/77
	Weather station site	10/14/80
	Special Use Permit - 8.95 Acres Road R/W (Haul Road)	9/24/82
Bureau of Land Management 324 South State Street Suite 301 Salt Lake City, Utah 84111	Microwave site	U-28029
	Escapeway and breakout	7/15/75 U-45337
	Waste Rock Disposal Site	5/28/80 U-37642
	Road R/W (Haul Road) 28.29 Acres	8/31/77 U-50148 9/13/82

Bureau of Land Management (cont)	Road R/W (Pond Access) .37 Acres	U-57134.37 4/1/86
	Waste Rock Disposal Site	UTU-65027 6/8/90
State of Utah Division of State Lands 355 West North Temple 3 Triad Center, Suite 400 Salt Lake City, Utah 84140	Special Use Lease Agreement - 40 acres Sedimentation Pond	SULA-436 11/22/78
	Road R/W (Haul Road) 49.34 Acres	No. 2470 12/21/82
	Road R/W (Pond Access)	No. 3137 4/2/86

LOCATION OF PUBLIC OFFICE FOR FILING OF APPLICATION (R645-300-121.130)

This application will be submitted to the Division of Oil, Gas and Mining and the applicant will file a copy of this application for public inspection at the office of the:

Emery County Recorder
Emery County Courthouse
Castle Dale, Utah 84513

NEWSPAPER ADVERTISEMENT AND PROOF OF PUBLICATION (R645-300-121)

The following is a copy of the newspaper advertisement which will be published in a local newspaper of general circulation in the locality of the permit area at least once a week for four consecutive weeks. Proof of Publication will be filed with the Division within four weeks after the date of publication.

Notice

PacifiCorp, An Oregon Corporation, One Utah Center, 201 South Main, Suite 2100, Salt Lake City, Utah 84140-0021, hereby announces its intent to file an application for renewal of a Coal Mining Permit for the Des Bee Dove Mine with the Division of Oil, Gas and Mining under the laws of the State of Utah and the Office of Surface Mining.

A copy of the complete application is available for public inspection at the Emery County Recorder's Office, Emery County Courthouse, Castle Dale, Utah 84513.

Written comments on the application should be submitted to the State of Utah, Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

The area to be mined is contained on the U.S.G.S. 7.5-minute "Red Point", quadrangle map.

The approximately 2,760 acres contained in the permit area involve all or part of the following federal coal leases and fee lands:

The following federal coal leases, upon which the Applicant bases its right to perform coal mining in the permit area, have all been subleased or assigned to Utah Power & Light Company.

Lease No. U-02664
Issued to Corporation of the Presiding Bishop of the
LDS Church 1/1/57

Section 13	SE1/4SW1/4
Section 23	NE1/4NE1/4, SW1/4
Section 24	W1/2
Section 26	NW1/4, NE1/4SW1/4
and	
Section 14	SW1/4NE1/4, W1/2SE1/4, SE1/4SE1/4

Added by Modification 10/31/79

Township 17 South, Range 7 East, SLM
Utah, containing 920 acres

Lease No. SL-050133
Issued to Bertha Christensen 8/1/33

Section 24	W1/2SE1/4
------------	-----------

Township 17 South, Range 7 East, SLM
Utah, containing 80 acres

Lease No. SL-066116

Issued to Samuel K. Howard 6/1/55

Section 11	E1/2
Section 14	N1/2NE1/4
Section 12	W1/2NW1/4, NW1/4SW1/4

Township 17 South, Range 7 East, SLM
Utah, containing 520 acres

OWNERS OF COAL TO BE MINED OTHER THAN THE UNITED STATES

Description of Land:

Section 11	SE1/4NW1/4, E1/2SW1/4
Section 14	E1/2NW1/4, SW1/4
Section 23	NW1/4, SE1/4, NW1/4NE1/4, S1/2NE1/4
Section 26	NE1/4, NW1/4SE1/4

Township 17 South, Range 7 East, SLM
Utah, containing 1,000 acres

Owner:

PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021

Description of Land:

Section 14	W1/2NW1/4
Section 11	W1/2SW1/4

That part lying East of the Deer Creek Fault
Township 17 South, Range 7 East, SLM Utah

Owner:

The Malcolm McKinnon Estate
Zions First National Bank Trustee
Salt Lake City, Utah 84111

SURFACE OWNERS OF RECORD WITHIN THE PERMIT AREA

Description of Land:

Section 11	SE1/4NW1/4, E1/2SW1/4
Section 14	SW1/4
Section 23	NW1/4, SE1/4, NW1/4NE1/4, S1/2NE1/4
Section 26	NE1/4, NW1/4SE1/4

Township 17 South, Range 7 East, SLM Utah

Owner:

PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021

Description of Land:

Section 14 That portion lying East of the Deer
 Creek Fault in the NW1/4
Section 11 That portion lying East of the Deer
 Creek Fault in the W1/2SW1/4

Township 17 South, Range 7 East, SLM Utah

Owner:

The Malcolm McKinnon Estate
Zions First National Bank Trustee
Salt Lake City, Utah 84111

The remaining surface is controlled by:

The United States of America
Department of Agriculture
US Forest Service
The Manti-LaSal National Forest
599 West Price River Dr.
Price, Utah 84501

ADDITIONAL LANDS TO BE AFFECTED BY MINING

State of Utah Special Use Lease Agreement No. 436 utilized for a sedimentation pond located in NW1/4NW1/4, Section 36, T17S, R7E, SLM.

State of Utah Road Right-of-Way No 2470 (49.34 acres) utilized for the location of the Junction Haul Road located within Section 36, T17S, R7E, SLM and Section 2, T18S, R7E, SLM.

State of Utah Road Right-of-Way No 3137 utilized for the location of the Sediment Pond Access Road located with the W1/2NW1/4 Section 36, T17S, R7E, SLM.

BLM Right-of-Way Grant U-37642 utilized for waste rock

disposal. 48.62 acres located in the east half of Section 34 and the southwest quarter of Section 35, T17S, R7E, SLM.

BLM Right-of-Way Grant U-50148 (28.29 acres) utilized for the location of the Junction Haul Road located with E1/2E1/2 Section 35, T17S, R7E, SLM.

BLM Right-of-Way Grant U-57134 (.37 acres) utilized for the location of the Sediment Pond Access Road located within the E1/2NE1/4 Section 35, T17S, R7E, SLM.

BLM Right-of-Way Grant UTU-65027 (25.49 acres) utilized for Waste Rock Disposal located within the SE1/4 Section 34, T17S, R7E, SLM.

United States Forest Service Special Use Permit for surface facilities, 100 acres located in Section 25 and 26, T17S, R7E, SLM.

United States Forest Special Use Permit of 8.95 acres utilized for the location of the Junction Haul Road located within the SW1/4SW1/4 Section 25 and the SE1/4SE1/4 Section 26, T17S, R7E, SLM.

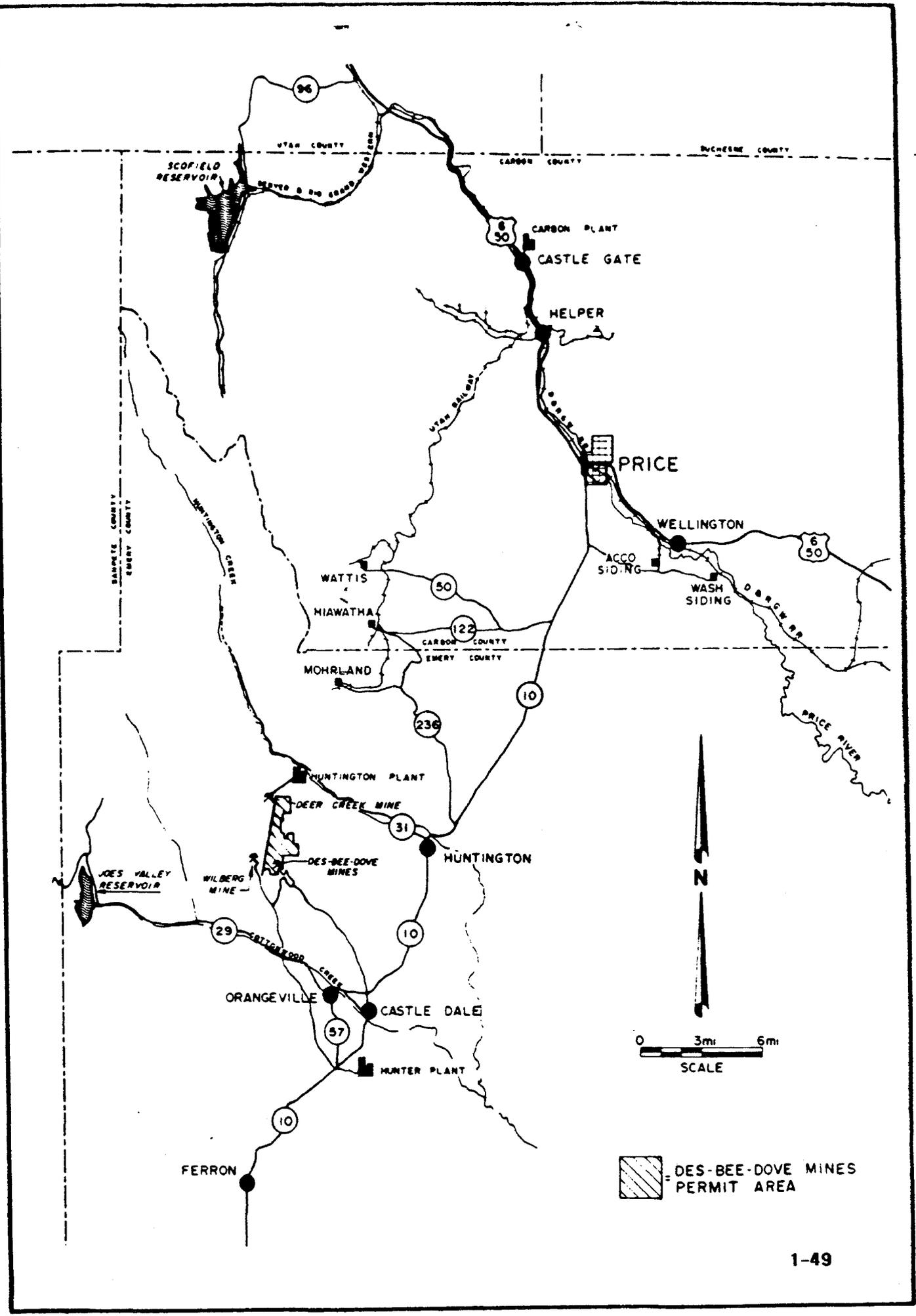


EXHIBIT F

PERMIT TRANSFER

NEWSPAPER ADVERTISEMENT

PUBLIC NOTICE

PacifiCorp, successor in interest to Utah Power and Light Company, has filed an application with the Utah Division of Oil, Gas and Mining (UDOGM), Salt Lake City, Utah for approval of the transfer of the Mining and Reclamation Permit for the Trail Mountain Mine from Mountain Coal Company to PacifiCorp under the laws of the State of Utah and the Office of Surface Mining.

The Applicant is:

**PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021**

The Permittee is:

**Mountain Coal Company
PO Box 1378
Price, Utah 84501**

The permit for which transfer is being sought is:

UTAH # ACT/015/009

The Trail Mountain Mine is located in the Cottonwood Canyon area of Emery County, Utah in Sections 25, 26, 27, 34, 35 and 36, T17S, R6E, SLM; Sections 1, 2 and 3, T18S, R6E, SLM; and Section 6, T18S, R7E, SLM.

A copy of the complete application is available for public inspection at the Emery County Recorder's Office, Emery County Courthouse, Castle Dale, Utah 84513.

Written comments on the application should be submitted to the State of Utah, Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

The permit area is contained on the USGS 7.5-minute "Mahogany Point" quadrangle map.

EXHIBIT G
NOTARIZED FORM

NOTARIZED FORM
R614-301-123

PERMITTEE PACIFICORP

MINE NAME TRAIL MOUNTAIN MINE

MINE NUMBER ACT/015/009

DATE October 5, 1992

TYPE OF PERMITTING ACTION

 APPLICATION

 PERMIT RENEWAL

 X TRANSFER, SALE, OR ASSIGNMENT OF PERMIT RIGHTS

 PERMIT CHANGE

 AMENDMENT

 SIGNIFICANT REVISION

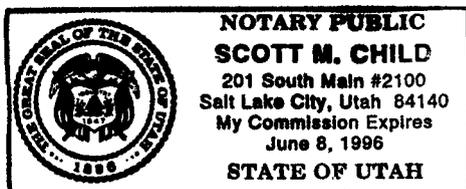
If a permit change, briefly describe the change in the permit application.

I, the undersigned, hereby certify that the material and information contained in this application are complete and are correct to the best of my knowledge and belief.

By: *J. Blake Webb* Permitting Administrator
NAME AND TITLE OF RESPONSIBLE OFFICIAL

State of Utah
County of Salt Lake

Subscribed and sworn to and before me this 5TH day of OCTOBER, 1992.



Scott M. Child
Notary Public for the State of Utah

Residing at: SALT LAKE CITY

My Commission Expires: 6-8-96

NOTARIZE

EXHIBIT H
PERFORMANCE BOND
&
INSURANCE CERTIFICATE

Bond Number: 700819575Permit Number: ACT/015/009

Trail Mountain Coal Mine

EXHIBIT "B"**SURETY BOND
(FEDERAL COAL)**

THIS SURETY BOND entered into and by and between the undersigned PERMITTEE, and SURETY company, hereby jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns unto the State of Utah, Division of Oil, Gas and Mining (DIVISION), and the U.S. Department of Interior, Office of Surface Mining Reclamation and Enforcement (OSM) in the penal sum of Seven Hundred Thousand and \$ 700,000.00 (Surety Bond Amount) for the timely performance of reclamation responsibilities of the permit area described in Exhibit "A" of this Reclamation Agreement. 00/100---

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, SMCRA, 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 and OSM from any and all expenses which the DIVISION and OSM may sustain as a result of the PERMITTEE's failure to comply with the condition(s) of the reclamation obligation.

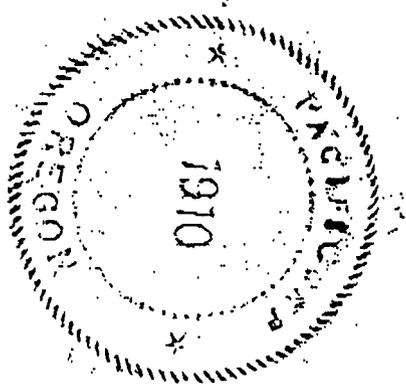
The SURETY will give prompt notice to the PERMITTEE and to the DIVISION and OSM of any notice or action involving insolvency or bankruptcy of the SURETY, or alleging any violations of regulatory requirements which could result in suspension or revocation of the SURETY's license in this state. In the event the Cooperative Agreement between the DIVISION and OSM is terminated, then the portion of the bond covering the Federal Lands will be payable only to the United States, Department of Interior, Office of Surface Mining.

Terms for release or adjustment of this 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".

Bond No: 700819575
Permit No: ACT/015/009
Trail Mountain Coal Mine

Exhibit "B"
Federal Surety Bond
Page 2

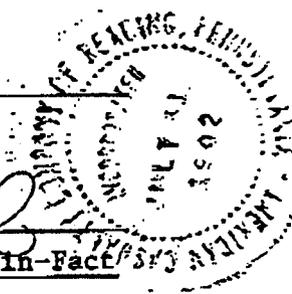
IN WITNESS WHEREOF, the PERMITTEE has hereunto set its signature and seal
this 29th day of September, 1992.



PacifiCorp
PERMITTEE
By: [Signature]
Title: J. Brett Harvey, Vice President

IN WITNESS WHEREOF, the SURETY has hereto set its signature and seal
this 29th day of September, 1992.

American Casualty Company
SURETY
By: [Signature]
Title: Gary W. Manville, Attorney-in-Fact



ACCEPTED BY THE STATE OF UTAH
this ___ day of _____, 19___.

Dianne Nielson, Director
Division of Oil, Gas and 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 its duly authorized officer.

Exhibit "B"

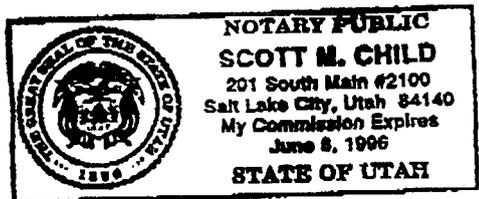
~~Assignment Of Certificate of Incorporation~~

Federal
Page 3

ACKNOWLEDGEMENT OF CORPORATION - PERMITTEE

On this 29th day of September, 1992, before me, a Notary Public in and for the County of Salt Lake, in the state of Utah, appeared J. Brett Harvey to me personally known who, being by me duly sworn, did say that he/she is Vice President of PacifiCorp, the corporation (PERMITTEE) named in and which executed the within instrument, and that the seal affixed to said instrument is the corporation seal of said corporation, and that said instrument was signed, sealed and delivered in behalf of said corporation by authority of its Board of Directors, and he/she as such officer, acknowledged said instrument to be the free act and deed of said corporation for the uses and purposes of said instrument as therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day, month, and year aforesaid.



[Signature]
Notary Public in and for said
County and State

My Commission Expires:
6-8-96

AFFIDAVIT OF QUALIFICATION
FOR SURETY COMPANIES

STATE OF UTAH }
COUNTY OF SALT LAKE } SS

Gary W. Manville

BEING FIRST DULY SWORN, ON OATH DEPOSES AND SAYS THAT HE IS THE ATTORNEY-IN-FACT OF SAID COMPANY, AND THAT HE IS DULY AUTHORIZED TO EXECUTE AND DELIVER THE FOREGOING OBLIGATIONS: THAT SAID 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.

SUBSCRIBED AND SWORN TO BEFORE ME, THIS 29th DAY OF September, A.D., 1992

Michelle Saunders
(SIGNATURE OF NOTARY PUBLIC)

(SEAL) Michelle Saunders
MY COMMISSION EXPIRES:

April 8, 1995

649 East South Temple
Salt Lake City, Utah 84102

Gary W. Manville
(SIGNATURE OF OFFICER OR AGENT)
P. O. Box 58139
649 East South Temple
Salt Lake City, Utah 84158
(RESIDENCE)

(SURETY SEAL)

(THIS FORM REQUIRED TO BE FILLED
OUT BY SECTION 31-24-3, UCA 1953)





For All the Commitments You Make
Offices/Chicago, Illinois

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men by these Presents, That AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA, a corporation duly organized and existing under the laws of the Commonwealth of Pennsylvania, and having its principal office in the City of Chicago, and State of Illinois, does hereby make, constitute and appoint Edward B. Moreton, Edward F. Folland,
L. Kent Bills, Jean M. Lambourne, Gary W. Manville, Joyce R. Hartley,
William R. Moreton, Individually
of Salt Lake City, Utah
its true and lawful Attorney-in-Fact with full power and authority hereby conferred to sign, seal and execute in its behalf bonds, undertakings and other obligatory instruments of similar nature
- In Unlimited Amounts -

and to bind AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA and all the acts of said Attorney, pursuant to the authority hereby given are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company:

"Article VI—Execution of Obligations and Appointment of Attorney-in-Fact

Section 2. Appointment of Attorney-in-fact. The President or Vice President may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Company in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority, shall have full power to bind the Company by their signature and execution of any such instruments and to attach the seal of the Company thereto. The President or any Vice President or the Board of Directors may at any time revoke all power and authority previously given to any attorney-in-fact."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 11th day of November, 1966:

"Resolved, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to Section 2 of Article VI of the By-Laws, and the signature of the Secretary or an Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power, and any power or certificate bearing such facsimile signatures and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

In Witness Whereof, AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed this 2nd day of MARCH, 1989.

State of Illinois)
County of Cook | 58



AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA

J. E. Purtell
J. E. Purtell

Vice President.

On this 2nd day of March, 1989 before me personally came J. E. Purtell, to me known, who, being by me duly sworn, did depose and say: that he resides in the Village of Glenview, State of Illinois; that he is a Vice-President of AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA, the corporation described in the which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.



Linda C. Dempsey
Linda C. Dempsey

Notary Public.

CERTIFICATE My Commission Expires November 12, 1990

I, Robert E. Ayo, Assistant Secretary of AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA, do certify that the Power of Attorney herein above set forth is still in force, and further certify that Section 2 of Article VI of the By-Laws of the Company and the Resolution of the Board of Directors, set forth in said Power of Attorney are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said Company this 29th day of September, 1992.



Robert E. Ayo
Robert E. Ayo

Assistant Secretary.

INV. NO. G-57442-B



CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

10-1-92

PRODUCER

MARSH & MCLENNAN, INC.
900 S.W. FIFTH AVE., SUITE 1100
PORTLAND, OR 97204
TEL: (503) 226-9500

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.

COMPANIES AFFORDING COVERAGE

COMPANY LETTER **A** Aegis Insurance Services, Ltd.

COMPANY LETTER **B**

COMPANY LETTER **C**

COMPANY LETTER **D**

COMPANY LETTER **E**

INSURED

PacifiCorp
920 SW Sixth
Portland, Oregon 97204

COVERAGES

THIS IS TO CERTIFY THAT 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.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	ALL LIMITS IN THOUSANDS	
A	GENERAL LIABILITY	X0296A1A92 retro date: 12-24-86	2-24-92	2-24-93	GENERAL AGGREGATE \$ 1,000	
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				PRODUCTS-COMP/OPS AGGREGATE \$	
	<input checked="" type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCURRENCE				PERSONAL & ADVERTISING INJURY \$	
	OWNER'S & CONTRACTORS PROTECTIVE				EACH OCCURRENCE \$ 1,000	
	<input checked="" type="checkbox"/> XCU				FIRE DAMAGE (ANY ONE FIRE) \$	
					MEDICAL EXPENSE (ANY ONE PERSON) \$	
A	AUTOMOBILE LIABILITY				CSL	\$
	<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	\$
	<input type="checkbox"/> HIRED AUTOS					
A	EXCESS LIABILITY	(See Attached)			EACH OCCURRENCE	AGGREGATE
	<input checked="" type="checkbox"/> OTHER THAN UMBRELLA FORM	X0296A1A92	2-24-92	2-24-93	\$ 35,000	\$ 35,000
	WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY	Aegis Insurance Certificate Number 25389 Attached		STATUTORY		
					\$ (EACH ACCIDENT)	
					\$ (DISEASE-POLICY LIMIT)	
					\$ (DISEASE-EACH EMPLOYEE)	
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

Trail Mountain Mine ACT/015/009
Damage due to explosives is covered. Insurance Company will notify State of Utah of changes or cancellation

CERTIFICATE HOLDER

State of Utah, Department of Natural Resources, Division of Oil & Gas
355 W North Temple
Salt Lake City, UT 84180-1203

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BY FAX OR BY MAIL TO THE ADDRESS SHOWN ON THIS CERTIFICATE OR BY MAIL TO THE ADDRESS OF THE COMPANY'S AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Sandra A. Johnson

ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED
Hamilton, Bermuda

CERTIFICATE OF INSURANCE
(Excess Liability)

This Certificate is furnished to the Certificate Holder named below as a matter of information only. Neither this Certificate nor the issuance hereof modifies the policy of insurance identified below (the "Policy") in any manner. The Policy terms are solely as stated in the Policy or in any endorsement thereto. Any amendment, change or extension of the Policy can only be effected by a specific endorsement issued by the Company and attached to the Policy.

The undersigned hereby certifies that the Policy has been issued by Associated Electric & Gas Insurance Services Limited (the "Company") to the Named Insured identified below for the coverage described and for the policy period specified.

Notwithstanding any requirements, terms or conditions of any contract or other document with respect to which this Certificate may be issued or to which it may pertain, the insurance afforded by the Policy is subject to all of the terms of the Policy.

NAME OF INSURED: PacifiCorp, dba Pacific Power & Light and dba Utah Power & Light
PRINCIPAL ADDRESS: 920 SW Sixth
Portland, Oregon 97204
POLICY NUMBER: X0296A1A92
POLICY PERIOD: From: February 24, 1992
To: February 24, 1993
RETROACTIVE DATE: December 24, 1986

DESCRIPTION OF COVERAGE: Claims-First-Made Excess Liability Policy covering claims for Bodily Injury, Property Damage and Personal Injury arising from the operations described below.
LIMIT OF LIABILITY: \$ 35,000,000--- per occurrence and in the aggregate, where applicable.

ADDITIONAL INSURED: The Certificate Holder is an additional Insured under the Policy but only (i) to such extent and for such Limits of Liability (subject always to the terms and Limits of Liability of the Policy) as the Named Insured has agreed to provide insurance for the Certificate Holder under the following contract:
Trail Mountain Mine ACT/015/009

and (ii) with respect to the following operations:
Damage due to explosives is covered. Insurance Company will notify State of Utah of changes or cancellation.

Should the Policy be cancelled, assigned or changed in a manner that is materially adverse to the Insured(s) under the Policy, the undersigned will endeavor to give 30 days advance written notice thereof to the Certificate Holder, but failure to give such notice will impose no obligation or liability of any kind upon the Company, the undersigned or any agent or representative of either.

DATE: October 1, 1992
ISSUED TO: State of Utah
ADDRESS: Department of Natural Resources
Division of Oil, Gas & Mining
356 West North Temple
Salt Lake City, UT 84180-1203

("Certificate Holder")

AEGIS INSURANCE SERVICES, INC.
BY: *Sandra J. Johnson*

At Jersey City, New Jersey

Permit Number: ACT/015/009

CERTIFICATE OF LIABILITY INSURANCE

Issued To:
State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
--ooOoo--

THIS IS TO CERTIFY THAT:

Aegis Insurance Services, Ltd

(Name of Insurance Company)

700 Plaza Two, Harborside Financial Center, Jersey City, NJ 07311-3994

(Home Office Address of Insurance Company)

HAS ISSUED TO:

PacifiCorp

(Name of Permittee)

Trail Mountain Mine

(Mine Name)

ACT/015/009

(Permit Number)

CERTIFICATE OF INSURANCE:

X0296A1A92

(Policy Number)

February 24, 1992

(Effective Date)

UNDER THE FOLLOWING TERMS AND CONDITIONS:

Per R645-301-890 Terms and Conditions for Liability Insurance:

- A. The DIVISION shall require the PERMITTEE to submit as part of its permit application a certificate issued by an insurance company authorized to do business in the state of Utah certifying that the applicant has a public liability insurance policy in force for the surface coal mining and reclamation operations for which the permit is sought. Such policy shall provide for personal injury and property damage protection in an amount adequate to compensate any persons injured or property damaged as a result of the surface coal mining and reclamation operations, including the use of explosives and who are entitled to compensation under the applicable provisions of state law. Minimum insurance coverage for bodily injury and property damage shall be \$300,000 for each occurrence and \$500,000 aggregate.
- B. The policy shall be maintained in full force during the life of the permit or any renewal thereof, including the liability period necessary to complete all reclamation operations under this chapter.

- C. The policy shall include a rider requiring that the insurer notify the Division whenever substantive changes are made in the policy including any termination or failure to renew.

IN ACCORDANCE WITH THE ABOVE TERMS AND CONDITIONS, and the Utah Code Annotated 40-10-1 et seq., the Insurance Company hereby attests to the fact that coverage for said Permit Application is in accordance with the requirements of the State of Utah and agrees to notify the Division of Oil, Gas and Mining in writing of any substantive change, including cancellation, failure to renew, or other material change. No change shall be effective until at least thirty (30) days after such notice is received by the Division. Any change unauthorized by the Division is considered breach of the RECLAMATION AGREEMENT and the Division may pursue remedies thereunder.

UNDERWRITING AGENT:

Sandra A. Johnson

(201) 915-7216

(Agent's Name)

(Phone)

AEGIS Insurance Services, Inc.

(Company Name)

700 Plaza II
Harborside Financial Center

Jersey City, New Jersey 07311-3994

(Mailing Address)

(City, State, Zip Code)

The undersigned affirms that the above information is true and complete to the best of his/her knowledge and belief, and that he/she is an authorized representative of the above-named insurance company. (An Affidavit of Qualification must be completed and attached to this form for each authorized agent or officer.)

10/2/92 Sandra A. Johnson, Assistant Vice President
(Date, Signature and Title of Authorized Agent of Insurance Company)

Signed and sworn before me by Lois Anne Salley
this 2nd day of October, 1992

Lois Anne Salley
(Signature)

LOIS ANNE SALLEY

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires: My Commission Expires March 10, 1994

EXHIBIT I
RIGHT-OF-ENTRY INFORMATION
TRAIL MOUNTAIN MINE

SPECIAL WARRANTY DEED

For Ten Dollars (\$10.00) and other good and valuable consideration, MOUNTAIN COAL COMPANY, a Delaware corporation, whose address is 555 17th Street, Denver, Colorado 80202, hereby conveys and warrants against all claiming by, through, or under it, to PACIFICORP, an Oregon corporation, whose address is One Utah Center, 201 South Main Street, Suite 2100, Salt Lake City, Utah 84140-0021, the following described tract of land in Emery County, Utah:

TOWNSHIP 17 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN:
Section 25:

Beginning at the SW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ quarter of Section 25, T17S, R6E, thence North 160 rods, thence East 44 rods, more or less, to the center line of Cottonwood Creek; thence in a southerly direction along the center line of said Cottonwood Creek to a point 76 rods, more or less, East of beginning; thence West 76 rods, more or less, to the point of beginning, containing 53.50 acres, more or less.

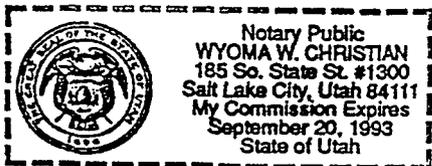
DATED September 30, 1992.

MOUNTAIN COAL COMPANY, a Delaware corporation,

BY Charles B. Smith
Vice President.

STATE OF UTAH)
): ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 30th day of September, 1992, by Charles B. Smith, the Vice President of MOUNTAIN COAL COMPANY, a Delaware corporation.



Wyoma W. Christian
NOTARY PUBLIC, residing in Salt Lake County, Utah

ASSIGNMENT

MINERAL LEASE NO. 22603
GRAZING LEASE NO. _____
CERTIFICATE NO. _____

The undersigned, as owner of record title interest as hereinafter specified in and to ML 22603; GL _____; Certificate No. _____; as designated, for good and valuable consideration and Ten DOLLARS does hereby assign to PACIFICORP, an Oregon corporation, ADDRESS: 201 South Main Street, Salt Lake City, Utah 84140-0021, the rights, title, and interest in rights and privileges as lessee in such lands, to the extent indicated subject to the reservation of overriding royalties as herein noted:

1. Land affected by this assignment in County of Emery, State of Utah, as described herein:

TOWNSHIP 17 SOUTH, RANGE 6 EAST, S1M
Section 36: All

640 ACRES

- 2. Interest of assignor in such lands 100%
- 3. Extent of such interest conveyed to Assignee (Note percentage of 2) 100%
- 4. Overriding royalty reserved herein to Assignor (Note percentage only) 0%
- 5. Overriding royalty previously reserved (Note percentage only) 0%

It is hereby certified that the statements made herein are true, complete, and correct to the best of the undersigned's knowledge and believe and are made in good faith.

Executed this 30th day of September, 19 92.

MOUNTAIN COAL COMPANY
By _____
(Lessee - Assignor)
Title _____

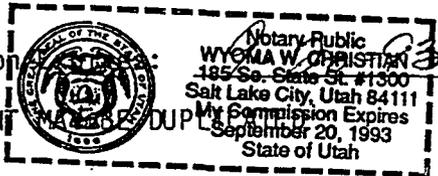
LESSOR--ASSIGNOR'S ACKNOWLEDGEMENT

STATE OF UTAH)
):ss
COUNTY OF SALT LAKE)

On the 30th day of September, 19 92, personally appeared before me Charles D. Smith, signer(s) of the above instrument, who duly acknowledged to me that he executed the same.

Given under my hand and seal this 30th day of September, 1992.

My Commission
THIS DOCUMENT



Wyoma W. Christian
NOTARY PUBLIC, residing at:
Salt Lake County, Utah

INSTRUCTIONS: Assignment must be submitted in duplicate. The original certificate, grazing lease or mineral lease must be produced with the assignment. Partial assignment permitted on mineral leases only. Total assignment--\$10, Interest assignment--\$10, and Partial Assignment--\$15.

INDIVIDUAL'S ACCEPTANCE OF ASSIGNMENT
AFFIDAVIT OF CITIZENSHIP OF ASSIGNEE

I, (we) _____ on oath, do solemnly swear that I am (we are) at the present time (a) * _____ Citizen(s) of the United States of America and of legal age, and I (we) hereby assume and agree to perform all of the covenants and obligations of said lease on the part of lessee(s) to be kept and performed, and accept the foregoing instrument.

BY: _____

Subscribed and sworn to before me this _____ day of _____, 19 _____.

My Commission Expires: _____

NOTARY PUBLIC, Residing at: _____

ACCEPTANCE OF ASSIGNMENT -- CORPORATE

Comes Now PACIFICORP, a corporation of Oregon AND HEREBY ACCEPTS THE ASSIGNMENT FROM MOUNTAIN COAL COMPANY of _____ Certificate No. _____, GL No. _____, ML No. 22603, which assignment is dated 9/30/92, subject to all of the covenants and obligations of said Lessee.

IN WITNESS WHEREOF PACIFICORP has executed this acceptance this 30th day of September, 19 92.

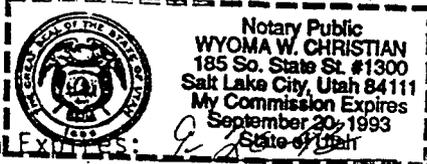
(Assignee) PACIFICORP, an Oregon corporation

BY: J. Brett Harvey
(Officer, Agent, Attorney-in-Fact) VP
Vice President

ASSIGNEES ACKNOWLEDGEMENT

STATE OF UTAH)
) :ss
COUNTY OF SALT LAKE)

On the 30th day of September, 19 92, personally appeared before me J. Brett Harvey, who being by me duly sworn did say, each for himself, that (he, she, or they) is an officer, agent or Attorney-in-Fact for the assignee and is authorized to accept this assignment and has executed the same and the seal affixed is the seal of said corporation.



My Commission Expires: _____

Wyoma W. Christian
NOTARY PUBLIC, residing at:
Salt Lake County, Utah

NOTE: a* Insert here whether native born or naturalized. If naturalized, it will be necessary to file with this office Proof of Citizenship or Declaration of Intention to become a citizen in the form of a letter of certificate of verification from Court of Issuance, and registration fee of \$1.00.

ASSIGNMENT AFFECTING RECORD TITLE
TO UNITED STATES COAL LEASE

Serial No. U-49332

This Assignment is made by MOUNTAIN COAL COMPANY, a Delaware corporation, to PACIFICORP, an Oregon corporation.

For good and valuable consideration, MOUNTAIN COAL COMPANY, a Delaware corporation (hereinafter called "Assignor") does hereby bargain, sell, assign, transfer, convey and set over unto PACIFICORP, an Oregon corporation, whose address is One Utah Center, 201 South Main Street, Suite 2100, Salt Lake City, Utah 84140-0021 (hereinafter called "Assignee"), without reservation of an overriding royalty, all of Assignor's right, title, interest, and estate of whatsoever nature in, to and under that certain coal lease issued by the UNITED STATES OF AMERICA, as Lessor, bearing Serial No. U-49332 covering coal in the following described lands located in Emery County, State of Utah:

TOWNSHIP 17 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN:

Section 25: $S\frac{1}{2}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}$
Section 26: $SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}$
Section 35: Lots 1 & 2, $SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}$

641.47 acres

Together with all rights and privileges thereunder or appurtenant thereto.

TO HAVE AND TO HOLD said interest unto Assignee, its successors and assigns.

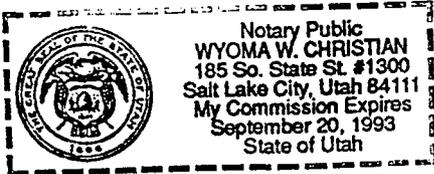
IN WITNESS WHEREOF, MOUNTAIN COAL COMPANY has caused this assignment to be duly executed this 30th day of September, 1992.

MOUNTAIN COAL COMPANY, a Delaware corporation,

By Charles B. Smith
Vice President.

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 30th day of September, 1992 by Charles S. Smith as Vice President of MOUNTAIN COAL COMPANY, a Delaware corporation.



Wyoma W. Christian
NOTARY PUBLIC, residing in
Salt Lake County, Utah

ASSIGNMENT AFFECTING RECORD TITLE
TO UNITED STATES COAL LEASE

Serial No. UTU-64375

This Assignment is made by MOUNTAIN COAL COMPANY, a Delaware corporation, to PACIFICORP, an Oregon corporation.

For good and valuable consideration, MOUNTAIN COAL COMPANY, a Delaware corporation (hereinafter called "Assignor") does hereby bargain, sell, assign, transfer, convey and set over unto PACIFICORP, an Oregon corporation, whose address is One Utah Center, 201 South Main Street, Suite 2100, Salt Lake City, Utah 84140-0021 (hereinafter called "Assignee"), without reservation of an overriding royalty, all of Assignor's right, title, interest, and estate of whatsoever nature in, to and under that certain coal lease issued by the UNITED STATES OF AMERICA, as Lessor, bearing Serial No. UTU-64375 covering coal in the following described lands located in Emery County, State of Utah:

TOWNSHIP 17 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN:

Section 26: $S\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$
Section 27: $S\frac{1}{2}S\frac{1}{2}$
Section 34: All
Section 35: Lots 3 and 4, $W\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$, $W\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}$

TOWNSHIP 18 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN:

Section 1: Lots 1-8, $S\frac{1}{2}N\frac{1}{2}$, $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$,
 $N\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$
Section 2: Lots 1-8, $S\frac{1}{2}N\frac{1}{2}$, $N\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$,
 $SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$,
 $N\frac{1}{2}S\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$
Section 3: Lots 1, 2 and 8, $NE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$

TOWNSHIP 18 SOUTH, RANGE 7 EAST, SALT LAKE BASE AND MERIDIAN:

Section 6: Lots 4-7, $W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}$

2,630.81 acres

Together with all rights and privileges thereunder or appurtenant thereto.

TO HAVE AND TO HOLD said interest unto Assignee, its successors and assigns.

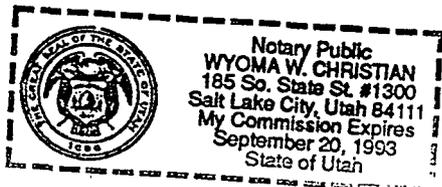
IN WITNESS WHEREOF, MOUNTAIN COAL COMPANY has caused this assignment to be duly executed this 30th day of September, 1992.

MOUNTAIN COAL COMPANY, a Delaware corporation,

By Charles B. Smith
Vice President.

STATE OF UTAH)
): ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 30th day of September, 1992 by Charles B. Smith as Vice President of MOUNTAIN COAL COMPANY, a Delaware corporation.



Wyoma W. Christian
NOTARY PUBLIC, residing in
Salt Lake County, Utah

ASSIGNMENT AFFECTING RECORD TITLE
TO UNITED STATES COAL LEASE

Serial No. U-082996

This Assignment is made by MOUNTAIN COAL COMPANY, a Delaware corporation, to PACIFICORP, an Oregon corporation.

For good and valuable consideration, MOUNTAIN COAL COMPANY, a Delaware corporation (hereinafter called "Assignor") does hereby bargain, sell, assign, transfer, convey and set over unto PACIFICORP, an Oregon corporation, whose address is One Utah Center, 201 South Main Street, Suite 2100, Salt Lake City, Utah 84140-0021 (hereinafter called "Assignee"), without reservation of an overriding royalty, all of Assignor's right, title, interest, and estate of whatsoever nature in, to and under that certain coal lease issued by the UNITED STATES OF AMERICA, as Lessor, bearing Serial No. U-082996 covering coal in the following described lands located in Emery County, State of Utah:

TOWNSHIP 17 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN:
Section 25: $E\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$

80.00 acres

Together with all rights and privileges thereunder or appurtenant thereto.

TO HAVE AND TO HOLD said interest unto Assignee, its successors and assigns.

IN WITNESS WHEREOF, MOUNTAIN COAL COMPANY has caused this assignment to be duly executed this 30th day of September, 1992.

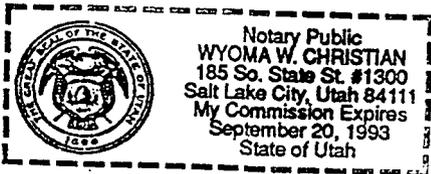
MOUNTAIN COAL COMPANY, a Delaware corporation,

By

Charles B. Smith
Vice President.

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 30th day of September, 1992 by Charles S. Smith as Vice President of MOUNTAIN COAL COMPANY, a Delaware corporation.



Wyoma W. Christian
NOTARY PUBLIC, residing in
Salt Lake County, Utah

PACIFIC CORP 93 TRAIL MTN · DRILL HOLES TMTN · 9 · TMTN · 15

PACIFICORP

*1993 TRAIL MOUNTAIN DRILLING PLAN
DRILL HOLES TMTN-9 THROUGH TMTN-15*

APPLICANT:

PACIFICORP

ONE UTAH CENTER

201 SOUTH MAIN, SUITE 2100

SALT LAKE CITY, UTAH 84140-0021

(801) 220-2000



April 8, 1993

RECEIVED

APR 12 1993

DIVISION OF
OIL GAS & MINING

Pamela Grubaugh-Littig
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

**RE: 1993 TRAIL MOUNTAIN EXPLORATION DRILLING APPLICATION
AMENDMENT FOR REMOVAL OF LESS THAN 250 TONS OF COAL,
PACIFICORP, TRAIL MOUNTAIN MINE, ACT/015/009, EMERY COUNTY,
UTAH**

Dear Ms. Grubaugh-Littig:

Please find enclosed ten (10) copies of PacifiCorp's proposal to drill seven (7) surface exploration drill holes on Trail Mountain. Numbers have been assigned to the drill holes that were previously identified in an alphabetical designation A through G. This alphabetical designation will be placed in parenthesis adjacent to the number assignment to aid in identification with the areas visited during the on-site tour. The seven (7) holes are to be located within the Trail Mountain Mine Permit area ACT/015/009 as follows:

<u>DRILL HOLE NUMBER</u>	<u>LOCATION</u>	<u>NORTHING</u>	<u>EASTING</u>	<u>DEPTH</u>	<u>SURFACE OWNER</u>	<u>OBJECTIVE</u>
TMTN-15 (A)	NE1/4 SEC 1 T18S, R6E	348,700	2,087,200	1600'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA
TMTN-9 (B)	SW1/4 SEC 35 T17S, R6E	352,706	2,081,745	2190'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA

TMTN-10 (C)	NW1/4 SEC 2 T18S, R6E	349,584	2,080,339	1870'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA
TMTN-11 (D)	SW1/4 SEC 2 T18S, R6E	347,170	2,081,432	1770'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA
TMTN-12 (E)	NW1/4 SEC 1 T18S, R6E	348,475	2,084,307	1660'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA
TMTN-13 (F)	NW1/4 SEC 1 T18S, R6E	349,515	2,086,370	1610'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA
TMTN-14 (G)	SE1/4 SEC 1 T18S, R6E	347,774	2,088,560	1560'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA

Hole A that was discussed during the on-site has been moved as described above and shown on the location map.

Drill holes TMTN-9 through TMTN-15 have become necessary for long term mine planning. At present the Trail Mountain Mine is under going rehabilitation.

The following information is submitted for your review:

TEXT:

1993 Trail Mountain Drilling Plan TMTN-9 through TMTN-15.

DRAWING:

**Trail Mountain Property
1993 Surface Drilling
TMTN-9 through TMTN-15**

(This drawing is an 11" x 17" portion of 7.5 minute quadrangle map of Mahogany Point that has been enlarged to a 1" = 1000' scale map.)

ATTACHMENTS:

1. **Revegetation seed mix for Trail Mountain coal exploration.**

2. **BLM Coal Exploration Stipulations - PacifiCorp - 1993 Trail Mountain Drilling.**
3. **USFS 1993 Road Use Permit.**
4. **Archeological clearance for 1993 Coal Exploration.**
5. **PacifiCorp Reclamation Cost Estimate for Drill Holes TMTN-9 through TMTN-15.**
6. **Water Usage Estimate and Water Rights Information.**

The surface rights for Drill Holes TMTN-9 through TMTN-15 belong to the Forest Service and subsurface rights are on Federal Lease UTU64375.

General access is via the existing Cottonwood Canyon road system. Access to the drill holes will be as follows:

DRILL HOLE NO.

ACCESS

TMTN-9

Open approximately 2110' of new road off an existing road down from TMX-3, all of which is on permitted area.

Open main access to TMTN-10, TMTN-11 and TMTN-12 as follows: Reopen 2685' of road from TM-10 to where access to Hole TMTN-10 takes off, then reopen 2477' to TMX-8, then construct 1622' of new road because area was determined to be more suitable for reclamation, then reopen 765' of road to where access to Holes TMTN-11 and TMTN-12 separates, all of which is on permitted area.

TMTN-10

Open approximately 1283' of new road off of reopened road from TM-10 to TMX-8, all of which is on permitted area.

TMTN-11

Reopen approximately 4106' of road from reopened road where access separates to holes TMTN-11 and TMTN-12. 3106' is on the permitted area and 1000' is off the permitted area on USFS property.

TMTN-12

Open approximately 1220' of new road, off of reopened road where access separates to holes TMTN-11 and TMTN-12, all of which is on permitted area.

Open main access to holes TMTN-13, TMTN-14 and TMTN-15 as follows: Reopen 8903' of road off an existing road toward TMX-1 and TMX-9, all of which is on permitted area. Approximately 3182' of this road crosses State Lease #22603, Section 36, T17S, R6E.

TMTN-13	Open approximately 2307' of new road off of the reopened road toward TMX-1 and TMX-9 described above, all of which is on permitted area.
TMTN-14	Reopen approximately 680' of road off of the reopened road toward TMX-1 and TMX-9 described above, all of which is on permitted area.
TMTN-15	This hole lies on the access road to TMTN-13 and will not be drilled until TMTN-13 is completed. Therefore, no additional access is required.

A Location Map showing the drill sites and accesses is enclosed in the drilling application.

The drill pads will be located immediately adjacent to the access roads, thereby reducing surface disturbance.

PacifiCorp desires to initiate drilling and reclamation of TMTN-9 through TMTN-15 as soon as possible in 1993.

Your assistance in facilitating this project is greatly appreciated. If you require additional copies of this submittal or other information please contact Karl Houskeeper or myself at 653-2312.

Sincerely,



Val Payne

Sr. Environmental Engineer

KH/dw

Enclosure

cc: George Morris - Forest Service (2 copies)
Penelope Smalley - BLM
Miles Moretti - Division of Wildlife Resources
Rodger Fry
Blake Webster
Steve Kochevar
Larry LaFrentz

PACIFICORP
1993 TRAIL MOUNTAIN DRILLING PLAN
DRILL HOLES TMTN-9 THROUGH TMTN-15

APPLICANT:
PACIFICORP
ONE UTAH CENTER
201 SOUTH MAIN, SUITE 2100
SALT LAKE CITY, UTAH 84140-0021
(801) 220-2000

LIST OF ATTACHMENTS

- 1. REVEGETATION SEED MIX FOR TRAIL MOUNTAIN RECLAMATION.
RECLAMATION SUCCESS.
VEGETATION SAMPLING OF THE PROPOSED DRILL SITES ON TRAIL
MOUNTAIN 1993.**
- 2. BLM CONDITIONAL APPROVAL.
BLM COAL EXPLORATION DRILLING STIPULATIONS INSIDE THE
PERMIT AREA.**
- 3. ROAD USE PERMIT.**
- 4. ARCHEOLOGICAL CLEARANCE.**
- 5. PACIFICORP RECLAMATION COST ESTIMATE FOR DRILL HOLES
TMTN-9 THROUGH TMTN-15.**
- 6. WATER USAGE ESTIMATE AND WATER RIGHTS INFORMATION.**
- 7. BONDING INFORMATION. (UDOGM AND PACIFICORP COPIES ONLY)**
- 8. AFFIDAVIT OF NEWSPAPER PUBLICATION.**
- 9. SOIL SURVEY INFORMATION.
SOIL STRIPPING AND STOCKPILING PLAN.**

PACIFICORP

1993 TRAIL MOUNTAIN DRILLING PLAN

DRILL HOLES TMTN-9 THROUGH TMTN-15

It is planned to conduct surface drilling above the Trail Mountain Mine located near Orangeville, Utah. Less than 250 tons of coal will be removed. DOGM will be notified prior to drilling activities.

Proposed are seven (7) holes TMTN-9 through TMTN-15, as shown on the enclosed map. Access to drill holes TMTN-9 through TMTN-15 will need to be constructed as discussed later. The location depth and elevation of the holes are as follows:

<u>DRILL HOLE NUMBER</u>	<u>LOCATION</u>	<u>NORTHING</u>	<u>EASTING</u>	<u>DEPTH</u>	<u>ELEVATION</u>	<u>SURFACE OWNER</u>	<u>OBJECTIVE</u>
TMTN-15 (A)	NE1/4 SEC 1 T18S, R6E	348,700	2,087,200	1600'	8558'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA
TMTN-9 (B)	SW1/4 SEC 35 T17S, R6E	352,706	2,081,745	3190'	8890'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA
TMTN-10 (C)	NW1/4 SEC 2 T18S, R6E	349,584	2,080,339	1870'	8370'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA
TMTN-11 (D)	SW1/4 SEC 2 T18S, R6E	347,170	2,081,432	1770'	8260'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA

TMTN-12 (E)	NW1/4 SEC 1 T18S, R6E	348,475	2,084,307	1660'	8330'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA
TMTN-13 (F)	NW1/4 SEC 1 T18S, R6E	349,515	2,086,370	1610'	8460'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA
TMTN-14 (G)	SE1/4 SEC 1 T18S, R6E	347,774	2,088,560	1560'	8430'	FOREST SERVICE	EVALUATE COAL ELEVATION, THICKNESS, QUALITY AND IDENTIFY SURROUNDING STRATA

After drilling is completed the holes will geophysically logged to the full depth and the holes will be plugged in accordance with BLM requirements.

In accordance with Federal Regulations 30 CFR 211 and the Utah Permanent Coal Mining Regulations, the following is submitted:

NAME AND ADDRESS OF RESPONSIBLE PERSON:

Mr. Dale Wilson
Energy West
Huntington Field Office
PO Box 1005
Huntington, Utah 84521
(801) 653-2312

SURFACE OWNERSHIP OTHER THAN UNITED STATES:

United States Forest Service

SUBSURFACE OWNERSHIP OTHER THAN UNITED STATES:

Bureau of Land Management

METHOD OF DRILLING

It is proposed to drill holes TMTN-9 through TMTN-15 to the depths specified. Drilling will be accomplished by means of surface drilling utilizing a rotary drill rig.

DRILLING EQUIPMENT

Drill Rig:

1 1500 Rotary Drill Rig

The drilling rig will require support vehicles as follows:

1 Water truck, 80 to 100 barrel capacity

1 Flat-bed truck for carrying drill pipe and casing

1 D8H Crawler Tractor

1 Landscape Tractor/Trailer

1 Semi-Truck/Flat-bed Trailer

1 Logging Truck (Geophysical Probe Truck)

4 Pickup Trucks (Crew Transportation)

1 700 CFM Compressor and Booster

The drilling pad and mud pits will be constructed using a crawler tractor and backhoe. On relatively flat areas blade work will be minimal, only the low growing brush will be removed by back-blading the surface.

Preservation of topsoil is managed by stripping the drill pad and stockpiling the topsoil adjacent to the drilling site.

Drilling sequence is as follows:

A crawler tractor constructs a minimum width road from the existing road system to the proposed site. This rough construction road is built balancing the cuts and fills. The drill pad, usually 50 x 70 feet is laid out to fit the slope of ground allowing for the least amount of cut.

If the drill site is level the area is back-bladed to remove the vegetation leaving the topsoil in place, otherwise the site is cleared of brush and topsoil is stripped using a crawler tractor (dozer). Topsoil will be stripped and stockpiled according to the stripping plan found in Attachment 9. Silt fence material will be made available for protection of the topsoil stockpile if needed. Mud pits are then excavated. Treatment of the drill pads will be by use of a berm located at the perimeter of the pad to contain runoff as needed. Upon completion of the drill pad site the drill rig is driven to

the site and set up to begin drilling. Ancillary equipment such as compressors, booster, water truck and flat-bed (drill pipe) trucks are positioned on the pad.

Once drilling has begun it continues until the exploration hole is completed or in the case of a planned core hole, casing is set at the prescribed depth. During the drilling period, drilling materials and cement are delivered to the site awaiting plugging of the hole.

After reaching the planned depth the drill string is removed from the hole and the geophysical logging truck is positioned to probe the hole. Upon recording the necessary data (geophysical logs) the hole is plugged, as specified by the BLM, using a two to one cement/water slurry plugging the entire length of the hole drilled. The drilling rig and support equipment are then moved from the site. The drilling site is cleaned of waste and trash and reclamation of the site will begin as soon as the mud pits have lost their fluids.

POLLUTION CONTROL MEASURES

Fire Prevention:

In the past, fire hazard has not been a major problem. The clearing of drill sites reduces the chance of machine related ignitions and the storing of combustible fuels in a safe area further lessens any fire hazards associated with drilling. Each drilling rig is attended both day and night and if needed, a 3,000 gallon water truck is available for fire suppression.

Soil Erosion:

Short-term soil erosion protection is accomplished by road design, that is, during road construction the roads are located at the minimum grade possible and out-sloped for drainage. Erosion control off the access roads will be by use of silt fence for the areas that indicate erosion is occurring. Reclamation work requires all roads not obliterated to have water bars installed and all disturbed areas will be seeded.

Water Pollution Control Measures:

What little surface water exists on Trail Mountain is found in the form of springs, seeps and small ponds. These waters are used primarily for stock and wildlife and some are developed with tanks and troughs. All access roads and pads located across or adjacent to live or intermittent streams will require culverts or other protective measures to safeguard water quality. Ground water encountered during drilling will be evaluated for monitoring purposes and reported as stipulated by the BLM.

Present DOGM regulations are specific in monitoring ground water (hydrologic balance) for determining future impacts associated with mining. Measures to protect the migration of ground water will be to cement the hole completely.

Air Pollution:

We anticipate no significant impact to the air quality due to the drilling and other than watering roads for dust suppression when necessary no specific measures are planned.

Damage to Fish and Wildlife:

The area of drilling is abundant with wildlife and is known primarily for its deer and elk harvest each Fall. Past experience has proven the wildlife disturbance is minimal.

Fisheries:

There are no major fisheries within the drilling influence zone.

OTHER NATURAL RESOURCES

Drill hole TMTN-15 will be located on the access road to TMTN-13. Disturbance will only occur on the drill pad since it utilizes the same access as TMTN-13. It is estimated that a total of 1 acre will be disturbed. For the most part this disturbance will occur on open grass covered range land. Specific action to reduce this impact will be revegetative seeding.

Drill hole TMTN-9 will require opening 2110' of new road off an existing road down from TMX-3 all of which is on permitted area. Disturbance will occur on the access road and drill pad. It is estimated that a total of 1.58 acres will be disturbed. For the most part, this disturbance will occur on open grass covered range land. Specific action to reduce this impact will be revegetative seeding.

Drill holes TMTN-10, TMTN-11 and TMTN-12 will require opening of a main access as follows: Reopen 2685' of road from TM-10 to where access to hole TMTN-10 takes off, then reopen 2477' to TMX-8, then construct 1622' of new road, because area was determined to be more suitable for reclamation, then reopen 765' of road to where access to holes TMTN-11 and TMTN-12 separates, all of which is on the permitted area. Disturbance will involve construction of the road. It is estimated that 2.09 acres will be disturbed. For the most part disturbance will occur on open grass covered range land. Specific action to reduce this impact will be revegetative seeding.

Drill hole TMTN-10 will require opening approximately 1283' of new road off of a reopened road from TM-10 to TMX-8, all of which is on permitted area. Disturbance

will occur on the access road and drill pad. It is estimated that 1.35 acres will be disturbed. For the most part, this disturbance will occur on open grass covered range land. Specific action to reduce this impact will be revegetive seeding.

Drill hole TMTN-11 will require reopening approximately 4106' of road from the reopened road where access separates to holes TMTN-11 and TMTN-12. 3106' of this road is on the permitted area and 1000' is off the permitted area, surface ownership is USFS. Disturbance will occur on the access road and drill pad. It is estimated that 2.13 acres will be disturbed. For the most part, this disturbance will occur on open grass covered range land. Specific action to reduce this impact will be revegetive seeding.

Drill hole TMTN-12 will require opening approximately 1220' of new road where access separates to holes TMTN-11 and TMTN-12, all of which is on the permitted area. Disturbance will occur on the access road and drill pad. ~~Disturbance will occur on the access road and drill pad.~~ It is estimated that 1.34 acres will be disturbed. For the most part, this disturbance will occur on open grass covered range land. Specific action to reduce this impact will be revegetive seeding.

Drill holes TMTN-13 and TMTN-14 will require opening a main access as follows: Reopen approximately 8903' of road off an existing road towards TMX-1 and TMX-9 all of which is on the permitted area. Approximately 3182' of this road crosses state lease #22603 Section 36 T17S R6E. Disturbance will occur on the access road. It is estimated that 2.45 acres will be disturbed. For the most part, this disturbance will occur on open grass covered range land. Specific action to reduce this impact will be revegetive seeding.

Drill hole TMTN-13 requires opening approximately 2307' of new road off of the reopened road towards TMX-1 and TMX-9, described above, all of which is on the permitted area. Disturbance will occur on the access road and drill pad. It is estimated that 1.63 acres will be disturbed. For the most part, this disturbance will occur on grass covered range land. Specific action to reduce this impact will be revegetive seeding.

Drill hole TMTN-14 requires reopening approximately 680' of road off of the reopened road towards TMX-1 and TMX-9, described above all of which is on permitted area. Disturbance will occur on the access road and drill pad. It is estimated that 1.19 acres will be disturbed. For the most part, this disturbance will occur on open grass covered range land. Specific action to reduce this impact will be revegetive seeding.

PUBLIC HEALTH AND SAFETY

Total 14.76 Ac

Due to the remoteness of the drilling area, public safety involvement is small.

PacifiCorp requires by contract that the drilling contractor is knowledgeable and complies with all state and local laws related to his drilling operations and that all equipment used in conjunction with this project meet the safety standards of the federal, state and local governing agencies.

Method of Plugging Drill Holes:

After the hole is drilled and geophysically logged, a proper cement slurry shall be placed in the hole through the open-ended drill pipe using 200 foot segmented lifts for inducing a pressure grout for plugging the drill hole. A hole location marker shall be

placed on the surface of the hole to witness its location. This procedure will achieve compliance with the BLM hole plugging requirements as prescribed in Attachment 2.

SURFACE RECLAMATION

Reclamation Schedule:

It is planned to reclaim the drill site as soon as possible after completion of drilling unless directed otherwise by USFS personnel. DOGM will be notified immediately before and after reclamation. We have found from prior drilling in this area that the mud pits require at least two weeks or more to dissipate their fluids. After the reclamation sequence has started it will continue until complete.

The average time to drill a 2,000 foot hole in this area is about four days, reclamation work per drill site will average two days. We are planning to complete the reclamation work during 1993. Reclamation success is discussed in Attachment 1. Reclamation hydrologic protection will be accomplished by the surrounding vegetation serving as a vegetative filter. As a secondary backup, the areas have several contour furrows that are used for water and sediment retention. These contour furrows were constructed in the 1980's in a water shed project on Trail Mountain by the USFS.

Grading and Backfilling:

Pad removals are scheduled to be completed in 1993, in accordance with the surface management agency's stipulations.

Using a crawler tractor, mud pits will be filled in, the drill pad bladed, contoured to its original shape and the previously stockpiled topsoil spread evenly over the disturbed area.

Method of Soil Preparation and Fertilizer Application:

There is no special soil preparation planned excepting harrowing the disturbed areas after seeding. However, on level areas, if topsoil was not removed during pad construction, the site will be ripped prior to seeding to break up compaction resulting from drilling activities. No fertilizer is planned unless stipulated by the surface owner.

Interim vegetation is not planned. Once exploration drilling is completed at a drill site, it is put into final reclamation. Care will be taken to coordinate drill holes and reclamation activities to limit the amount of disturbed area before final reclamation. Even if the onset of winter occurs before final reclamation is completed, no growth from interim reclamation would occur before spring when final reclamation would be resumed.

Type and Mixture of Seeds (see Attachment 1):

	<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>LBS/ACRE PLS</u>
I	Intermediate Wheatgrass	Agropyron intermedium	3
N	Slender Wheatgrass	Agropyron trachycaulum	3
I	Crested Wheatgrass	Agropyron cristatum var. high crest or Ephraim	3
I	Smooth Brome	Bromus inermis	3
I	Yellow Sweet Clover	Melilotus officinalis	1
I	Ladak Alfalfa	Medicago sativa ladak	1
I	Small Burnett	Sanguisorba minor	1

This seed mixture must be 99 percent pure live seed, certified weed-free, and applied at the rate of 15 pounds per acre.

All seeds are broadcast by a hand-held rotary broadcaster. Areas seeded are cultivated and raked with a tractor-drawn tooth harrow. The rate of application is approximately 15 pounds PLS per acre.

Estimated Timetable and Completion Date for Reclamation Work:

Once reclamation of a drill site begins all phases are continuous, that is, cat work, spreading topsoil, ditching, seeding and harrowing.

Included in this submittal is an 11" x 17" portion of the 7.5 minute map of Mahogany Point showing existing roads, major drainages, surface ownership and the proposed drilling sites.

1993 PROPOSED DRILLING

TRAIL MOUNTAIN

DRILL HOLES TMTN-9 THROUGH TMTN-15

<u>DRILL HOLE NUMBER</u>	<u>LOCATION</u>	<u>NORTHING</u>	<u>EASTING</u>	<u>TOTAL DEPTH FEET</u>	<u>LEASE NUMBER</u>	<u>SURFACE OWNER</u>
TMTN-15 (A)	NE1/4 SEC 1 T18S, R6E	348,700	2,087,200	1600'	UTU-64375	FOREST SERVICE
TMTN-9 (B)	SW1/4 SEC 35 T17S, R6E	352,706	2,081,745	2190'	UTU-64375	FOREST SERVICE
TMTN-10 (C)	NW1/4 SEC 2 T18S, R6E	349,584	2,080,339	1870'	UTU-64375	FOREST SERVICE
TMTN-11 (D)	SW1/4 SEC 2 T18S, R6E	347,170	2,081,432	1770'	UTU-64375	FOREST SERVICE
TMTN-12 (E)	NW1/4 SEC 1 T18S, R6E	348,475	2,084,307	1660'	UTU-64375	FOREST SERVICE
TMTN-13 (F)	NW1/4 SEC 1 T18S, R6E	349,515	2,006,370	1610'	UTU-64375	FOREST SERVICE
TMTN-14 (G)	SE1/4 SEC 1 T18S, R6E	347,774	2,088,560	1560'	UTU-64375	FOREST SERVICE

ENVIRONMENT

The area of exploration is located on Trail Mountain in the Wasatch plateau area of eastern Utah near Orangeville.

Soils

The dry, desert soils of the valley east and south of the mines are used mainly for range and pasture. Irrigated cropland occurs in small areas where water is available. These valley soils receive 8 to 14 inches of precipitation annually and have a low to moderate erosion potential (Wilson, et al, 1975).

The soil types of the mountainous areas surrounding the exploration area are characteristic of canyon slopes, geologic folds and faults. Bare rock and shallow soils over sandstone bedrock occur over most of the area. These soils support valuable

watersheds, recreational areas and wildlife habitat. Runoff in these areas is high and contributes to heavy sedimentation and erosion problems. These erosion characteristics indicate that the revegetation potential is poor (Wilson, et al, 1975).

Vegetation

The dominant vegetation types are characteristic of central Utah (Foster, 1968). Pinyon-juniper woodland is on the dry, south slopes and intergrades with sagebrush and grassland types at higher elevations on Trail Mountain. Spruce-fir Douglas fir forest occupies the ravines, ridge top, and the more mesic north slopes at elevations above 8,000 feet (Holmgren, 1972). In mesic areas surrounding springs and seeps on the mountain tops, small meadows are present.

Pinyon pine (Pinus edulis), juniper (Juniperus osterosperma), mountain mahogany (Cercocarpus spp.) and serviceberry (Amelanchier utahensis) are the common woody plant species. These forms provide an open canopy. The understory of pinyon-juniper habitat is sparse and consists of scattered clumps of Indian ricegrass (Oryzopsis hymenoides) and forbs.

White fir (Abies concolor), Douglas fir (Pseudotsuga menziesii), and Engelmann spruce (Picea engelmannii) are the characteristic overstory species in the spruce-fir Douglas fir vegetation type. Stands of aspen (Populus tremuloides) are scattered throughout the conifer vegetation. The understory associated with the conifers includes snowberry (Symphoricarpos oreophilus), buffaloberry (Shepherdia canadensis), twinflower (Linnaea borealis), blueberry (Vaccinium caespitosum), and miterwort (Mitella stenopetala). Annuals make up a very minor part of the cover.

Fish and Wildlife

The southern area is in pinyon-juniper habitat. A number of important vertebrate species are typical of this habitat within the region. (The sparse vegetation and steep, dry conditions present at the portal areas are less suitable for wildlife than are densely vegetated portions of pinyon-juniper habitat on gently sloping terrain south and west of the mine property.

The mule deer is the most conspicuous large mammal in pinyon-juniper habitat in the mine vicinity. Other mammal species found in this habitat include black-tailed jackrabbit, mountain cottontail, coyote, badger, striped skunk, deer mouse, pinion mouse, least chipmunk, hoary bat, and western big-eared bat (Brown, et al, 1958).

Typical birds in pinyon-juniper habitat include the mourning dove, pinion jay, western bluebird, western kingbird, American kestrel and chipping sparrow (Brown, et al, 1958).

Dry surface conditions and the absence of standing water virtually preclude the presence of amphibians from pinyon-juniper habitat in the immediate vicinity, but several reptile species are common. The side-blotched lizard, eastern fence lizard, sagebrush lizard, racer, gopher snake, and western rattlesnake are representative species in this habitat type throughout the region (Stebbins, 1966).

Spruce fir Douglas fir and pinyon juniper habitats intermingle in canyon bottoms and at intermediate elevations to form a transition zone between the two vegetation types. Aspen groves in the spruce-fir Douglas fir communities offer excellent calving

areas for elk (US Forest Service, 1976). Mule deer, snowshoe hare, and blue grouse are important game species in forested areas. Non-game mammals which inhabit forest areas include bobcat, beaver, porcupine, red fox, coyote, mountain vole, deer mouse, hoary bat, and silver-haired bat.

Many bird species frequent the forested portions of Trail Mountain.

Conspicuous breeding birds include band-tailed pigeon, plain titmouse, Clark's nutcracker, raven, turkey vulture, great horned owl, red-tailed hawk and golden eagle.

Amphibian species such as the chorus frog and western toad inhabit mesic areas of the site. Reptiles are probably not abundant, but the short-horned lizard, sagebrush lizard, gopher snake, and western terrestrial garter snake inhabit sagebrush and forest-sagebrush ecotones in the site region.

Sagebrush and grassland habitat, and some mesic vegetation types occur on the relatively flat upper benches of Trail Mountain. Meadow habitat is limited to small drainage areas and a few springs. These habitats, combined with the forest edge ecotonal areas, are suitable for elk, mule deer, sage grouse, ruffed grouse, blue grouse and snowshoe hare.

The additional moisture, increased vegetation, and structural diversity of the vegetation in the forest-sagebrush and forest-grassland ecotones provide habitat for more vertebrate species than is provided by pinyon-juniper woodland.

The stream habitat is considered of critical value to the areas wildlife even though fish do not actually occupy the area of concern. It is a feeder stream to a class 3 fishery in lower Cottonwood Creek.

Important Species

Important wildlife species are defined as those which are of recreational or economic value, are essential to the structure and function of the ecosystems in which they occur, or which have special status (e.g. endangered, declining, protected, etc.) within the region.

Several important species occur on and near East Mountain. The status, known distribution in the region and general habitat preference of each are discussed below.

- o Mule Deer (Odocoileus hemionus) - Mule deer range throughout all habitats on East Mountain. Pinion-juniper on the lower slopes of East Mountain are used as winter range. During other seasons deer concentrations are greater at high elevations. They occupy winter range from 12-1 to 4-15. South facing slopes are critical for winter food availability (Dalton, Price, Romin, 1990).**
- o Elk (Cervus elaphus) - Elk inhabit all elevations. Forest edges and aspen are critical for calving from 5-15 to 7-15. Altitudinal migration is displayed by this game animal and they occupy winter range from 12-1 to 4-15 (Dalton, Price, Romin, 1990).**
- o Mountain Lion (Felis concolor) - This species inhabits rugged mountains and forest areas in the region and may be found at all elevations on the Wasatch Plateau. It is common in relative abundance. Deer make up 75% of their winter diet (Dalton, Price, Romin, 1990).**

- o Snowshoe Hare (*Lepus americanus*) - This species is common in submontane and montane areas of the Wasatch Plateau. Nests are shallow depressions in dead leaves under trees. Young are born from April to August. It inhabits higher elevations on East Mountain (Dalton, Price, Romin, 1990).
- o Mountain Cottontail (*Sylvilagus nuttalli*) - Mountain cottontails inhabit brushy areas and forests, particularly on rocky slopes throughout the region. They are common in the submontane and montane elevations of the Wasatch Plateau. Their population trend is stable. (USDI Bureau of Land Management, 1976; Dalton, Price, Romin, 1990).
- o Blue Grouse (*Dendragapus obscurus*) - Open conifer stands with brushy understory in the submontane and montane zones provide suitable habitat for this species. Blue grouse occur on the Wasatch Plateau. Their population trend is stable (Dalton, Price, Romin, 1990).
- o Ruffed Grouse (*Bonasa umbellus*) - Brushy woodlands (aspens, willows and conifers) near streams and springs are suitable habitat. This species occurs at submontane and montane elevations of the Wasatch Plateau. Breeding occurs from March through May and is centered around a drumming log (Dalton, Price, Romin, 1990).
- o Chukar Partridge (*Alectoris chukar*) - This species prefers steep, rocky, grassy or brushy slopes in arid mountains and canyons of desert and submontane zones. This species was introduced in Utah from 1951 to

1968. During this period 185,911 individuals were released at 191 different locations. The species is now widely distributed throughout Utah and other western states. Their population trend is stable (Rawley and Bailey, 1972; Dalton, Price, Romin, 1990).

- o Mourning Dove (*Zenaidura macroura*) - This is an important game bird in many parts of North America. Mourning doves prefer open field and forest edge habitat, but occur over a broad range of vegetation types throughout the 48 conterminous United States. The species occurs in pinion-juniper and forest edge habitat on East Mountain.

Special Status Species

Table I is a current listing of Threatened, Endangered and Sensitive species occurring within the Price and Ferron District of the Manti-La Sal National Forest. None are known to inhabit the areas of the proposed 1993 drilling; however, prior to initiating drilling activities the area will be surveyed as necessary in cooperation with the appropriate agencies.

TABLE 1

THREATENED, ENDANGERED AND SENSITIVE SPECIES
OCCURRING IN THE PRICE AND FERRON DISTRICTS
OF THE MANTI-LA SAL NATIONAL FOREST¹

	<u>COMMON NAME</u>	<u>SPECIES</u>	<u>STATUS²</u>		<u>LOCATION AND HABITAT</u>
			<u>USFWS³</u>	<u>USFS⁴</u>	
MAMMALS	Spotted bat	Euderma maculatum	C2	S	Ponderosa pine, desert scrub, pinyon-juniper, open pasture state-wide. Roost in crevices on cliff faces.
	Western big-eared bat	Plecotus townsendii	None	S	Pinyon-juniper forests, shrub/steep grasslands, deciduous and mixed-conifer forests from sea level to 10,000 ft. elevation. Winter roosting in caves, mine shafts, rocky outcrops and buildings.
BIRDS	Bald Eagle	Haliaeetus leucocephalus	E	E	Winter visitor, open water and upland areas.
	Flammulated owl	Otus flammeolus	None	S	Mature ponderosa pine-Douglas fir forests with open canopies and large diameter dead trees.
	Three-toed woodpecker	Picoides tridactylus	None	S	Coniferous and mixed forests to 9,000 ft. elevation.
REPTILES/ AMPHIBIANS	Spotted frog	Rana pretiosa	C1	S	Marshy edges of permanent ponds and lakes, algae-grown overflow pools of streams, near springs with emergent vegetation.
PLANTS	Heliotrope milkvetch	Astragalus montii	T	T	Flagstaff limestone formation in the subalpine mixed grass-forb community above 10,500 feet elevation. Presently known to occur only on 3 sites on South end of the Wasatch Plateau in Sevier and Sanpete counties.
	Canyonlands sedge	Carex curatorum	C3	S	Scad Valley and South side of Ferron Mtn. in Current Creek area.
	Creutzfeldt flower	Cryptantha creutzfeldtii	C2	S	Open, dry Mancos shale; open pinyon-juniper and salt desert shrub plant communities between 5,500 to 6,500 feet elevation.
	Carrington daisy	Erigeron carringtonae	C2	S	Meadows and escarpment margins on Flagstaff limestone between 10,000 and 11,000 feet elevation.
	Sedge fescue	Festuea dasyclada	3c	S	Open slopes and ridges in sagebrush, mountain brush, and juniper communities on Green River Shale formation and limestone gravels between 6,990 and 10,000 feet elevation.

Canyon Sweetvetch	<i>Hedysarum occidentale</i> var. <i>canone</i>	C2	S	Alluvium or outwash deposited material; pinyon-juniper, sagebrush communities between 5,000 and 8,000 feet elevation.
Low hymenoxys	<i>Hymenoxys depressa</i>	C2	S	Ephedra, sagebrush, shadscale and pinyon-juniper communities on very rocky, shallow fine silty clay to clay loam soils between 4,400 and 8,000 feet elevation.
Helenium hyemoxys	<i>Hymenoxys helenioides</i>	3b	S	Mountain brush, sagebrush, aspen, and dry meadow communities on clay loam soils between 8,000 to 10,700 feet elevation.
Maguire campion	<i>Silene petersonii</i>	C2	S	Ponderosa pine, Rocky Mountain juniper, bristlecone pine, spruce-fir and aspen-sagebrush communities on open calcareous and igneous gravels between 6,955 to 11,200 feet elevation.
Ute ladies'-tresses	<i>Spiranthes diluvialis</i>	T	T	Low, wet or mesic riparian meadows or in understory meadows of riparian woodlands in the Colorado River drainage of Eastern Utah. "No known population or habitat has been found on the forest to date, 3/92". (Mr. Bob Thompson, USFS Price)

¹ Spahr, et al. 1991
Atwood, et al. 1991

² S=Sensitive, T=Threatened, E=Endangered, see page 21

³ Endangered Species Act Listing

⁴ Forest Service Region 4 Status

DEFINITIONS

FEDERAL STATUS

Species listed as endangered or threatened or as candidates for endangered or threatened status under the Endangered Species Act are defined as follows:

Listed Species (from Endangered Species Act, Section 3)

Endangered - Taxa in danger of extinction throughout all or a significant portion of its range.

Threatened - Taxa likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

Candidate Species (from Federal Register 54(4):554-579)

Category 1(C1) - Taxa for which the US Fish and Wildlife Service currently has substantial information on hand to support the biological appropriateness of proposing to list as endangered or threatened. Proposed rules have not yet been issued, but development and publication of proposed rules are anticipated.

Category 2(C2) - Taxa for which information now in possession of the US Fish and Wildlife Service indicates that proposing to list as endangered or threatened is possibly appropriate, but for which conclusive data on biological vulnerability and threat are not currently available to support proposed rules. Further biological research and field study may be needed to ascertain the status of taxa in this category.

Possibly Extinct Category 2(C2*) - Taxa possibly extinct.

Category 3(C3) - Taxa that were once being considered for listing as endangered or threatened, but are not currently receiving such consideration.

3a - Taxa for which the US Fish and Wildlife Service has persuasive evidence of extinction.

3b - Taxa that do not meet the legal definition of a species under the Endangered Species Act.

3c - Taxa that are now considered to be more abundant and/or widespread than previously thought.

Proposed (P) - Taxa which are proposed for a specified status (listed or candidate).

FOREST SERVICE REGION 4 STATUS

Endangered - See Federal Status

Threatened - See Federal Status

Sensitive Species (from Forest Service Manual 2670.5) - Those plant and animal species identified by the Regional Forester for which population viability is a concern as evidenced by:

- a. Significant current or predicted downward trends in population numbers or density.**
- b. Significant current or predicted downward trends in habitat capability that would reduce a species existing distribution.**

Land Use:

Land in the exploration area of Trail Mountain is used for range forage, wildlife habitat, timber, recreation, and mineral extraction. The timber value of spruce and fir in the area is minimal. Most of the timber is classified as non-commercial (USDI Forest Service and BLM, 1976) since inaccessibility, size class distribution and market conditions limit the economic feasibility of commercial operations.

This area includes range allotments, the Gentry Mountain Cattle and Horses Allotment on the Ferron Ranger District. Areas occurring in the Gentry Mountain Cattle and Horses Allotment are classified as non-range because of the steep terrain, inaccessibility, and scarcity of vegetation. A portion of the East Mountain Cattle and Horses Allotment is primary range (includes preferred forage-producing areas that are accessible and have available water). The range condition in this unit is fair and improving (USDI Forest Service and BLM, 1976). Some of the principal species are western yarrow, orange sneezeweed, Kentucky bluegrass, crested wheatgrass, big sagebrush, and twistleaf rabbit brush. The range allotments are managed on a rest-rotation grazing cycle (USDI Forest Service and BLM, 1976).

The area proposed for drill holes TMTN-9 through TMTN-15 is presently classified for the following wildlife uses by UDWR.

<u>WILDLIFE SPECIES</u>	<u>AREA USE CLASSIFICATION</u>
Mule Deer	Critical Winter Range High Priority Winter Range High Priority Summer Range
Elk	Critical Winter Range High Priority Winter Range High Priority Summer Range

Moose	Substantial Yearlong Range
Mountain Cottontail	Substantial Yearlong Range
Snowshoe Hare	Substantial Yearlong Range
Blue Grouse	Substantial Yearlong Range

Only drill holes TMTN-11 and TMTN-14 are located near raptor nest sites. Drill hole TMTN-11 is near the limits of the one-half mile buffer zone associated with several golden eagle aeries in Straight Canyon, one of which was active in 1992. Drill hole TMTN-14 is within approximately 1600 feet of a Buteo nest. The nest has been included in annual aerial surveys since 1986. it has not been observed to be active and was not found during the 1991 and 1992 surveys. The status of the Straight Canyon nests will be determined in the spring of 1993 prior to proposed drilling activities.

GEOLOGY

The area of interest for exploration is on Trail Mountain, a part of the Wasatch Plateau located near Orangeville in Emery County.

Trail Mountain is a prominent topographical mesa rising over 3,000 feet from the flatlands of Castle Valley. The southern limits are marked by precipice sandstone cliffs intersected by narrow and steep drainages.

Significant geologic conditions in the project area pertain to the stratigraphy and structure of the area. The sedimentary strata in which the coal seams are enclosed generally consist of massive and bedded sandstones which are interbedded with siltstones and mudstones.

The lithologic logs of surface drill holes from locations drilled on the property also show the stratigraphic formations of the area. These logs indicate only one coal

seam which is of minable thickness in the area and is referred to as the Hiawatha Seam. The Hiawatha Seam forms the basal unit of the Blackhawk Formation and is underlain by the massive Starpoint Sandstone.

The Blackhawk Formation which ranges from 700 feet to 800 feet thick in the area, consists of lenticular sandstones, siltstones, and mudstone in the lower portion and an ever-increasing amounts of sandstone in its upper portions, and is conformably overlain by the Castlegate Sandstone. The Castlegate averages about 200 feet thick in the area and consists nearly entirely of massive, medium to coarse-grained sandstone. The Castlegate forms a massive cliff and is conformably overlain by the lenticular sandstones of the Price River Formation. The Price River is about 600 feet thick and grades upward from predominantly sandy beds to interbedded sandstone, siltstone, and mudstone. The formation is overlain conformably by the slope-forming mudstones, siltstones, sandstones, and occasional limestone lenses of the North Horn Formation. The North Horn Formation ranges from 900 feet to 1100 feet thick in the area and is unconformably overlain by the lowermost remnants of the Flagstaff Limestone.

The weathering of strata in the area has resulted in the exposure of the coal seams along lower canyon walls and mesa cliffs. The sediments which enclose the coal seams form steep slopes which are capped by the cliff-forming Castlegate Sandstone. The earth materials just above the Castlegate form steep slopes that gradually lessen in intensity higher in the stratigraphic section, particularly in the North Horn Formation. The Flagstaff Formation caps the highest points of the Trail Mountain Mesa.

Structurally, the area is fairly simple. The gentle down-folded strata crossing the area from the southwest to northeast form the Straight Canyon Syncline. Dips into the syncline range from 2 to 4 degrees. The Flat Canyon Anticline is located just to the north of the subject area. No faults are known to exist within the exploration area.

WATER

Trail Mountain is a narrow plateau with steep slopes and extends for about nine miles in a north to south direction. The northern and eastern slopes drain into Cottonwood Canyon Creek while the western and southern slopes drain into Indian Creek and into Cottonwood Creek. Cottonwood Creek drain to the southeast into the Castle Valley System. Surface waters within the exploration area are mostly mountain springs and seeps which have improvements of small ponds and troughs for stock watering.

The peaks on the Trail Mountain range in elevation between 10,084 feet in the north to 9,600 feet in the southeast. The plateau varies in topography from flat to steeply sloping, and ranges from a quarter of a mile to a mile in width. The southern slope of the mountain drops 2,700 feet in 0.5 miles while the northern slopes are more gentle and decrease from the 10,100 foot to the 8,800 foot elevations in a horizontal distance of about 1.5 miles.

The primary year-round water resources on the mountain result from scattered seeps along the upper slopes draining the mountain's sandstone aquifers which are supplied by seasonal patterns of precipitation.

ARCHEOLOGY

Because of the mountain's steep slopes, access to its upper meadows and terraces is most easily accomplished on foot by climbing its long, narrow eastern ridges above Cottonwood Creek, or by climbing the western slopes in the vicinity of Upper Joes Valley and Flat Canyon. Prehistoric access to the plateau was probably predominantly accomplished on those slopes since the steepness and the frequent sandstone cliffs along the southwestern, southern, and southeastern slopes probably discouraged easy movement between and higher meadows and Castle Valley.

As an aid to determining the extent and location of presently known prehistoric sites distributed in the area, a records search was carried out involving files of the Antiquities Section of the Division of State History and files of the Environmental Research Section of Utah Power & Light Company. As a result of these file checks, known prehistoric sites within the Trail Mountain area can be categorized into three sets, i.e., lower elevation sites located between 5,800 and 7,200 feet, middle elevation sites located between 7,200 and 9,000 feet, and higher elevation sites located above 9,000 feet.

Existing records and current research have demonstrated that prehistoric human activity in the area has diminished as elevation is increased. Newly discovered sites along Grimes Creek, the sites found adjacent to the new Huntington Power Plant and site 42Em176 near the mouth of Huntington Canyon can all be considered as falling in the lower elevation category and are predominantly within the pinion-juniper ecosystem. In 1971, Raymond Matheny's field crews identified a number of archeological sites in Huntington Canyon which have since been covered by the Huntington Reservoir. Those

sites and site 42Em722 in Crandall Canyon can all qualify as falling within the second and middle elevation category which consists primarily of the montane ecosystem.

The higher elevation category which involves the upper montane and sub-alpine ecosystems includes only one known site, 42Em721, which is located on Trail Mountain. This site and the majority of sites situated in the middle elevations consist of lithic fragment scatters having low to marginal significance in National Register terms. In contrast, the sites found in the lower elevation zone are not only more abundant, but often are of greater significance, having been the foci of year-round habitation related activities.

During past years archeological sweeps (surveys) were limited to planned exploration disturbances.

In 1977, public law 95-87 was enacted. Regulations promulgated under this act expanded environmental requirements for permitting coal mines.

One such requirement was to broaden cultural resource information above underground mining activities.

Additionally, archeological studies have been conducted on Trail Mountain in correlation with exploration activities. An archeological clearance will be completed for all 1993 drill sites and newly constructed access roads prior to any surface disturbing activities. The archeological information is enclosed as Attachment 4.

GENERAL REFERENCES

Atwood, D., et al. 1991. Utah Threatened, Endangered, And Sensitive Plant Field Guide. US Dept. Agricul. For. Serv., Intermountain Region, Ogden, Ut., Nat. Park Serv., Utah, Bur. of Land Manage., Salt Lake City, Ut., Utah Nat. Heritage Prog., Salt Lake City, Ut., US Fish and Wildlife Serv., Salt Lake City, Ut., US Env. Prot. Agency, Reg. 8 Denver, Colo., Navajo Nation, Navajo Natural Heritage Program, Window Rock, Az., Skull Valley Goshute Tribe, Salt Lake City, Ut.

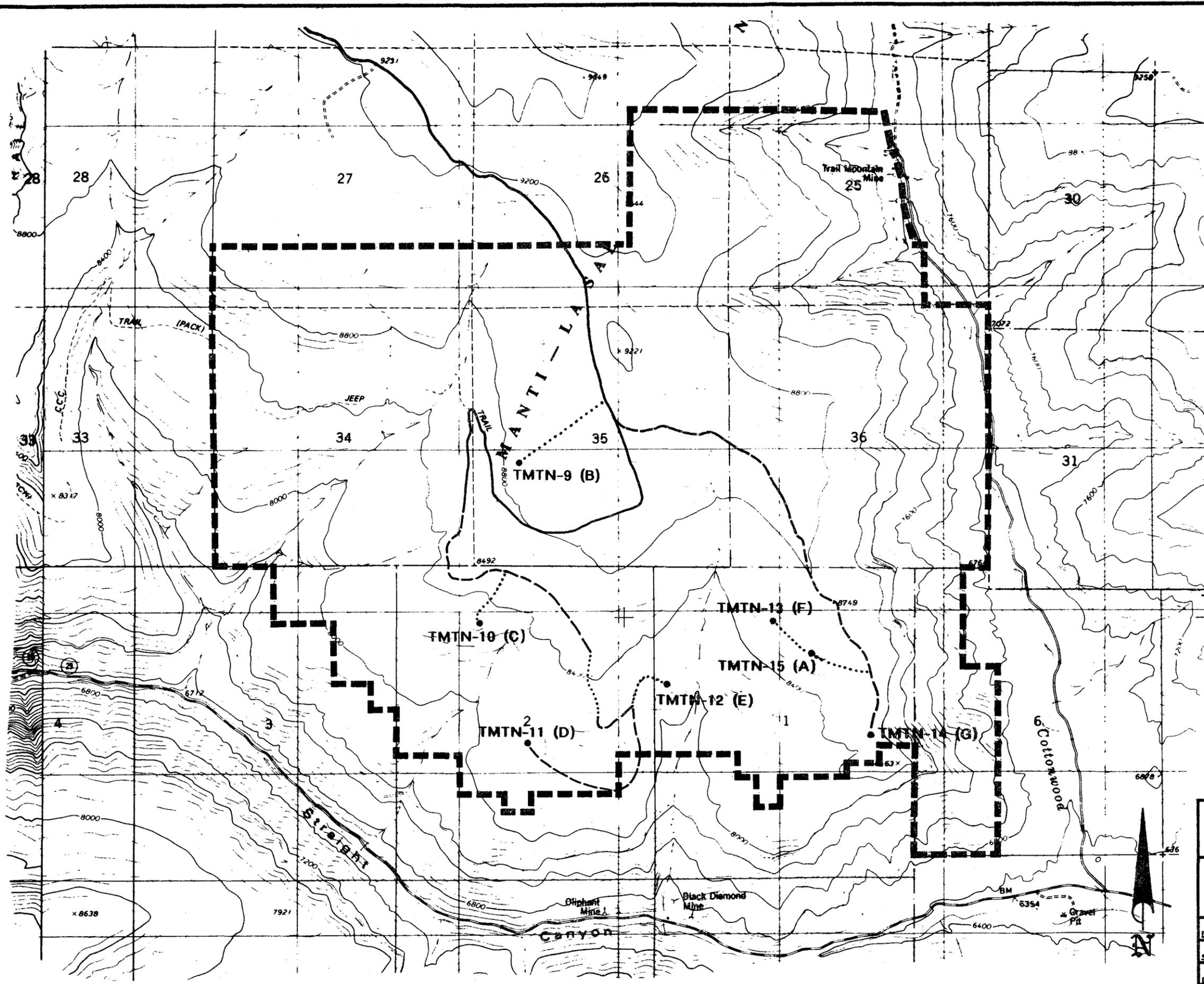
Dalton, L.B., et al. 1978. Species List of Vertebrate Wildlife That Inhabit Southeastern Utah. Utah Division of Wildlife Resources Publication #78-16, Salt Lake City, Utah.

Dalton, L.B., et al. 1990. Fauna of Southeastern Utah and Life Requisites Regarding Their Ecosystems. Utah Div. of Wildlife Res. Pub. No. 90-11. Utah Dept. of Nat. Res., Salt Lake City, Ut. 326 pp.

Scott, R.W., Boner T.C. and Smith, R., 1977, Ranking of Wildlife Value on Federal Coal Lands, Utah Division of Wildlife Resources, Salt Lake City, Utah.

Spahr, R., et al. 1991. Threatened, Endangered and Sensitive Species of the Intermountain Region. US Dept. Agricul. For. Serv., Intermountain Region, Ogden, Ut.

UDWR, 1979, Status of Selected Animal and Plant Species in Utah (revised) Salt Lake City, Utah.



LEGEND:

- PERMIT BOUNDARY
- EXISTING ROAD
- EXPLORATION DISTURBANCE
- - - RE-OPENED ROAD
- NEW ROAD
- TMTN-9 • DRILL HOLE

RECEIVED

AUG 25 1993

DIVISION OF
OIL, GAS & MINING

CAD FILE NAME/DISK#: 93DRILL

**ENERGY WEST
MINING COMPANY**
HUNTINGTON, UTAH 84528

**TRAIL MOUNTAIN EXPLORATION DISTURBANCE MAP
1993 SURFACE DRILLING
HOLES TMTN-9 THROUGH TMTN-15**

DRAWN BY:	K. LARSEN	TMS1474B
SCALE:	1" = 2000'	DRAWING #:
DATE:	JULY 27, 1993	SHEET 1 OF 1 REV.

**1993 TRAIL MOUNTAIN DRILLING
REVEGETATION SEED MIX**

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>LBS/ACRE PLS</u>
Intermediate Wheatgrass	Agropyron intermedium	3
Slender Wheatgrass	Agropyron trachycaulum	3
Crested Wheatgrass	Agropyron cristatum var. high crest or Ephraim	3
Smooth Brome	Bromus inermis	3
Yellow Sweet Clover	Melilotus officinalis	1
Ladak Alfalfa	Medicago sativa ladak	1
Small Burnett	Sanguisorba minor	1

RECLAMATION SUCCESS

Reclamation success will be determined as follows:

- 1. Prior to disturbance, the areas proposed to be disturbed by drilling activities will be surveyed according to vegetation type to determine cover, species composition and woody species density.**

The areas surveyed will include road routes and pad sites in previously undisturbed areas. In addition, reclaimed roads to be reopened for drilling access and roads and pad sites in areas previously disturbed by watershed improvement projects will be surveyed.

- 2. During the initial survey, areas adjacent to the proposed disturbed sites will be identified and sampled to serve as comparison areas to assess reclamation success. The comparison areas will represent range conditions and vegetation types similar to those of the associated disturbed sites.**
- 3. Reclamation success sampling will be conducted in such manner as to ensure that environmental conditions (moisture conditions, season, plant phenology, etc.) are comparable at the reclaimed sites and the comparison areas. The ultimate determination regarding reclamation success will be made by the responsible surface management agency.**

**VEGETATION SAMPLING OF THE
PROPOSED DRILL SITES ON
TRAIL MOUNTAIN**

1993

Vegetation sampling of the proposed exploratory drill sites and access roads was conducted in July-August 1993. There were seven (7) proposed drill sites studied including the access roads to them. In addition, seven (7) comparison (or reference) areas were sampled to compare with the proposed disturbed sites. These areas could also be used for standards of revegetation success at the time of final reclamation for the drill sites and access roads.

Qualitative and quantitative data were recorded on the proposed disturbed and comparison areas. The sample areas were marked in the field and mapped on field maps. Methods of sampling included random quadrat placement in all sample areas. Following quadrat placement, ocular estimates were recorded for cover, species composition and frequency. In addition, woody species densities were measured using the point-quarter method. Finally, color photographs were taken of each sample area.

The raw data will be summarized and a final report will be submitted for all areas in the near future.

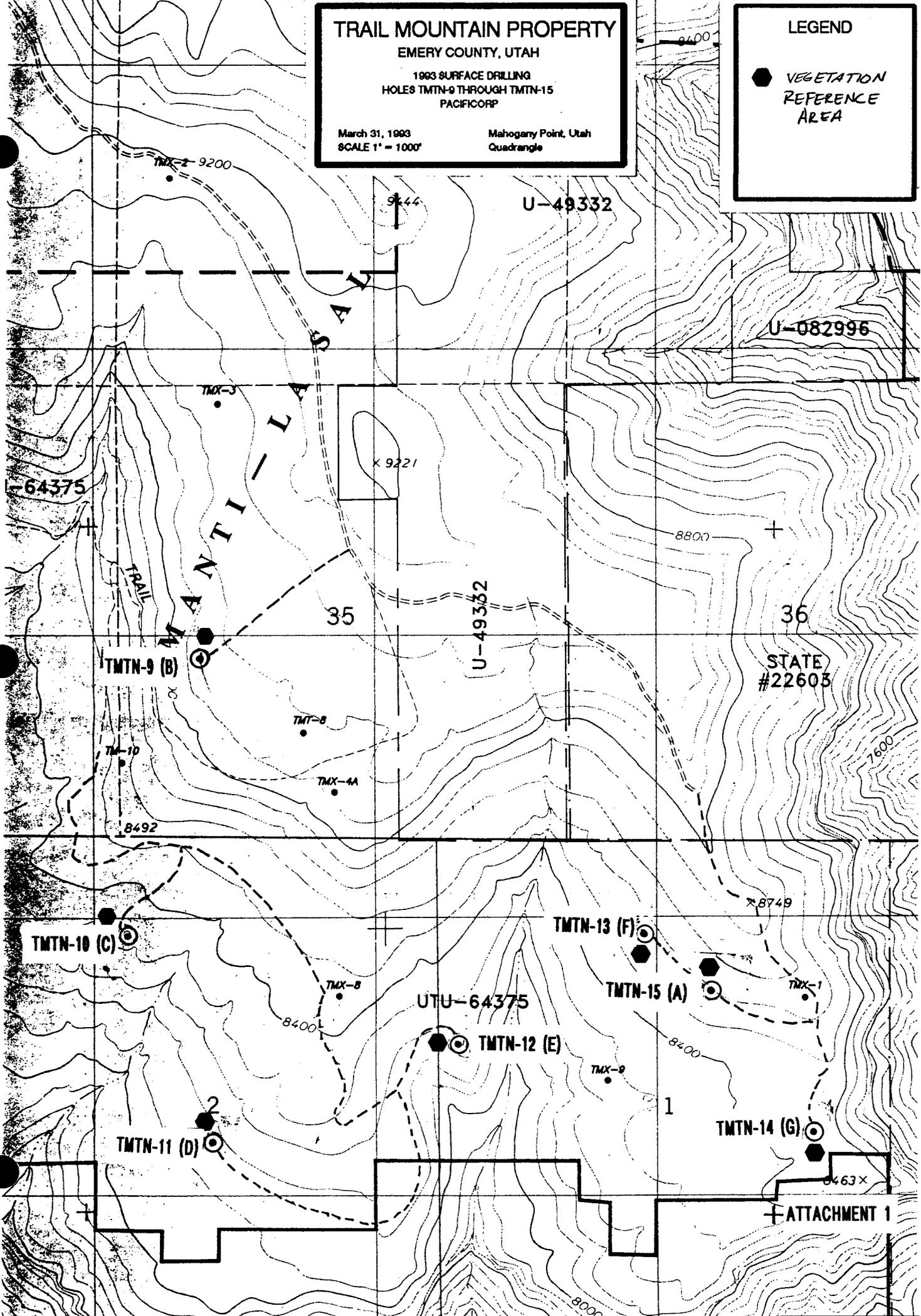
TRAIL MOUNTAIN PROPERTY
 EMERY COUNTY, UTAH
 1993 SURFACE DRILLING
 HOLES TMTN-9 THROUGH TMTN-15
 PACIFICORP

March 31, 1993
 SCALE 1" = 1000'

Mahogany Point, Utah
 Quadrangle

LEGEND

● VEGETATION
 REFERENCE
 AREA



ATTACHMENT 1

**RECEIVED**

JUN 01 1993

DIVISION OF
OIL GAS & MINING

BUREAU OF LAND MANAGEMENT

Moab District
P.O. Box 970
Moab, Utah 845323482
U-64375
(U-065)

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Department of Natural Resources
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Ms. Grubaugh-Littig:

We have reviewed the 1993 Trail Mountain Drilling Plan application for Federal coal lease U-64375 submitted by PacifiCorp and transmitted to us with your letter dated April 19, 1993. These seven drill holes (TMTN-9 through TMTN-15) are located in the permit area.

We recommend approval subject to the following condition:

1. All drill holes will be properly sealed in accordance with the enclosed Bureau of Land Management coal exploration drilling stipulations.

Tom Rasmussen of my staff will be the point of contact for any questions and notifications regarding this matter at (801) 637-4584.

Sincerely,

District Manager

Enclosure
BLM Stipulations (3pp.)

cc: BLM State Director, Utah (U-921) (wo/Encl.)
BLM Price Coal Office (U-065c) (wo/Encl.)
Manti-LaSal National Forest (wo/Encl.)
599 West Price River Drive
Price, Utah 84501

ATTACHMENT 2

BUREAU OF LAND MANAGEMENT
COAL EXPLORATION DRILLING STIPULATIONS
INSIDE THE PERMIT AREA
PacifiCorp Electric Operations

1. The Chief of the Price Coal Office shall be notified 48 hours prior to the start and completion of the program.
2. The lessee/licensee is responsible to see that all personnel contracted or otherwise doing work on the exploration program are aware of these approval requirements and abide by all regulations governing this program. Any changes to the approved exploration plan that includes new drilling outside the permit area must receive approval from the Chief of the Price Coal Office prior to implementation.
3. Each string of surface or intermediate casing shall be cemented to the surface.
4. Upon completion of down-hole procedures, all drill holes shall be properly sealed by emplacing cement through tubing in stage lifts from the bottom of the hole to ground level. The cement slurry mixture used to plug and seal the drill holes shall be mixed in compliance with standard cement mixing tables (e.g. Haliburton).
5. The hole location is to be marked by placing an approved marker made of galvanized steel, brass, aluminum or similar noncorrosive metal in the concrete plug. Such markers are to show hole number, year drilled, lessee/licensee name, and as feasible, the section, township, and range in which the hole is located. The top of the concrete plug, if located in cultivated a field must be set below normal plow depth (10 to 12 inches). In noncultivated areas, all marker caps should not protrude above the ground level. All drill holes shall be surveyed in to assure proper location. An exact survey of each drill hole location will be submitted to the Chief of the Price Coal Office.
6. Upon completion of exploration activities, two copies of each report as required by 43 CFR 3485.1, shall be submitted to the Chief of the Price Coal Office. The reports at a minimum must contain the following:
 - A. Location(s) and serial number(s) of lands under Federal lease or license on which exploration was completed.
 - B. A description of the completed exploration operations that includes the number of holes drilled, total depth of each hole, and completion date of each hole.
 - C. A map showing the locations of all holes drilled, other excavations, and the coal outcrop lines as appropriate. The scale of the map shall not be less than 1 inch equals 1 mile.
 - D. Analysis of coal samples and other pertinent tests obtained from exploration operations.

E. Copies of all in-hole mechanical or geophysical stratigraphic surveys or logs, such as electric logs, gamma ray-neutron logs, sonic logs, or any other logs. The records shall include a lithologic log of all strata penetrated and conditions encountered such as water, gas, or any unusual conditions.

F. Status of reclamation of the disturbed areas.

G. Any other information requested by the Assistant District Manager for Mineral Resources.

H. Hydrologic reports using the attached form.

REPORT OF WATER OBSERVED

Company: _____ Lease/License Number: _____
Address: _____ Drill Hole Number: _____
Date Completed: _____
Total Depth: _____

Company Contact: _____
Phone Number: _____

Drilling Contractor: _____
Address: _____

Company Contact: _____
Phone Number: _____

Location of Hole: T. __ S., R. __ E., Section __: __ 1/4 __ 1/4 __ 1/4
Hole Elevation: _____ Hole Diameter: _____
Drilling Method: _____
Static Water Level: _____

Aquifer No. 1
Depth Below Ground Elevation: _____ Formation: _____
Rock Type: _____ Yield(GPM): _____
Date Reported to BLM*: _____ Requirements of BLM*: _____
Water Sample Provided to BLM? _____

Aquifer No. 2
Depth Below Ground Elevation: _____ Formation: _____
Rock Type: _____ Yield(GPM): _____
Date Reported to BLM*: _____ Requirements of BLM*: _____
Water Sample Provided to BLM? _____

Aquifer No. 3
Depth Below Ground Elevation: _____ Formation: _____
Rock Type: _____ Yield(GPM): _____
Date Reported to BLM*: _____ Requirements of BLM*: _____
Water Sample Provided to BLM? _____

*Refer to Stipulation Number 3

U.S. Department of Agriculture - Forest Service
R O A D U S E P E R M I T
 (Re: FSM 7770)

Authority: Acts of 6/30/14, 4/24/50, 6/12/60 and 10/14/64:
 (16 U.S.C. 498, 572, 530 and 532-38 AND
 43 U.S.C. 1702, 1761, 1764, AND 1765)

PacifiCorp

Attention: Scott M. Child
 C/O - Interwest Mining Company
 of One Utah Center, Suite 2000, 210 South Main, SLC, Utah 84140-0020
 (Address & Zip Code)

(Name)

(hereafter called the permittee) is hereby granted use of the following road(s) or road segments:

Forest Development Roads (FDR):

FDR #50040 (Cottonwood Road) from the interior Forest Boundary 3.1 miles from the junction with State Route 29 north-vestery to its junction with FDR #50034 (Trail Mountain Road) for a distance of 6.65 miles (excluding 0.5 miles of fee land within the Forest);

and

FDR #50034 (Trail Mountain Road) from its junction with FDR #50040 (Cottonwood Road) southerly to it terminus in Section 34 of T. 17 S., R. 6 E., for a distance of 12 miles;

on the Manti-La Sal National Forest, subject to the provisions of this permit including clauses 1 through 17, on page(s) 1 through 3 for the purpose of hauling, transporting personnel, equipment, supplies and materials for road maintenance, water-well drilling, and coal exploration drilling.

The exercise of any of the privileges granted in this permit constitutes acceptance of all the conditions of the permit.

1. **WORK REQUIRED TO ACCOMMODATE PERMITTED USE.** In accordance with this use, the permittee shall perform the work described below and in accordance with plans and specifications attached hereto:

NONE

2. **USE PLANS.** Prior to June 1 each year this permit is in effect, permittee shall notify the Ferron District Ranger, P.O. Box 310, 98 South Main, Ferron, Utah, 84523 - (801-384-2371) in writing of the approximate time when such use will commence, the anticipated duration of such use, the names and addresses of permittee's contractors or agents who will use the road on behalf of permittee, the estimated extent of use, and such other information relative to permittee's anticipated use as the Forest Service may from time to time reasonably request. If and when during the year there is any significant change with respect to the information so supplied by permittee, the permittee will notify the Ferron District Ranger promptly in writing of such change. Plans and changes will be approved by the Manti-La Sal National Forest Supervisor before use may commence.

3. **COMPLIANCE WITH LAWS AND REGULATIONS.** The Permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county and municipal laws, ordinances or regulations which are applicable to the area or operations covered by this permit.

4. **USE NONEXCLUSIVE.** The privileges granted in this permit to use this road are not exclusive. The Forest Service may use this road and authorize others to use it at any and all times. The permittee shall use said road in such manner as will not unreasonably or unnecessarily interfere with the use thereof by other authorized persons, including Forest Service.

5. **RULES GOVERNING USE.** The permittee, its agents, employees, contractors or employees of contractors, shall comply with all reasonable rules prescribed by the Forest Service for control and safety in the use of this road and to avoid undue damage to the road. Such rules will include:

- (1) Upon reasonable notice, closing the road or restricting its use when, due to weather conditions or the making of alterations or repairs, unrestricted use would in Forest Service judgement, cause excessive damage, or create hazardous conditions;
- (2) Upon reasonable notice, closing the road during periods when, in Forest Service judgement, there is extraordinary fire danger;
- (3) Traffic controls, which in Forest Service judgement, are required for safe and effective use of the road by authorized users thereof;
- (4) Prohibition on the operation on this road of any vehicles or equipment having cleats or other tracks which will injure the surface thereof;
- (5) Prohibition on the operation of vehicles (of a width in excess of 96 inches and a gross weight of vehicles and load in excess of 80,000 pounds).
- (6) Regulation of the number of vehicles so as to prevent undue congestion of this road.

(7) The Permittee shall not use an "active ingredient" as defined in Section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat. 973), in violation of said act on the Land described in this permit.

Other - Heavy equipment may not be moved on Forest Development Roads on the following dates:

July 2 - 5, 1993
July 23 - 25, 1993
September 3 - 6, 1993
October 6 - 11, 1993

6. **INSURANCE.** Permittee or his contractors and assigns shall be required to carry public liability and property damage insurance for the operation of vehicles in the amounts established by applicable state laws, cooperative agreements, or easements issued on the subject road or roads. In any event, the permittee must carry liability insurance and property damage insurance of not less than \$100,000 for injury or death to one person, \$300,000 for injury or death to two or more persons, and \$100,000 for damage to property. The permittee itself shall be responsible for furnishing to the Manti-La Sal National Forest Supervisor proof of satisfactory insurance when said insurance is to be furnished by other than the permittee. Proof of satisfactory insurance may be required by the Manti-La Sal National Forest Supervisor prior to hauling over the road(s) and will be for the duration of the permit and such insurance policy shall bear an endorsement requiring the issuing company to give 10 days prior written notice to the Manti-La Sal National Forest Supervisor, 599 West Price River Drive, Price, Utah 84501, of cancellation or material change.

7. **MAINTENANCE.** The permittee shall bear the expense of maintenance proportionate to his use. This expense will be borne by

Recurring Maintenance: PDR #50040 - 1436 EUU's x \$0.04/EUU/Mi. x 6.65 miles = \$ 381.98 (Maintenance in lieu of)
Recurring Maintenance: PDR #50034 - 1436 EUU's x \$0.11/EUU/Mi. x 12.00 miles = \$1895.52 (Maintenance in lieu of)

Deferred Maintenance: PDR #50040 - 1436 ESU's x \$0.02/ESU/Mi. x 6.65 miles = \$ 190.99 (Payment required)
Deferred Maintenance: PDR #50034 - 1436 ESU's x \$0.04/ESU/Mi. x 12.00 miles = \$ 689.28 (Maintenance in lieu of)

Payment required \$190.99

When deposit or payments are required in lieu of performance of maintenance the rate will be N/A which is agreed to be the cost of such works; the deposits or payments to be made at such times and in such amounts as requested by the N/A Provided, however, that the rate shall be revised upward or downward on N/A of each year hereafter, based on estimated costs and uses anticipated; Provided further, that payment shall not relieve the permittee from liability for repair of damages due to carelessness or negligence on its part or on the part of its contracts or agents.

Maintenance shall be performed in accordance with Forest Service specifications or requirements for maintenance as hereinafter listed, or as may be mutually agreed upon from time to time and shall consist of (1) current maintenance as necessary to preserve, repair, and protect the roadbed, surface and all structures and appurtenances, and (2) resurfacing equivalent in extent to the wear and loss of surfacing caused by operations authorized by this permit.

7a. **MAINTENANCE AND RESURFACING REQUIREMENTS AND SPECIFICATIONS.**

Total Maintenance of 12.0 miles of PDR # 50034 for 1993. (In lieu of payment)

8. **PERFORMANCE BOND.** In the event the permittee is to perform his proportionate share of road maintenance, road resurfacing, or betterment, as determined and within time periods established by the Forest Supervisor, the Forest Service may require as a further guarantee of the faithful performance of such work that the permittee furnish and maintain a surety bond satisfactory to the Forest Service in the sum of twelve thousand and one hundred dollars (\$12,100), or in lieu of a surety bond, deposit into a Federal depository, as directed by the Forest Service, and maintain therein cash in the sum of twelve thousand and one hundred dollars (\$12,100), or negotiable securities of the United States having market value at time of deposit of not less than twelve thousand and one hundred (\$12,100). As soon as security for the performance of road maintenance (and betterment) requirements or the settlement of claims incident thereto is completed, unencumbered cash guarantees or negotiable securities deposited in lieu of surety bond will be returned to the permittee.

9. **FIRE PREVENTION AND SUPPRESSION.** The permittee shall take all reasonable precautions to prevent and suppress Forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a permit from the Forest Service.

10. **DAMAGES.** The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and promptly upon demand shall pay the United States for any damage resulting from negligence, or from violation of the terms of this permit or of any law or regulation applicable to the National Forests, by the permittee, or by his agents, contractors, or employees of the permittee acting within the scope of their agency, contract, or employment.

11. **OFFICIALS NOT TO BENEFIT.** No Member of or Delegate to Congress or Resident Commissioner shall be admitted to share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

12. **OUTSTANDING RIGHTS.** This permit is subject to all outstanding rights.

13. **SUSPENSION.** Upon the failure of the permittee, its agents, employees or contractors to comply with any of the requirements of this permit, the officer issuing the permit may suspend operations in pursuance of this permit.

14. **TERMINATION.** This permit shall terminate on October 15, 1993 unless extended in writing by the Forest Service. It may be terminated upon breach of any conditions herein.

15. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provisions thereof, the following clauses will control.

None

16. **SAFETY.**

Unless otherwise agreed in writing, when Permittee's Operations are in progress adjacent to or on Forest Service controlled roads and trails open to public travel, Permittee shall provide the use with adequate warning of hazardous or potentially hazardous conditions associated with Permittee's Operation. A specific traffic control plan for each individual project shall be agreed to by Permittee and Forest Service prior to commencing operations. Devices shall be appropriate to current conditions and shall be covered or removed when not needed. Except as otherwise agreed, flagger and devices shall be as specified in the "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD), and in specifications attached hereto.

17. Drivers of all vehicles hauling shall have a copy of this agreement in their possession. This agreement will be presented, on request, to any Forest Officer.

This permit is accepted subject to all of its terms and conditions.

ACCEPTED	Permittee (Name & Signature)	<i>[Signature]</i> PRESIDENT OF INTEREST MINING Co.	Date 5-20-93
APPROVED	Issuing Officer (Name & Signature)	<i>[Signature]</i> ACTING Title: Forest Supervisor	Date 6/2/93



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF STATE LANDS AND FORESTRY

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
Scott Hiroshi
Division Director

Southeastern Area
89 East Center Street
Moab, Utah 84532-2444
801-259-6316
801-259-4119 (Fax)

May 28, 1993

Mr. Scott Child
PacifiCorp
Property Management Administrator
One Utah Center
201 South Main, Suite 2000
Salt Lake City, UT 84140-0020

RE: Road Use across State Lands
T17S, R6E, SLB&M

Dear Scott:

Pursuant to Mineral Lease 22603, you hereby granted permission to reasonably use the surface as necessary to access your mineral exploration unit. Should you need any additional acknowledgement to finalize your permit, please feel free to contact me in Moab at 259-6316.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jan Parmenter', written over a horizontal line.

Jan Parmenter
Land Specialist



ATTACHMENT 3



ARCHEOLOGICAL - ENVIRONMENTAL RESEARCH CORPORATION

P. O. Box 853 Bountiful, Utah 84011-0853
Tel: (801) 292-7061, 292-9668

July 30, 1993

Subject: CULTURAL RESOURCE EVALUATION OF SEVEN
PROPOSED EXPLORATORY WELL LOCATIONS &
ACCESS ROUTES IN THE TRAIL MOUNTAIN LOCALITY
OF EMERY COUNTY, UTAH

Project: Utah Power & Light Company - 1993 Development

Project No.: UPL-93-7

Permit No.: Dept. of Agriculture Special-Use Permit

**Utah State
Project No.:** Ut-93-AF-353F

To: Mr. Val Payne, Energy West, P.O. Box 1005, Huntington, Utah 84528

Mr. Ira Hatch, District Ranger, Manti-La Sal National Forest, Ferron Ranger
District, Ferron, Utah 84532

Info: Antiquities Section, Division of State History, 300 Rio Grande, Salt Lake City,
Utah 84101

Mr. Stan McDonald, Manti-LaSal National Forest Supervisor's Office, 599 West
Price River Drive, Price, Utah 84501

CULTURAL RESOURCE EVALUATION
OF SEVEN PROPOSED EXPLORATORY WELL
LOCATIONS & ACCESS ROUTES
IN THE TRAIL MOUNTAIN LOCALITY
OF EMERY COUNTY, UTAH

Report Prepared for Energy West / Utah Power / PacifiCorp

**U.S. Forest Service (Dept. of Agriculture) Special-Use Permit
AERC Project 1387 (UPL-93-7)**

Utah State Project No.: UT-93-AF-353f

**Principal Investigator
F. Richard Hauck, Ph.D.**



**ARCHEOLOGICAL-ENVIRONMENTAL RESEARCH
CORPORATION (AERC)**

**181 North 200 West, Suite 5
P.O. Box 853
Bountiful, Utah 84011-0853**

July 30, 1993

ABSTRACT

An intensive cultural resource evaluation has been conducted for Energy West of seven proposed exploratory well locations and associated access routes situated on the Frerron Ranger District of the Manti-La Sal National Forest in the Trail Mountain locality of Emery County, Utah. This evaluation involved ca. 2 miles of new access route right-of-way and ca. .4 acres associated with the seven well locations for a total of ca. 13 acres. The survey was conducted by F.Richard Hauck and Glade Hadden of AERC on July 23, 1993.

No previously recorded significant or National Register eligible cultural resources will be adversely affected by the proposed development.

No newly identified paleontological loci were discovered during the examination.

A single diagnostic isolated artifacts was observed and collected from the access route into Unit TMTN-12 during the evaluation. This Archaic projectile point consists of a Pinto style atlatl point identified as Isolate 1387G/x1.

One prehistoric lithic scatter was identified and recorded during the evaluations. This site (42EM 2330) is considered to be a on-significant cultural resource. It is situated 25 meters north of the access route into Unit TMTN-12 and will not be adversely affected by the construction activity related to the drilling at that location.

AERC recommends project clearance based on adherence to the stipulations noted in the final section of this report.

TABLE OF CONTENTS

	page
Abstract	ii
Table of Contents	iii
List of Maps of the Project Area	iv
List of Figures	iv
General Information	1
Project Location	1
Environmental Description	2
Previous Research in the Locality	4
File Search	4
Prehistory and History of the Project Area	6
Site Potential in the Project Zone	7
Field Evaluations	9
Methodology	9
Site Significance Criteria	9
Results of Inventory	10
Conclusion and Recommendations	11
References	12

LIST OF MAPS OF THE PROJECT AREA

	page
MAP: Cultural Resource Survey of Proposed Well Locations in the Trail Mountain locality of Emery County, Utah	3

LIST OF FIGURES

	page
Figure 1: Isolated Artifact Sketch (1387R/x1)	10

GENERAL INFORMATION

On July 23, 1993, AERC archaeologists F. Richard Hauck and Glade Hadden conducted an intensive cultural resource evaluation for Energy West involving seven proposed coal exploratory well locations and associated access routes located on Trail Mountain in Emery County, Utah. A total of ca. 2 miles of new access routes and .4 acres of well pad were examined for a total of 13 acres. This project is situated within the Manti-La Sal National Forest on federal lands administered by the Ferron ranger District.

The purpose of the field study and this report is to identify and document cultural site presence and assess National Register potential significance relative to established criteria (cf., Title 36 CFR 60.6). The proposed development of these exploratory wells and access routes requires an archaeological evaluation in compliance with U.C.A. 9-8-404, the Federal Antiquities Act of 1906, the Reservoir Salvage Act of 1960-as amended by P.L. 93-291, Section 106 of the National Historic Preservation Act of 1966-as amended, the National Environmental Policy Act of 1969, the Federal Land Policy and Management Act of 1979, the Archaeological Resources Protection Act of 1979, the Native American Religious Freedom Act of 1978, the Historic Preservation Act of 1980, and Executive Order 11593.

In addition to documenting cultural identity and significance, mitigation recommendations relative to the preservation of cultural data and materials can be directed to the Utah State Historical Preservation Office, Antiquities Section and to the Manti-La Sal National Forest supervisor's office. This work was done under U.S. Department of Agriculture special-use permit issued by the Ferron Ranger District.

Project Location

The seven proposed exploratory well locations and associated access routes are situated on high altitude terraces associated with the southern portion of Trail Mountain in central Utah. These units are located as follows:

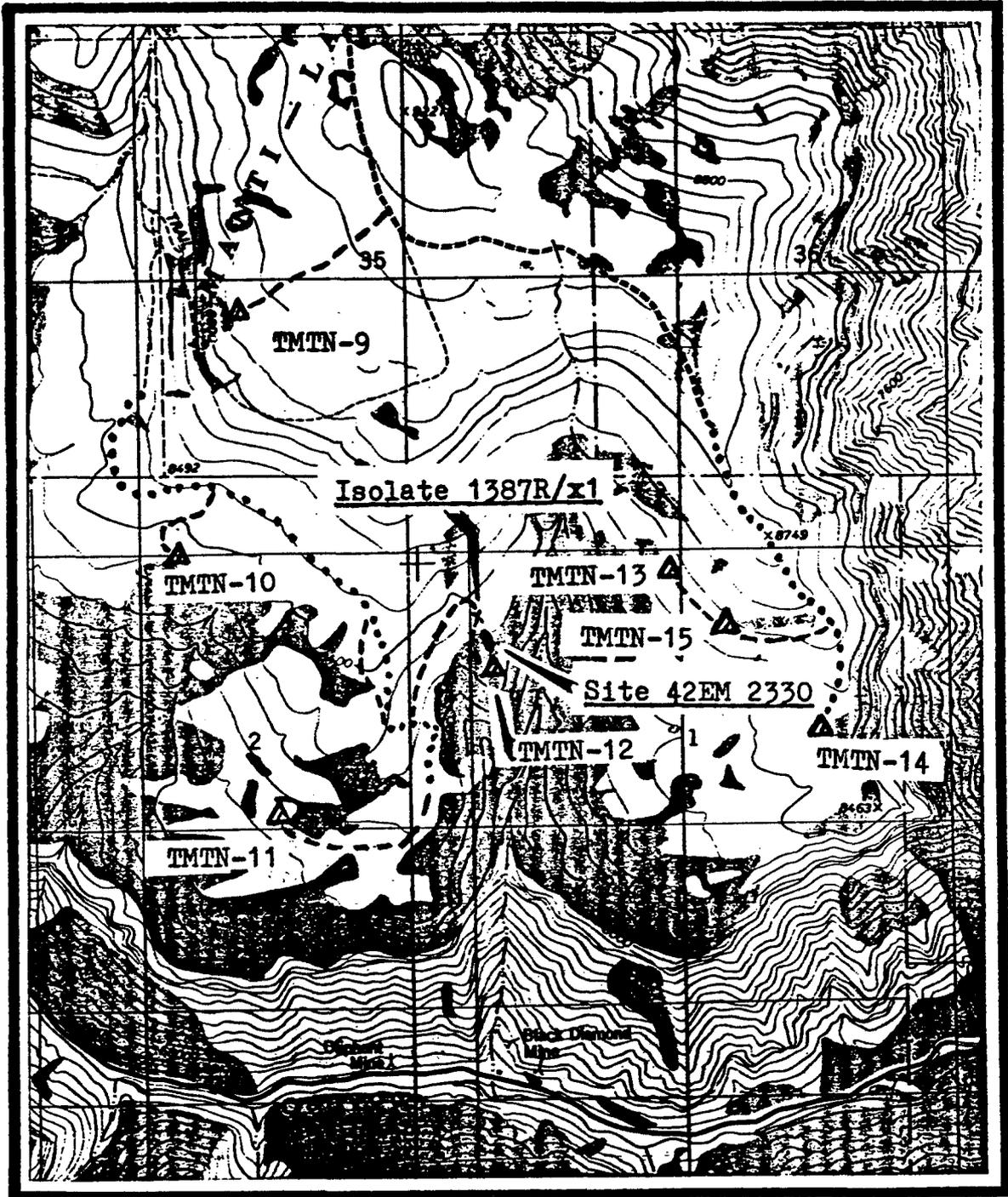
- TMTN- 9: SW 1/4 of Section 35, T. 17 South, R. 6 E. (includes .6 km. of access route)
- TMTN-10: NW 1/4 of Section 2, T. 18 South, R. 6 E. (includes .35 km. of access route)
- TMTN-11: SW 1/4 of Section 2, T. 18 South, R. 6 E. (includes .6 km. of access route)
- TMTN-12: NW 1/4 of Section 1, T. 18 South, R. 6 E. (includes .5 km. of access route)
- TMTN-13: NW 1/4 of Section 1, T. 18 South, R. 6 E. (includes .35 km. of access route)
- TMTN-14: SE 1/4 of Section 1, T. 18 South, R. 6 E. (includes .0 km. of access route)
- TMTN-15: NE 1/4 of Section 1, T. 18 South, R. 6 E. (includes .35 km. of access route)

The project location is in the Straight Canyon-Trail Mountain locality of Emery County, Utah. It is situated on the Mohogany Point, Utah 7.5 minute topographic quad.

Environmental Description

The project area is situated at the 8400 to 9400 foot elevation zone above sea level. Open sage and grass rangeland is associated with the upper terraces on Trail Mountain. Pinyon-Juniper and transitional woodlands are common to the intermediate slopes and canyon walls.

AERK



T. 17 & 18 S.
 R. 6 East
 Meridian: SL
 Quad: Mahogany
 Point, Utah

MAP

Cultural Resource Survey
 of Proposed Well Locations
 in the Trail Mountain
 Locality of Emery County

Legend:

- Well Location
- Cultural Site
- Access Route
- Reclaimed or Existing Roadway
- Isolated Artifact (1387R/x1)

4
 N

Project: UPL-93-7
 Series: Central Utah
 Date: 7-29-93

Scale: 1:24000



The vegetation in the project area consists mainly of high elevation rangeland species including scattered *Chrysothamnus* spp., *Artemisia* spp., *Lupinus*, *Achillia*, *Penstemon*, *Berberis* and a variety of grasses. Isolated stands of Aspen (*Populus tremuloides*), Mountain Mahogany (*Cercocarpus montanus*), and Douglas Fir (*Pseudotsuga mensezeii?*) can be found in protected pockets within the general Pinyon-Juniper woodland that characterizes the southern terraces and slopes of Trail Mountain.

The geological association within the project area consists of the North Horn Formation which is of Cretaceous age.

PREVIOUS RESEARCH IN THE LOCALITY

File Search

A records search of the site files and maps at the Antiquities Section of the State Historic Preservation Office in Salt Lake City was conducted on July 15, 1993. The National Register of Historic Places has been consulted and no registered historic or prehistoric properties will be affected by the proposed development.

A variety of known cultural sites are situated on Trail Mountain and adjacent East Mountain, and in both Huntington and Cottonwood Canyons as reported by a number of archaeologists.

Archaeological studies of importance that have been conducted adjacent to the present lease area include the 1974 Forest Service preliminary excavations at Joes Valley Alcove or Site 42EM 693/1932 (DeBloois, Green, and Wylie 1979). This valuable site was found to contain stratigraphic occupations that date to the Middle and Late Archaic and Formative Stages. Recently, the University of Utah has conducted field school excavations at that same site (McDonald 1990:personal communication) resulting in the discovery of extensive cultural materials that will provide pertinent information on prehistoric subsistence in the locality.

During the extensive sample survey program conducted by AERC in 1977 related to the Central Coal Project (see Hauck 1979), three 160 acre sample units were evaluated within the general project area. Sample Unit No. FN 15 was located within the project area in the SW 1/4 of Section 25, Township 15 South, range 6 East. Samples FC 1 and FC 3 were located near the south border of the project area respectively in the SE quarter of Section 11 and in the NW quarter of Section 7, Township 16 South, Ranges 6 and 7 East. Site 42EM 856, a moderate size lithic scatter, was the single prehistoric cultural resource identified during this study.

AERC has conducted four archaeological programs adjacent to the present project area for Utah Power & Light Company. These studies were accomplished in 1979, 1980, 1990, and 1991. The 1979 project involved both intensive surface evaluations and excavation on private and BLM administered lands in Cottonwood Canyon. Among the sites recorded in the canyon during that program, Sites 42EM 959 (Harvest Moon Shelter) and 42EM 960 (Peephole Site)

were subsequently excavated by AERC (Hauck and Weder 1982). Both shelters were found to contain Archaic and Formative occupational components.

In 1980, AERC conducted a 15% sample survey program of 18,000 acres for Utah Power & Light Company in the southern portion of East Mountain. This survey resulted in the identification and reporting of four cultural resource sites 42EM 1307-1310 and a variety of isolated artifacts which demonstrate the presence of Archaic, Formative, and Late Prehistoric occupations in the locality (Hauck and Weder 1980).

An intensive surface inventory (Class III) of 2280 acres on East Mountain was initiated in 1990 by AERC for Utah Power & Light Company (see Norman 1990). This study resulted in the identification and recording of three prehistoric sites -- 42EM 2222-2224 and isolated artifacts that are associated with both Archaic and Late Prehistoric activities.

During the fall of 1991, AERC initiated a 15% sample survey on Trail Mountain and in upper Cottonwood Canyon of 8,025 acres. A total of 15 sites, 14 of them containing prehistoric components was recorded during that Class II survey. Those sites included 42EM 2258 through 42EM 2272 featuring a historic wagon trail in Cottonwood Canyon, a prehistoric hunting blind, and a variety of lithic scatters and open occupations.

In 1992, AERC initiated a sample survey of the northern portion of East Mountain for Genwal Coal Company (Hauck 1992b). Seven prehistoric cultural resource activity loci (Sites 42EM 2296 through 42EM 2302) and a variety of isolated diagnostic artifacts were observed and recorded during the archaeological evaluations on the northern ridges of East Mountain. Anasazi Gray Ware (Tusayan Corrugated) vessel remnants were documented on two separate high-altitude sites. The full range of diagnostic artifacts identified during this inventory demonstrate definite Late Archaic and Formative occupations within the locality.

AERC has also conducted numerous small-scale evaluations on East Mountain, in Huntington Canyon and on adjacent Trail Mountain. Trail Mountain evaluations were initiated in 1983, 1987 and 1988 for exploratory drill locations and access routes (see Hauck 1983, 1987, 1988a, 1988b). Several isolated artifacts were observed and recorded during several of these surveys. These artifacts include a Rose Spring arrow point (Hauck 1987) and a non-diagnostic dart point fragment (Hauck 1988b). Site 42EM 2114 was also recorded by AERC (Hauck 1987). This site is situated just outside the present survey tract (see Map 5) and consists of a significant Early to Middle Archaic campsite which contained a variety of lithic material and hearths. In 1990, AERC returned to Trail Mountain to conduct surface evaluations for Utah Power & Light Company of a series of proposed coal exploratory drilling locations and access routes (Hauck 1990a and 1990b). Richard Beaty identified several isolated artifacts west of North Point Spring during one of these surveys and a cultural activity locus at that spring was hypothesized on the basis of that association (Hauck 1990b).

Since 1976, AERC has conducted a total of 28 cultural resource evaluations for Utah Power & Light Company on the southern and central portions of East Mountain and in the adjacent canyons (Norman 1990:4). This firm has also initiated a roadway and well pad survey for Meridian Oil Company adjacent to the Genwal lease area (Hauck 1987), for Coal Systems/ Nevada Electric Investment Company within the Genwal lease area (Hauck 1989), evaluations of the Genwal transmission line corridors in 1989 resulted in the recording of Sites 42EM 2185, 2186, and 2187 (Norman 1989), and for drilling locations on the mountain related to the development of Genwal Coal Company (Hauck 1991a).

Other firms have also conducted archaeological investigations in this general locality. A survey in Rilda Canyon resulted in the identification of Sites 42EM 1330, 1331, and 1332 (Farmer 1980). In 1982 a Class II sample survey in the Crandall Canyon and Mill Fork Canyon was initiated by Utah Archaeological Research Corporation without significant results (Cook 1982). Keith Montgomery conducted surface evaluations in 1988 for Meridian Oil Company in the bottom of Cottonwood canyon but encountered no cultural resources (Montgomery 1988). Other investigations in this locality have yielded limited results (cf., Christensen 1980, Cook 1980, Gillio 1975, Howell 1980, 1981, 1982).

Archaeological excavations in the general project area include U.S. Forest Service and University of Utah excavations at the Joes Valley Rock Shelter (Deblois, Green and Wylie 1979), AERC's 1980 excavations of occupation sites 42EM 959 and 42EM 960 in Cottonwood Canyon (Hauck and Weder 1982), Forest Service test excavations at Sherman Shelter or Site 42EM 722 in Crandall Canyon (Wikle 1981, 1988) and the more recent excavations in Huntington Canyon conducted by Abajo Archaeology (Howell, Davis and Peterson 1986).

Prehistory and History of the Cultural Region

Currently available information indicates that the Wasatch Plateau and adjacent Northern Colorado Plateau Cultural Region has been occupied by a variety of cultures beginning perhaps as early as 10,000 B.C. These cultures, as identified by their material remains, demonstrate a cultural developmental process that begins with the earliest identified Paleoindian peoples (10,000-7,000 B.C.) and extends through the Archaic (ca. 7,000 B.C. - A.D. 300), and Formative (ca. A.D. 400-1100) Stages, and the Late Prehistoric-Protohistoric periods (ca. A.D. 1200-1850) to conclude in the Historic-Modern period which was initiated with the incursion of the Euro-American trappers, explorers, and settlers. Basically, each cultural stage - with the exception of the Late Prehistoric hunting and gathering Shoshonean bands - features a more complex life-way and social order than occurred during the earlier stage of development (Hauck 1991b:53). For a more comprehensive treatment of the prehistory and history of this region see Archaeological Evaluations in the Northern Colorado Plateau Cultural Area (Hauck 1991b).

Site Potential in the Project Area

Previous archaeological evaluations in the general project area have resulted in the identification and recording of a variety of cultural resource sites having eligibility for potential nomination to the National Register of Historic Places (NRHP). The majority of these sites are lithic scatters containing biface thinning and manufacturing materials generally procured in this mountain complex. Occupations are also frequently identified in this locality. Sites associated with the rock shelters on the main canyon floors and open occupations on the mountain ridges and upper slopes generally appear to have been occupied during the Middle and Late Archaic Stages with occasional indications of Formative Stage activity based on radiometric dates and the recovery of associated artifacts. The major canyons appear to have been more actively occupied during the Formative Stage by the Fremont peoples based on the Huntington Canyon and Cottonwood Canyon excavations. To-date, very sparse evidence of Late Prehistoric (Numa) activity has been documented in the general area.

Site density appears to range from zero to five sites per section base on topographic factors. Sections which feature slopes and narrow canyons appear to have little potential for containing significant prehistoric or historic activity loci. Sections which feature ridge tops and knolls associated with springs and seeps and sections which contain the broader canyons and valleys with flowing streams have the greatest potential for containing significant sites.

The 1991 and 1992 archaeological evaluations in the East Mountain and Trail Mountain sample units have resulted in the identification of a significantly higher site density in the upland areas than previously identified within this locality. The 1980 AERC sample survey of 2705 acres on the southern portion of East Mountain resulted in the discovery of three prehistoric sites for a Site/Acre Ratio of 1:760 (cf., Hauck and Weder 1980). In 1990, AERC returned to East Mountain and completed a 2280 acre intensive survey on the central portion of the mountain spine. That study resulted in the documentation of four sites for a Site/Acre Ratio of 1:676 (cf., Norman 1990). The 715 acres associated with the 1991 Trail Mountain highland sample unit study contained a total of 11 prehistoric sites resulting in a Site/Acre Ratio of 1:65. This statistic suggests that in comparison with East Mountain, Trail Mountain has 10 times the site density (Hauck 1991c:27). (For additional information on Site/Acre Densities in other regions of the Northern Colorado Plateau see Hauck 1991b).

In a recent report on this general locality, Hauck (1991c:27-28) discusses the site density variations between the two adjacent mountain spines. That discussion is repeated below in order to establish a background for later discussions concerning site density in the Genwal Lease Area.

It is presently difficult to understand why such a site density difference exists between East Mountain and Trail Mountain for the two are only three miles apart. It is unlikely that this difference is due to any variation in archaeological field methods. Possibly an environmental factor may account for this distinct contrast, e.g., water availability or resource density.

One cultural difference between the two mountain spines that is presently apparent relates to site location. Of the known 13 prehistoric sites on East Mountain, 12 sites are positioned at the heads of drainage systems (Norman 1990:13). These sites appear to be located in association either with water sources or with the ancient access routes that extended down off the plateau to parallel the drainages leading to the canyon floors. A similar pattern is not readily apparent on Trail Mountain. Only Site 42EM 2263 at North Point Spring is possibly related to a highland-lowland access trail via Pack Trail Canyon. All of the other 10 newly identified sites on Trail Mountain are associated with the central spine on that mountain and are displayed in a north-south pattern paralleling the mountain's central ridge.

Cultural diversity is probably not the reason for the density and location differences between the two mountains. Both mountains register some Early Archaic presence based on the identification of Northern Side-notch points (4900 - 3300 B.C.) on Trail Mountain Site 42EM 2114 (Hauck 1987) and on East Mountain at Site 42EM 1310 (Hauck and Weder 1980:57). Both mountains contain dominant occupations attributable to both Middle and Late Archaic peoples (2500 B.C. - A.D. 200) based on the presence of Elko series points (42EM 1308 [Hauck and Weder 1980:Figures 5E and 5F] 42EM 2114 [Hauck 1987], 42EM 2260 [Figure 1D, 1E, 1F, and 1H]), Gypsum points (Hauck and Weder 1980:Figure 5B and 5C), and a single San Rafael Side-notch point (Hauck and Weder 1980:Figure 5D).

Formative Stage (A.D. 400 - 1100) presence on both mountains is attributable more by the discovery of isolated Rose Spring arrow points than by site associations. Only Site 42EM 1308 on East Mountain has provided a Formative component (cf., Hauck and Weder 1980:Figure 5I, 58). The only known Formative presence on Trail Mountain is demonstrated by isolates 1114R/x1 (Hauck 1987) and 1281R/x11 (cf., Figure 1A in Hauck 1991c).

Numa (post A.D. 1200) activity on the highlands is limited to two isolated Desert Side-notch fragments found on East Mountain (Hauck and Weder 1980:Figure 5J and Norman 1990:Figure 4D).

FIELD EVALUATIONS

Methodology

Intensive evaluations consisted of the archaeologists walking paired 15 to 20 meter wide transects within a 100 foot radius around each drilling location and flanking the flagged access routes. Those portions of the access route corridor which have been previously inventoried, constructed, and subsequently reclaimed were not evaluated.

Observation of cultural materials results in intensive examinations to determine the nature of the resource (isolate or activity locus). The analysis of each specific cultural site results in its subsequently being sketched, photographed, and appropriately recorded on standard IMACS forms. Cultural sites are then evaluated for significance utilizing the standards described below and mitigation recommendations are considered as a means of preserving significant resources which may be situated within the development zone.

Site Significance Criteria

Prehistoric and historic cultural sites which can be considered as eligible for nomination to the National Register of Historic Places have been outlined as follows in the National Register's Criteria for Evaluation as established in Title 36 CFR 60.6:

The quality of significance in American ... archaeology ... and culture is present in ... sites ... that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

- a. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. that are associated with the lives of persons significant in our past; or
- c. that embody the distinctive characteristics of a type, period, or method of construction ... ; or
- d. that have yielded, or may be likely to yield, information important in prehistory or history.

In addition to satisfying one or more of these general conditions, a significant cultural resource site in Utah will generally be considered as being eligible for inclusion in the National Register if it should advance our current state of knowledge relating to chronology, cultural relationships, origins, and cultural life ways of prehistoric or historic groups in the area.

In a final review of any site's cultural significance, the site must possess integrity and at least one of the above criteria to be considered eligible for nomination to the National Record of Historic Places.

Results of the Inventory

No significant prehistoric cultural resource activity loci were observed or recorded during the archaeological evaluations.

No previously recorded cultural sites will be adversely affected by the proposed development associated with the quarry operation.

No paleontological loci were observed or recorded during the evaluation.

A single diagnostic isolated artifacts was observed and collected from the access route into Unit TMTN-12 during the evaluation. This Archaic projectile point consists of a Pinto style atlatl point identified as Isolate 1387G/x1 (see Figure 1).

One prehistoric lithic scatter was identified and recorded during the evaluations. This site (42EM 2330) is considered to be a non-significant cultural resource. It is situated 25 meters north of the access route into Unit TMTN-12 and will not be adversely affected by the construction activity related to the drilling at that location. A summary of that site's description follows:

Site 42EM 2330 consists of a 10 x 10 meter lithic scatter on thin soils riding on partially exposed bedrock. Lithic artifacts are composed mainly of 10 to 15 secondary and tertiary and microlith flakes of mainly C1 chert (white transparent chert). Several fragments of Flagstaff Chert debitage are also present. This scatter appears to be mainly the result of blank reduction and retouch activities. No features or diagnostic artifacts apparent on the site; soil depth is between 0 and 10 cm. An isolated Pinto style point was identified ca. 100 meters to the northwest of the site at the base of the slope leading up to the upper terraces. The point may or may not be associated with the occupation on this site.



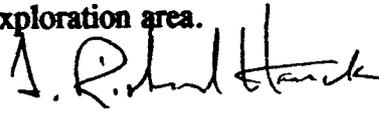
Figure 1: Isolated Artifact Sketch (1387R/x1)
gray and red mottled, opaque chert
.31x.25x.05 cm. in size
(Sketch is actual size)

CONCLUSION AND RECOMMENDATIONS

No known cultural or paleontological resources will be adversely impacted during the development and operation of the proposed distribution line in its present location as evaluated during this project. Site 42EM 2330, considered to be a non-significant resource, is 25 meters outside the proposed access road and will not be affected by the development and reclamation of that corridor.

AERC recommends that a cultural resource clearance be granted to Energy West relative to the development of this proposed project based upon adherence to the following stipulations:

1. All vehicular traffic, personnel movement, construction and restoration operations should be confined to the flagged areas and corridors examined as referenced in this report, and to the existing roadways and/or evaluated access routes.
2. All personnel should refrain from collecting artifacts and from disturbing any significant cultural resources in the area.
3. The authorized official should be consulted should cultural remains from subsurface deposits be exposed during construction work or if the need arises to relocate or otherwise alter the location of the exploration area.



F. Richard Hauck, Ph.D.
President and Principal
Investigator

REFERENCES

Christensen, Diane

1980 Archaeological Reconnaissance for Proposed Coal Mine Expansions in and Near Huntington Canyon, Emery County, Utah. Utah Archaeological Research Corporation, Provo.

Cook, Clayton W.

1980 Archeological Reconnaissance of Ten Drill Hole Locations in the Huntington Canyon and Clear Creek Areas, Emery County, Utah. Utah Archaeological Research Corporation, Provo.

1982 Class I and Class II Survey of the Beaver Creek Coal Company Huntington Canyon No. 4 Mine Emergence Lease Tract, Crandall Canyon, Emery County, Utah. Utah Archaeological Research Corporation, Provo.

Debloois, Evan I., Dee Green, and Jerry Wylie

1979 Joes Valley Alcove: An Archaic-Fremont Site in Central Utah. U.S. Forest Service, Ogden. Manuscript on file.

Farmer, T. Reid

1980 Archeological Survey of Rilda Canyon Mine Complex. Science Applications, Inc., Boulder.

Gillio, David

1975 Archeological Survey of Crandall Canyon Mine Road. Letter to Forest Supervisor, Manti-LaSal National Forest from the Fishlake Forest Service Offices, Richfield.

Hauck, F.R.

1979a An Intensive Inventory of the Proposed UPL Cottonwood Creek-Wilberg Mine Portal. Report Prepared for Utah Power and Light Company (UPL-79-5). Archeological-Environmental Research Corporation, Bountiful.

1979b Cultural Resource Evaluation in Central Utah - 1977. Cultural Resource Series, No.3, Bureau of Land Management, Salt Lake City.

- 1983 Cultural Resource Evaluations of Three Proposed Exploratory Drilling Locations in the Trail Mountain Locality of Emery County, Utah. Report Prepared for Natomas Coal Company (NCC-83-1). Archeological-Environmental Research Corporation, Bountiful.
- 1987a Cultural Resource Examination of Three Proposed Coal Exploratory Well Locations in the Trail Mountain Locality of Emery County, Utah. Report Prepared for the Trail Mountain Coal Company (TMCC-87-1). Archeological-Environmental Research Corporation, Bountiful.
- 1987b Cultural Resource Evaluation of a Proposed Well Location, Gravel Barrow Area, and Access Route Alignments in the East Mountain Locality of Emery County, Utah. (MOC-87-1) Archeological-Environmental Research Corporation, Bountiful.
- 1988a Cultural Resource Evaluation of a Proposed Exploratory Well - TM-DH-4 - in the Trail Mountain Locality of Emery County, Utah. Report Prepared for the Beaver Creek Coal Company (BCCC-88-1). Archeological-Environmental Research Corporation, Bountiful.
- 1988b Cultural Resource Evaluation of Nine Exploratory Well Locations and Access Routes in the Trail Mountain Locality of Emery County, Utah. Report Prepared for the Beaver Creek Coal Company (BCCC-88-2). Archeological-Environmental Research Corporation, Bountiful.
- 1989 Cultural Resource Evaluation of Proposed Coal Exploration Drill Locations in the East Mountain Locality of Emery County, Utah. Report Prepared for Nevada Electric Investment Company/Coal Systems, Inc. (CSI-89-1). Archeological-Environmental Research Corporation, Bountiful.
- 1990a An Archeological Evaluation of Six Proposed Coal Exploratory Locations and Associated Access Routes in the Trail Mountain Locality of Emery County, Utah. Report Prepared for the Utah Power & Light Company (UPL-90-1). Archeological-Environmental Research Corporation, Bountiful.
- 1990b Cultural Resource Evaluation of Two Proposed Coal Exploratory Locations on Trail Mountain in Emery County, Utah. Report Prepared for the Utah Power & Light Company (UPL-90-4). Archeological-Environmental Research Corporation, Bountiful.
- 1991a Cultural Resource Evaluation of A Proposed Coal Exploratory Well Location in the Horse Canyon Locality on East Mountain in Emery County, Utah. Report Prepared for the Genwal Coal Company (GCC-91-1). Archeological-Environmental Research Corporation, Bountiful.

1991b Archaeological Evaluations on the Northern Colorado Plateau Cultural Area, AERC Paper No. 45, Archeological-Environmental Research Corporation, Bountiful.

1991c Prehistoric Occupations in the Trail Mountain Locality of Emery County, Utah, AERC Paper No. 48, Archeological-Environmental Research Corporation, Bountiful.

1992a Archaeological Excavations in the Rilda Canyon Locality of Huntington Canyon in Emery County, Utah. AERC Paper No. 51, Archeological-Environmental Research Corporation, Bountiful.

1992b A Class II Cultural Resource Evaluation of Sample Units in the East Mountain Locality of Emery County, Utah. AERC Paper No. 53, Archeological-Environmental Research Corporation, Bountiful.

Hauck, F.R. and D. Weder

1980 Archeological Sample Survey and Cultural Resource Evaluations of the East Mountain Locality in Emery County, Utah. AERC Paper No. 22, Archeological-Environmental Research Corporation, Bountiful.

1982 Archeological Excavations in Cottonwood Canyon, Emery County, Utah. AERC Paper No. 37, Archeological-Environmental Research Corporation, Bountiful.

Hintze, Lehi F. and W. L. Stokes

1963 Geologic Map of Utah, Southeast Quarter. University of Utah, Salt Lake City.

Holmer, Richard N.

1978 A Mathematical Typology for Archaic Projectile Points in the Eastern Great Basin. Dissertation, University of Utah Department of Anthropology, Salt Lake City.

Holmer, Richard N. and Dennis Weder

1980 Common Post-Archaic Projectile Points of the Fremont Area. Antiquities Section Selected Papers, Volume VII, No. 16, Division of State History, Salt Lake City.

Howell, Wayne

1980 Archeological Reconnaissance in the Crandall Canyon Vicinity, Emery County, Utah. Utah Archaeological Research Corporation, Provo.

1981 Archeological Reconnaissance of a Proposed Seismic Line and Velocity Hole on Mill Fork Ridge, Emery County, Utah. Utah Archaeological Research Corporation, Provo.

1982 DOE Cultural Resource Inventory of Highway 31 Improvement Project in Huntington Canyon, Emery County, Utah. Utah Archaeological Research Corporation, Provo.

Howell, Wayne, William E. Davis, and Michael Peterson

1986 Cultural Resource Inventory of the Utah Department of Transportation Highway 31 Improvement Project in Huntington Canyon, Emery County, Utah. Abajo Archaeology, Bluff.

McDonald, Stan

1990 Personal Communication.

1991 Personal Communication -- letter to AERC dated December 19, 1991.

Montgomery, Keith

1988 Cultural Resource Inventory of Expansions and Alterations of the Proposed Meridian Well Location East Mountain No. 3223, Associated Access Route and Materials Borrow Area in Cottonwood Canyon, Emery County, Utah. Abajo Archaeology, Bluff. Manti-LaSal National Forest CRM Report No. ML-88-477. Manuscript on file at the Forest Supervisor's Office, Price, Utah.

Norman, V. Garth

1989 Cultural Resource Evaluation of Genwal Transmission Line Alternative Corridors in the Huntington Canyon Locality of Emery County, Utah. Report Prepared for Utah Power & Light Company (UPL-89-3), Archeological-Environmental Research Corporation, Bountiful.

1990 Archaeological Studies on East Mountain: A Prehistoric Highland-Lowland Occupation Hypothesis. AERC Paper No. 46, Archeological-Environmental Research Corporation, Bountiful.

Stokes, William Lee

1977 Subdivisions of the Major Physiographic Provinces in Utah. Utah Geology, Vol. 4, No. 1, Utah Geological and Mineral Survey. Salt Lake City.

U.S. Geological Survey

n.d. Chart - Normal Annual and May-September Precipitation 1931 - 1960 for the State of Utah.

Wikle, Les

1981 Crandall Canyon (Genwal Coal Company) Road Proposal, Manti-LaSal National Forest. (Sherman Shelter 42EM 722 test excavation) Monticello Ranger District Cultural Resource Report 81-1, Monticello.

1988 Crandall Canyon Coal Lease Survey #U-54762. Cultural Resource Report No. ML-89-0491, Monticello.

Main Access to TMN-13 (F) & TMN-14 (G)	200	Backhoe \$6,000	1 Supervisor \$5,600 1 Operator \$5,446	\$120	\$17,166
Access Road to TMN-13 (F)	48	Backhoe \$1,440	1 Supervisor \$1,344 1 Operator \$1,307	\$30	\$4,121
Access Road to TMN-14 (G)	64	Backhoe \$1,920	1 Supervisor \$1,792 1 Operator \$1,743	\$15	\$5,470
Drill Hole Abandonment and Sealing	56	**Drill Rig Standby Time \$175	**	\$15,448	\$25,248
TOTAL	1,095	\$52,730	\$57,389	\$16,098	\$126,217

*Is included with access to TMN-13.

** Labor is included in machine cost.



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
Robert L. Morgan
State Engineer

Southeastern Area
455 South Carbon Avenue
P.O. Box 718
Price, Utah 84501-0718
801-837-1303

July 28, 1993

PacifiCorp
Attn: Carly Burton
1407 West North Temple Suite 270
Salt Lake City, Utah 84140

Re: Temporary Change Application #t93-93-01
Expiration Date: October 31, 1993

Dear Carly:

The above referenced Temporary Change Application is hereby approved. A copy is enclosed for your information and records.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark P. Page".

Mark P. Page
Regional Engineer

cc: Rodger Fry - PacifiCorp

Enclosures
MPP/mjk





- a subsidiary of PacifiCorp

ONE UTAH CENTER • 201 South Main • Suite 2000 • Salt Lake City, Utah 84140-0020 • (801) 220-2000 • Fax: (801) 220-4725

June 29, 1993

Mr. John Jorgensen
Cottonwood Creek Consolidated Irrigation Co.
P. O. Box 857
Castledale, UT. 84513

Dear Mr. Jorgensen,

Energy West Mining Co., a subsidiary of PacifiCorp, will be conducting an exploration drilling program on Trail Mountain during August through October of this year. We will require water for the drilling of the exploration drill holes and plan to obtain that water from two springs on Trail Mountain. These springs are identified as 28-1P located in the NE 1/4 NE 1/4 of Sec. 28 Township 17 S. Range 6 E. and 18-2-1 located in the NE 1/4 NW 1/4 of Sec. 2 Township 18 S. Range 6 E.

We will require approximately 240,000 gallons (< 1 acre foot) for the total project. We are in the process of establishing a temporary point of diversion at the spring sites with the State Engineers Office. We will keep a record of the amount of water taken from these springs and give it to you, so you can apply this usage to our existing water shares.

If you have any questions, please give me a call at (801) 220-4610.

Sincerely,

Rodger C. Fry
Exploration Administrator

cc. Bart Hyita
Carly Burton
Val Payne

ATTACHMENT 6

EXHIBIT "A"
PERMIT AREA
LEGAL DESCRIPTION

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:

Total acres within the approved PERMIT AREA: 4,045.78

Total acres of proposed DISTURBED AREAS within the Permit Area: 24.78

Map(s) showing the approved PERMIT AREA are attached and provided as:

Attachment "A"

Map(s) showing the proposed DISTURBED AREAS within the approved Permit Area are attached and provided as:

Map 1: Trail Mountain Mine Surface Facilities (Drawing No. TMS1362D)

**Map 2: Trail Mountain Exploration Disturbance Map
1993 Surface Drilling - Holes TMTN-9 through TMTN-15
(Drawing No. TMS1474B)**

Legal Description of PERMIT AREA:

**Mine Portal and Surface Facility Complex - 9.85 acres
located in Cottonwood Canyon (Emery County, Utah) and
situated in the SW¼ NE¼, Section 25, Township 17
South, Range 6 East, SLB&M** **9.85 acres**

**New fan installation and access portal added to Portal
Complex area** **.17 acre**

**Trail Mountain Exploration Drilling - drill pads and access
roads** **14.76 acres**

NOTE: In the event that more than one bond is provided for the Permit Area, the Permittee must provide a map and legal description for each sub area of the Permit Area for which each bond is provided.



CNA INSURANCE COMPANIES

CNA Plaza
Chicago, Illinois 60685

INCREASE — DECREASE RIDER (Federal Coal)

To be attached to and made a part of Bond No. 700819575, issued by the American Casualty Company, (hereinafter called the Surety), on behalf of PacifiCorp, (hereinafter called the Principal), in favor of State of Utah, Division of Oil, Gas & Mining & US Dept. of Interior, Office of Surface Mining Reclamation & Enforcement (hereinafter called the Obligee), and dated the 29th day of September, 19 92.

In consideration of the premium charged for the attached bond and other good and valuable consideration it is understood and agreed that effective the 3rd day of August, 1993, and subject to all the terms, conditions and limitations of the attached bond, the penal sum thereof shall be and the same is hereby (increased) (decreased) from the sum of Seven Hundred Thousand & No/100 Dollars, (\$ 700,000.00), to the sum of One Million & No/100 Dollars, (\$ 1,000,000.00).

It is further understood and agreed that subject to all the terms, conditions and limitations of the attached bond, the aggregate liability of the Surety for any loss occurring prior to said date shall not exceed the sum of Seven Hundred Thousand & No/100 Dollars, (\$ 700,000.00), or for any loss occurring subsequent to said date shall not exceed the sum of One Million & No/100 Dollars, (\$1,000,000.00). In no event, however, shall the aggregate liability of the Surety exceed the larger of the aforementioned sums, it being the intent hereof to preclude cumulative liability.

Signed, sealed and dated this 3rd day of August, 19 93.

PacifiCorp

The above is hereby agreed to and accepted:

BY: John A. Bohling, Sr. Vice President - PacifiCorp

Utah Division of Oil, Gas & Mining

American Casualty Company Surety

By: James W. Carter Director

By: Gary W. Marville Attorney-in-Fact



For All the Commitments You Make

AN ILLINOIS CORPORATION

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men by these Presents, That CONTINENTAL CASUALTY COMPANY, a corporation duly organized and existing under the laws of the State of Illinois, and having its principal office in the City of Chicago, and State of Illinois, does hereby make, constitute and appoint Edward B. Moreton, Edward F. Folland, L. Kent Bills, Gary W. Manville, Joyce R. Hartley, William R. Moreton, Jonathan M. Jepsen, Sharron Rushton, Individually

of Salt Lake City, Utah

Its true and lawful Attorney-in-fact with full power and authority hereby conferred to sign, seal and execute in its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind CONTINENTAL CASUALTY COMPANY thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of CONTINENTAL CASUALTY COMPANY and all the acts of said Attorney, pursuant to the authority hereby given are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company.

Article IX—Execution of Documents

Section 3. Appointment of Attorney-in-fact. The President or a Vice President may, from time to time, appoint by writtencertificates attorneys-in-fact to act in behalf of the Company in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority, shall have full power to bind the Company by their signature and execution of any such instruments and to attach the seal of the Company thereto. The President or any Vice President or the Board of Directors may at any time revoke all power and authority previously given to any attorney-in-fact."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 3rd day of April, 1957.

"Resolved, that the signature of the President or Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to Section 3 of Article IX of the By-Laws, and the signature of the Secretary or an Assistant Secretary and the seal of the Company may be affixed by facsimile on any certificate of any such power, and any power or certificate bearing such facsimile signatures and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

In Witness Whereof, CONTINENTAL CASUALTY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 20th day of May, 1993.

CONTINENTAL CASUALTY COMPANY

State of Illinois) ss
County of Cook (



J. E. Purtell

Vice President.

On this 20th day of May, 1993, before me personally came J. E. Purtell, to me known, who, being by me duly sworn, did depose and say: that he resides in the Village of Glenview, State of Illinois; that he is a Vice-President of CONTINENTAL CASUALTY COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.



Linda C. Dempsey

Notary Public.

My Commission Expires October 19, 1994.

CERTIFICATE

I, George R. Hobaugh, Assistant Secretary of CONTINENTAL CASUALTY COMPANY, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that Section 3 of Article IX of the By-Laws of the Company and the Resolution of the Board of Directors, set forth in said Power of Attorney are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said Company this 3rd day of August, 1993.



George R. Hobaugh

Assistant Secretary

EXHIBIT "D"
STIPULATION TO REVISE
RECLAMATION AGREEMENT

Permit Number: ACT/015/00
Effective Date: 10/1/92

COAL
STIPULATION TO REVISE RECLAMATION AGREEMENT
--ooOOoo--

This STIPULATION TO REVISE RECLAMATION AGREEMENT entered into by and between the PERMITTEE and DIVISION incorporates the following revisions or changes to the RECLAMATION AGREEMENT: (Identify and Describe Revisions Below)

This revision is made to include: (1) additional / proposed disturbed acreage from 9.85 to 24.78 acres as referenced in Exhibit "A" revised 8/4/93 and (2) increase the bond amount as shown below.

In accordance with this STIPULATION TO REVISE RECLAMATION AGREEMENT, the following Exhibits have been replaced by the PERMITTEE and are approved by the DIVISION:

Replace the RECLAMATION AGREEMENT in its entirety.

Replace Exhibit "A" - PERMIT AREA.

Replace Exhibit "B" - BONDING AGREEMENT.

Replace Exhibit "C" - LIABILITY INSURANCE.

The BONDING amount is revised from (\$ 700,000.00) to (\$ 1,000,000.00).*

The SURFACE DISTURBANCE is revised from 9.85 acres to 24.78 acres.

The EXPIRATION DATE is revised from _____ to _____.

The LIABILITY INSURANCE carrier is changed from _____

to _____.

The AMOUNT of INSURANCE coverage for bodily injury and property damage

is changed from (\$ _____) to (\$ _____).

* General Purpose Rider to Bond No. 700819575. Rider effective 8/3/93.

IN WITNESS WHEREOF the PERMITTEE has hereunto set its signature and seal
this 4th day of August, 1993.

John A. Bohling
PERMITTEE 

By: John A. Bohling

Title: Senior Vice President, PacifiCorp

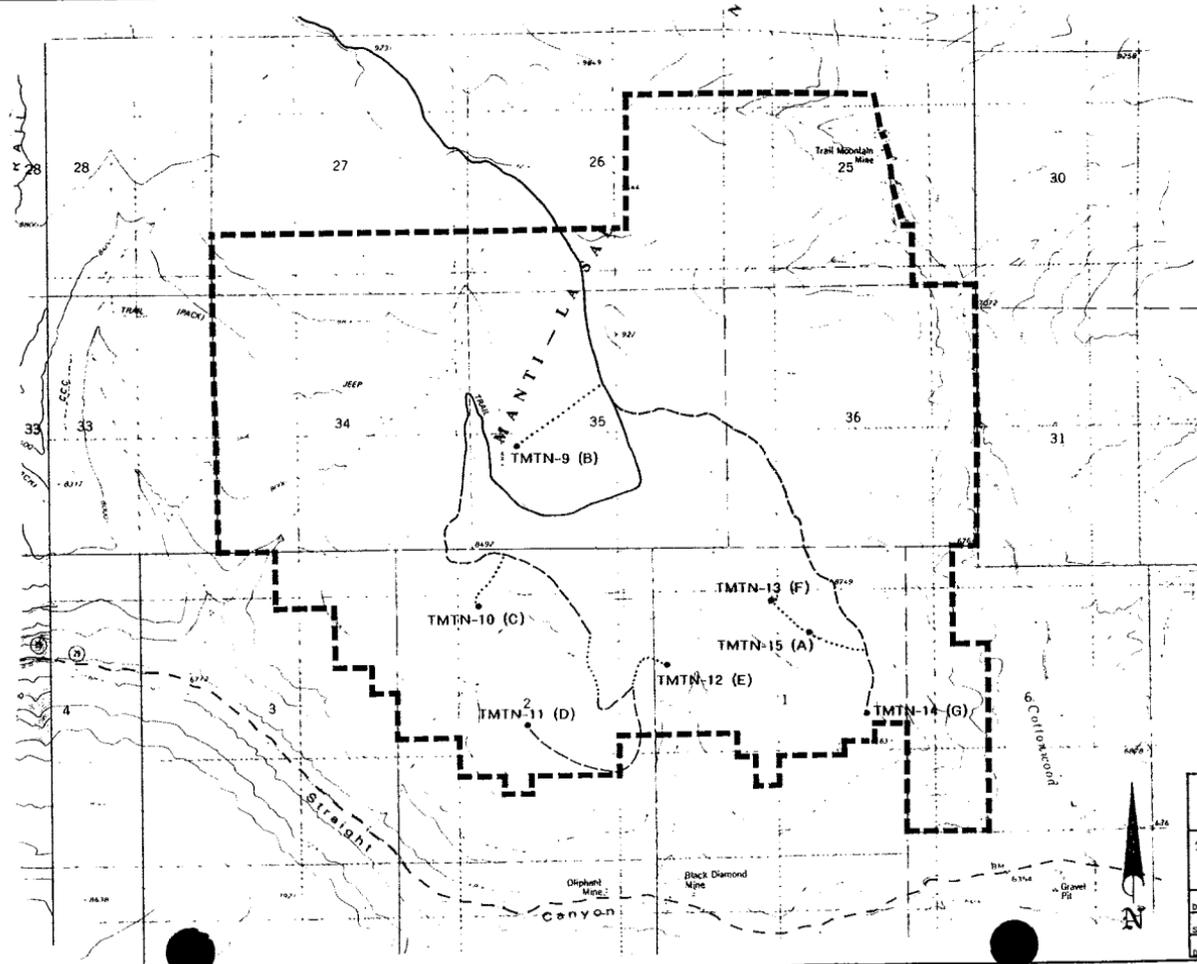
ACCEPTED BY THE STATE OF UTAH
this 30th day of September, 1993.

John A. Bohling
Director, Division of Oil, Gas and 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 its duly authorized officer.

LEGEND:

- PERMIT BOUNDARY
-  EXISTING ROAD
- EXPLORATION DISTURBANCE
- - -** RE-OPENED ROAD
- NEW ROAD
- TMTN-9 • DRILL HOLE



RECEIVED

SEP 29 1993

DIVISION OF OIL, GAS & MINING

MAP 2

CAD FILE NAME/DISK# #3091L

**ENERGY WEST
MINING COMPANY**
HUNTINGTON, UTAH 84302

**TRAIL MOUNTAIN EXPLORATION DISTURBANCE MAP
1993 SURFACE DRILLING
HOLES TMTN-9 THROUGH TMTN-15**

DRAWN BY:	K. LARSEN	TMS1474B
SCALE:	1" = 2000'	DATE:
DATE:	JULY 27, 1993	SHEET 1 OF 1

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)
County of Emery,)

ss.

I, Dan Stockburger, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper forFour.....(4).....consecutive issues, and that the first publication was on the

.....27th.....day of.....July....., 19.....93

and that the last publication of such notice was in the issue of newspaper dated the

.....17th.....day of.....July....., 19.....93

[Signature]

Subscribed and sworn to before me this

.....17th.....day of.....July....., 19.....93

[Signature]
Notary Public

My Commission expires January 10, 1995

Residing at Price, Utah

Publication fee, \$.....172.80.....

NOTICE OF APPLICATION FOR A SIGNIFICANT PERMIT REVISION PACIFICORP

Notice is hereby given that PacificCorp, One Utah Center, 201 South Main, Suite 2100, Salt Lake City, Utah 84140-0021 has submitted an application to the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining for exploration drilling of seven holes in Trail Mountain under its existing permit ACT9015000. The application was submitted in accordance with the Utah Mining and Reclamation Code Annotated 40-10-1 et. seq., and the Utah Coal Program Rules R645. The permit area is located in Emery County, Utah as follows:

Township 11 South, Range 6 East, SLM
Section 25: S1/2NW1/4, W1/2SW1/4, W1/2E1/4SW1/4, NW1/4NE1/4, E1/2E1/4SW1/4; Begin at the point of SW corner of SW1/4NE1/4, Section North 180 Road, thence East 44 Rods to center of Cottonwood Creek, Southward along creek to a point 76 Rods East of the Beginning, thence West 76 Rods to the Point of Beginning.

Section 26: SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2NW1/4SE1/4, S1/2SW1/4, W1/2SW1/4, SE1/4.

Section 27: S1/2S1/2
Section 34: All

Section 35: Lots 3 and 4, NE1/4, SE1/4, SW1/4S1/2NW1/4
Section 36: All

Township 16 South, Range 6 East, SLM
Section 1: Lots 1-3, S1/2N1/2, E1/2NE1/4SW1/4, E1/2NW1/4NE1/4SW1/4, N1/2NW1/4NE1/4SE1/4, N1/2NW1/4SE1/4

Section 2: Lots 1-3, S1/2N1/2, N1/2NE1/4SW1/4, N1/2SW1/4NE1/4SW1/4, SE1/4NE1/4SW1/4, NW1/4NE1/4SE1/4, N1/2SW1/4NE1/4SE1/4, N1/2NW1/4SE1/4, N1/2S1/2NW1/4SE1/4

Section 3: Lots 1, 2 and 3, NE1/4SE1/4NE1/4
Township 16 South, Range 7 East, SLM

Section 3: Lots 1-3, W1/2SE1/4NW1/4, W1/2E1/4SW1/4
The permit areas are as follows:

Township 17 South, Range 5 East, SLM
Section 36: SW1/4

Township 18 South, Range 5 East, SLM
Section 2: NE1/4, NW1/4, NW1/4, SE1/4
Section 2: NW1/4, SW1/4

Copies of the drilling application are available for public inspection at the following locations:

State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining, 355 West North Temple, III Triad Center, Suite 350, Salt Lake City, Utah 84103-1203.

Emery County Records Office, Emery County Courthouse, Castle Dale, Utah

Pertinent comments are solicited from anyone affected by this significant permit revision. Comments should be filed by September 15, 1993 with:

State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining, 355 West North Temple, III Triad Center, Suite 350, Salt Lake City, Utah 84103-1203.

Published in the Emery County Progress July 27, August 3, 10 and 17, 1993.



Notary Public
LINDA THAYN
811 North 10th East
Price, Utah 84501
My Commission Expires
January 10, 1995
State of Utah

**1993
TRAIL MOUNTAIN DRILLING
SOIL SURVEY INFORMATION
REFERENCES**

- 1. MINING AND RECLAMATION PLAN
TRAIL MOUNTAIN MINE
LEASE APPLICATION AREA
APPENDIX 8-2 (L) - SOILS MAP AND DESCRIPTIONS**

- 2. BATTLEGROUNDS WATERSHED IMPROVEMENT PLAN
FERRON RANGER DISTRICT
MANTI-LASAL NATIONAL FOREST**

- 3. SOIL SURVEY OF CARBON COUNTY AREA, UTAH USDA SOIL
CONSERVATION SERVICE, 1988**

- 4. FIELD DATA INFORMATION
USDA SOIL CONSERVATION SERVICE
PRICE OFFICE**

Soils associated with the TMTN-9 drilling area are of the Faim Series. These soils occur on mountain slopes, valleys and plateaus at elevations of 8,500 to 9,500 feet. Slopes are between 2 and 15 percent. The average annual precipitation is about 20 inches and the mean annual air temperature is about 38 degrees F.

Taxonomic Class: Fine, montmorillonitic Argic Pachic Cryoborolls.

Typical Pedon Description:

01--1/2 inch to 0; leaves, twigs and duff.

A1--0 to 14 inches; dark grayish brown (10YR 4/2) loam, very dark brown (10YR 2/2) moist; weak fine granular structure; slightly hard, friable, slightly sticky and slightly plastic; many fine, medium and coarse roots; few fine tubular pores; neutral (pH 6.8); clear wavy boundary. (14 to 17 inches thick)

B2t--14 to 33 inches; brown (7.5YR 5/2) heavy clay loam, dark brown (7.5YR 3/2) moist; strong medium subangular blocky structure; hard, firm, slightly sticky and plastic; few fine and medium roots; few fine tubular pores; moderately thick continuous clay films; neutral (pH 7.1) gradual wavy boundary. (15 to 43 inches thick)

B3t--33 to 41 inches; grayish brown (10YR 5/2) clay loam, very dark grayish brown (10YR 3/3) moist; weak medium subangular blocky structure; hard, firm, slightly sticky and plastic; few fine and medium roots; few fine tubular pores; moderately thick continuous clay films; neutral (pH 7.1); gradual wavy boundary. (0 to 15 inches thick)

C--41 to 60 inches; grayish brown (10YR 5/2) very cobbly loam, brown (10YR 4/3) moist; massive; hard, friable, slightly sticky and slightly plastic; 45 percent cobbles; neutral (pH 7.1).

Soils associated with the TMTN-10 and TMTN-14 drilling areas are of the Rabbitex Series. These soils occur on mountain slopes and ridgetops at elevations of 7,000 to 9,200 feet. Slopes are between 15 and 70 percent. Mean annual precipitation ranges from 16 to 20 inches and the mean annual air temperature is about 38 to 45 degrees F.

Taxonomic Class: Fine-loamy mixed Typic Calciborolls.

Typical Pedon Description:

A11--0 to 5 inches; dark brown (10YR 3/3) loam, very dark brown (10YR 2/2) moist; moderate medium granular structure; slightly hard, firm, slightly sticky; common very fine and fine roots; few very fine and fine pores; 10 percent pebbles; moderately alkaline (pH 7.9); clear smooth boundary.

A12--5 to 12 inches; dark brown (10YR 4/3) channery loam, dark brown (10YR 3/3) moist; moderate medium subangular blocky structure; soft, friable, slightly sticky and slightly plastic; common very fine and fine roots; few very fine and fine pores; 20 percent channers and 10 percent pebbles; slightly calcareous; moderately alkaline (pH 8.2); clear smooth boundary.

C1ca--12 to 22 inches; yellowish brown (10YR 5/4) channery loam, brown (10YR 4/3) moist; weak medium subangular blocky structure; soft, friable, slightly sticky and slightly plastic; common very fine, fine and medium roots; few very fine and fine pores; 20 percent channers and 5 percent pebbles; slightly calcareous; moderately alkaline (pH 8.2); clear smooth boundary.

C2ca--22 to 30 inches; pale brown (10YR 6/3) gravelly loam, yellowish brown (10YR 5/4) moist; weak medium subangular blocky structure; soft, friable, slightly sticky and slightly plastic; few very fine and fine roots; few very fine and fine pores; 25 percent pebbles, strongly calcareous; soft masses of calcium carbonate; moderately alkaline (pH 8.4); clear smooth boundary.

C3ca--30 to 53 inches; pale brown (10YR 6/3) gravelly loam, yellowish brown (10YR 5/4) moist; massive; soft, friable, slightly sticky and slightly plastic; 20 percent pebbles; strongly calcareous; soft masses of calcium carbonate; moderately alkaline (pH 8.4); gradual smooth boundary.

C4--53 to 59 inches; very pale brown (10YR 7/3) loam, yellowish brown (10YR 5/4) moist; massive; soft, friable, slightly sticky and slightly plastic; 10 percent pebble-sized shale fragments; moderately calcareous; soft masses of calcium carbonate; strongly alkaline (pH 8.6); abrupt smooth boundary.

R--59 inches; sandstone.

Soils associated with the TMTN-11, TMTN-13 and TMTN-15 drilling areas are of the Reva Series. These soils occur on upland slopes ranging from 6 to 100 percent. Mean annual precipitation is about 15 inches, and the mean annual air temperature is about 45 degrees F.

Taxonomic Class: Loamy-skeletal, mixed (calcareous), frigid Lithic Ustorthents.

Typical Pedon Description:

A1--0 to 3 inches; light brown gray (2.5YR 6/2) gravelly fine sandy loam, very dark grayish brown (2.5YR 3/2) moist; weak fine granular structure; soft, very friable; many fine and medium roots; many fine and medium pebbles of hard sandstone; slight effervescence; mildly alkaline; abrupt wavy boundary. (1 to 4 inches thick)

C1--3 to 8 inches; light brownish gray (2.5YR 6/2) gravelly sandy loam; olive brown (2.5YR 4/3) moist; massive; soft, very friable; many fine and medium roots; 35 percent by volume of pebbles of sandstone; strong effervescence; mildly alkaline; clear wavy boundary.

C2--8 to 16 inches; white (2.5YR 8/2) gravelly sandy loam, olive (5Y 5/4) moist; massive; soft, very friable; common fine and medium roots between the rock fragments; 50 percent by volume of coarse fragments and cobblestone of sandstone; rock fragments coated with carbonate, interiors lack carbonates; strong effervescence in matrix; mildly alkaline; diffuse irregular boundary. (Combined thickness of the C horizon is 9 to 16 inches.)

R--16 to 24 inches; white (2.5YR 8/2) sandstone, pale olive (5Y 6/4) moist; hard to chip with a spade; few fine and medium roots following cracks; bedding planes separated 3 inches to over 10 inches; sandstone fragments coated with carbonates along bedding planes, interiors lack carbonates.

Soils associated with the TMTN-12 drilling area are of the Podo Series. These soils occur on benches, mesas and mountain slopes at elevations from 5,200 to 9,000 feet. Slope is 1 to 70 percent. Mean annual precipitation is about 14 to 20 inches, and the mean annual air temperature is about 38 to 45 degrees F.

Taxonomic Class: Loamy, mixed (calcareous), frigid Lithic Ustorthents.

Typical Pedon Description:

A1--0 to 2 inches; brown (10YR 5/3) gravelly sandy loam, dark brown (10YR 4/3) moist; weak medium platy structure parting to weak fine granular; soft, very friable, slightly sticky and slightly plastic; few very fine roots; few very fine and fine vesicular pores; 20 percent pebbles; moderately calcareous; moderately alkaline (pH 8.2); abrupt wavy boundary.

C1--2 to 8 inches; brown (10YR 5/3) loam, dark grayish brown (10YR 4/2) moist; weak fine subangular blocky structure; soft, friable, slightly sticky and slightly plastic; few very fine, fine and medium roots; few very fine and fine pores; 10 percent pebbles; strongly calcareous; moderately alkaline (pH 8.2); clear wavy boundary.

C2--8 to 11 inches; brown (10YR 5/3) gravelly sandy loam, dark brown (10YR 4/3) moist; massive; soft, friable, slightly sticky and slightly plastic; few very fine, fine, and medium roots; 25 percent pebbles; strongly calcareous; moderately alkaline (pH 8.2); abrupt smooth boundary.

R--11 inches; sandstone.

**1993 EXPLORATION DRILLING
TRAIL MOUNTAIN
SOIL STRIPPING AND STOCKPILING PLAN**

The 1993 Trail Mountain Drilling project will occur within an area of Trail Mountain which has been altered as a result of the Battlegrounds Watershed Improvement Project. This watershed project was initiated by the Ferron Ranger District in 1985. Soil removal, associated with construction of access roads and drilling pads will be necessary to facilitate drilling.

ACCESS ROADS

The majority of the drilling access roads will be constructed along previously established, reclaimed roadways. Of the 5.7 miles of access roads to be constructed, only approximately one (1) mile of roads will be located in previously undisturbed soils. Soil removal associated with access road establishment, will be discussed herein and in accordance with the Soil Survey Information presented previously in this attachment.

In areas of the access roads where topsoil stripping is necessary, the topsoil materials will be pushed into a berm along the outside edge of the access road. Previously developed access roads which are to be reopened will require removal of disturbed soil materials in some areas. The soil horizons have been disrupted in the previously disturbed areas (reclaimed roads and contour furrows); therefore, separation of topsoil is not feasible. These soil materials will also be placed along the outside edge of the access roads. This will be accomplished using a track dozer and motor grader.

The access roads will be reclaimed within one month following construction; therefore, no soil stabilizing measures will be implemented. However, the topsoil berm will be protected from water erosion by measures as determined necessary and agreed upon by the US Forest Service, the Division and PacifiCorp. These measures may include; sloping the road bed away from the soil berm, silt fence installed at areas of potential erosion, water bars, ditches or a combination of measures.

Additionally, if any access road or portion thereof, is to remain for longer than one month the soil materials will be protected through application of a straw mulch (certified weed free) and a sterile annual ryegrass. The mulch will be applied by hand at a minimum rate of 1,000 lbs per acre. The ryegrass will be applied at the rate of 20 PLS lbs/acre.

Sediment control for the soil berms will be provided by a two (2) feet wide band of undisturbed vegetation along the toe of the berm outslope. Observation of previous drilling roads, on Trail Mountain and East Mountain, has indicated minimal movement of soil from unprotected berms into the adjacent undisturbed vegetation. Therefore, a vegetative filter two (2) feet in width is expected to provide adequate sediment control. The vegetative filter is included in the disturbed area.

DRILL PADS

As discussed elsewhere in the application, the topsoil stripped from the drill pads will be placed in a pile up-slope from the pad and silt fence will be provided as necessary to protect the pile. If any topsoil pile is to remain longer than one month, it will be stabilized with mulch and seeding as described under Access Roads.

TMTN-9:

The access road and pad are located in grass/sage communities on relatively level to gently sloping (0-7%) terrain. It is expected that soil stripping will be minimal along the access road and that removal of vegetation will not be necessary along most of the route. The stripping depth on the pad will average 14 inches.

TMTN-10:

Access includes reopening a reclaimed access road and development of additional access through a furrowed area. Both topsoil and disturbed soil will be removed during access road and pad construction. The stripping depth will vary from 0 to 12 inches on the access road and will average 12 inches on the pad.

TMTN-11:

Access includes reopening a reclaimed access road and development of additional access along watershed contour furrows. Both topsoil and disturbed soil will be affected. The stripping depth will vary from 0 to 12 inches on the access road and will average 6 inches or less on the pad.

TMTN-12:

Access involves construction of a new road. Stripping depth will average 6 inches on the road and the pad.

TMTN-13:

Access will include reopening a reclaimed road and development of additional access through and along furrowed areas. The stripping depth

along the access will vary from 0 to 12 inches. The average stripping depth on the pad will be 6 inches.

TMTN-14:

Access will include reopening a reclaimed road through furrowed areas. The stripping depth on the road will vary from 0 to 12 inches and will average 12 inches on the pad.

TMTN-15:

This site is located on the access road to TMTN-13. Average stripping depth on the pad will be 6 inches.

The following soil erosion loss potential estimates are based on the US Forest Service Battleground Watershed Improvement Plan. The design storm event (50yr/6 hr) and the curve numbers assigned to the various soil types (see information elsewhere in this attachment) appear to result in soil loss estimates in the high range.

DRILL HOLE #	MAXIMUM STRIPPING DEPTH (IN.)		MAXIMUM SOIL STRIPPED (CU. YD.)				EROSION POTENTIAL (CU. YD.)		% OF STOCKPILE LOST
	ACCESS	PAD	TOPSOIL	DISTURBED SOIL	TOPSOIL	DISTURBED SOIL	ACCESS	PAD	
TMTN-9	14	14	1100	0	1200	400	0.29	0.4	0.03
TMTN-10	12	12	730	1470	1200	400	0.56	0.4	0.03
TMTN-11	12	6	450	3385	600	200	1.26	0.4	0.04
TMTN-12	6	6	340	0	800	0	0.17	0.4	0.05
TMTN-13	12	6	555	2690	800	0	1.36	0.4	0.04
TMTN-14	12	12	0	415	1600	0	0.17	0.4	0.03
TMTN-15	N/A	6	N/A	N/A	600	200	N/A	0.4	0.05

ASSUMPTIONS:

Access Road - Width = 15' (12' Road + 3' Berm)

Length Varies (see Pages 6-8 of Plan)

Drill Pad - Disturbed Area = 1 Acre (includes topsoil storage pile)

Soil Erosion Rates - Taken from Battleground Watershed Improvement Plan, Page 12 (see Attachment 1)

Average Before Treatment Rate of 5.7 tons/acre/yr Converted to cu yd/acre/yr = 5.7 tons x 0.9 cu yd/ton = 5.1 Cu. Yd

Length of Time Disturbance Will Be Unprotected = One Month (.08 yr)

FORMULA:

Maximum Soil Stripped = Area x Stripping Depth

Erosion Potential = Area (sq ft) ÷ 43,560 sq ft/ac x 5.1 cu yd/ac/yr x .08 yr

% of Stockpile Lost = Total Erosion Potential (Access & Pad) ÷ Total Maximum Soil Stripped (Access & Pad) x 100

APPENDIX 8-2 (L)

SOILS MAP AND DESCRIPTIONS

3/11/91

Road access to the upper part of the project will be by the Trail Mountain Road (034). Access to the lower part of the project will be by the Trail Mountain road and South Trail S&W access road. Approximately one mile of temporary road will need to be constructed for access. About one-fourth mile of this road will be across State land. All temporary roads will be closed and seeded at the end of the project.

G. Soil and Hydrologic Evaluation

General: The areas proposed for treatment are suffering from extensive sheet and gully erosion. Snow melt water and runoff from summer thunderstorms is transported quickly overland to gully systems that feed Straight Canyon Creek. Runoff waters carry an extremely heavy load of sediment directly into the stream in Straight Canyon.

Water movement and interactions with the landscape and vegetation in the Battlegrounds are strongly influenced by the climate and topography of the area.

The inherent erosion hazard for bare soil conditions in the Battlegrounds area is moderate. A moderate hazard specifies sufficient resistance to erosion to permit limited and temporary exposure of the bare soil during mechanical treatment.

Using R.K. Tew's guide on Estimating Soil Erosion Losses from Utah Watersheds (1973), the current soil loss from the proposed Battlegrounds treatment area ranges from .03 to .06 inches per year. Conversions to tons per acre gives values of about 4.5 to 9.0 respectively.

An order 2 soil survey was conducted in the area. A soils map made on a 1:15, 840 scale aerial photograph is presented in Appendix III. Descriptions of the soil map units are given below:

1. This soil map unit is located on the gentle slopes above the escarpment (M.U. 3). The soils have a dark reddish-brown colored, silty clay loam surface layer about 10 inches thick over a yellowish-brown clay which ranges in depth from 10 to 26 inches. Below 26 inches is a greyish colored clay. The soils support dominantly grass. Slopes are 5 to 15 percent. A few clayey eroded spots occur within the unit, and gullies are present at established drainages. This unit is proposed for treatment.

The Hydrologic Soil Group is D; the Runoff Curve Number is estimated at 93; the runoff from the 6 hour 50 year recurrence interval storm is estimated to be 1.3 inches.