State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

May 3, 1995

Mr. Val Payne
Senior Environmental Engineer
PacifiCorp
P.O. Box 1005
Huntington, Utah 84528

Re: Permit Renewal Deficiencies, Trail Mountain Mine, PacifiCorp, ACT/015/009-94C, Folder #3, Emery County, Utah

Dear Mr. Payne:

Deficiencies identified during the permit renewal process have been corrected. With the resolution of these deficiencies, please submit 12 final copies of the plan for transmittal to other agencies by June 2, 1995.

If you have any questions, please call me.

Sincerely,

Pamela Grubaugh-Littig
Permit Coordinator

cc: Daron Haddock

State of Utah
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801-538-5319 (TDD)

December 13, 1994

Val Payne
Sr. Environmental Engineer
PacifiCorp
P. O. Box 1005
Huntington, Utah 84528

Re: Renewal Application, PacifiCorp, Trail Mountain Mine, ACT/015/009-94C, Folder #3, Emery County, Utah

Dear Mr. Payne:

The Division has completed a review of your application for renewal of the Trail Mountain Mine permit. The information has been found to be adequate to proceed with the public participation process. At this time you should publish a Notice of Complete Permit Renewal Application, as required by R645-300-121.100. A copy of the publication notice should be sent to the Division as soon as it is available.

While your application may be considered administratively complete, there remain a number of technical and formatting problems with it. Enclosed is a technical review which discusses the problems. Please examine the review document carefully, making particular note of the requirement sections. PacifiCorp must complete the requirements as indicated by no later than January 20, 1995.

Please call if you have any questions.

Sincerely,

Daron R. Haddock

Daron R. Haddock
Permit Supervisor

Enclosure
cc: P. Grubaugh-Littig
S. Johnson
J. Kelley
S. White
RENCOVER.TMM

Permit Renewal Technical Review

Trail Mountain Mine
PacifiCorp
ACT/015/009

December 13, 1994

LEGAL AND FINANCIAL RELATED INFORMATION

Analysis:

Based on the legal description in the 1990 Findings Document and the 1991 Federal Lease Findings Document, the legal description in the renewal application is the same except that Lots 1 and 2 were omitted from Section 35. The description does not state that all of Section 35 is included as shown on the permit map.

The new submittal states that the disturbed area is 10.02 acres. According to the latest, 1993, Exhibit A, Surface Disturbance, of the Reclamation Agreement, the disturbed area is 24.78 acres. No change to this agreement was found in the files. Therefore, the permit document must be revised to state that 24.78 acres have been disturbed or provide evidence that a lesser amount has been disturbed.

The revision is in a highlight strike out format with all new pages having a revision date of 10/21/94. All of Chapter 3 was replaced and has the 10/21/94 date. Many of the pages of Chapter 3 were simply renumbered or have non-substantive changes. This will be confusing in the future to have 10/21/94 dates on pages which have minimal or no revisions. When approved as part of the permit package this date will imply that the Division has done a comprehensive review of the permit as recently as 10/21/94. Only those pages with substantive changes should include the revision date of 10/21/94.

Requirements:

The following must be changed or clarified prior to approval.

1) The status of Section 35 must be clarified.

2) The disturbed area acreage must reflect the acreage of the most current Reclamation Agreement.

3) Only those pages with substantive changes should have a revision date of 10/21/94.

CLEAR AND CONCISE APPLICATION

Analysis:

Since the last 5-year renewal, this mine has changed owners. The owner and permittee is now PacifiCorp. The permittee has reformatted and updated the plan to more accurately represent the existing operation and to reflect the change of ownership. Most of the content of the plan has not changed.

The new plan appears to have been compiled rather haphazardly. There are many inconsistencies and omissions and the result is that the plan is difficult to follow and is still, in many respects, not up-to-date. Needless to say, the plan must be updated as an integral whole so that it accurately describes the operation as it is and in a way that the text itself is internally consistent; i.e., map numbers must be correct and the text must not refer to maps that aren't there.

Findings:

Numerous inconsistencies and omissions exist in the renewal application. The result is that the plan is difficult to follow and is still, in many respects, not up-to-date.

Requirements:

1) The permittee must proofread the plan, update the maps where necessary, and clean up and coordinate the text to make the plan a current and orderly document. The following are problems in the plan which are fairly typical. It should be noted that this list is not complete. There may be others.

   a) The main portal is listed on page 3-1, but it is not shown on Plate 3-1--*Surface Facilities.*

   b) Page 3-19 mentions Plate 3-3, but the plan says elsewhere that this plate has been removed.

   c) On page 2-17, the property description of T18S, R6E, Section 2 is "N2¼NE¼SE¼." The "N2" is obviously incorrect. It appears that it should read "NE" instead, but this should be verified before it is changed.

   d) Page 3-61 mentions Plate 3-5, but there is no Plate 3-5 in the plan.

e) Page 3-82 says that Plate 3-6 shows cross sections, but Plate 3-6 shows mining plans. Operational and post-mining cross sections are shown on Plates 3-17 and 3-17A.

f) Plate 3-6--*Mining Plans* needs to be updated. It was last updated in 1988 and the mining plans have changed since then.

g) Plate 3-10--*Permit Boundary* needs to be updated. It was last updated in 1988 and the permit boundary has changed several times since then.

h) Plate 4-2--*Surface Ownership Map* needs to be updated. It was last updated in 1988 and surface ownership has changed since then.

i) In general, the maps are mislabeled in that they do not reflect the change of ownership from Mountain Coal Company to PacifiCorp. And some of them are not numbered correctly or are not numbered at all, which makes them inconsistent with the general format of the text and difficult to find.

HYDROLOGY

Analysis:

PacifiCorp revised the hydrology in Sections 3.4.3.1 through 3.4.3.4. Section 3.4.3.1 has been updated to include information on the groundwater hydrology of the mine and surrounding area. Information changed includes geology, quantity and quality. PacifiCorp has made some generalized conclusions in this section without referencing the sources. Much of this information is restated from Chapter 7 and could be referred to that chapter. Information on the spring inventory has been removed from the Groundwater Quantity section and some information about water pumped from the mine has been removed from the Groundwater Quality section, but both should have been left in their respective sections.

Section 3.4.3.4 addresses the projected impacts of mining on the surface water hydrologic balance. Again, there are statements made in this section that are not referenced properly, whether from other parts of the plan or external sources. The entire section on surface-water quality has been removed. This section is important to the operational plan and should be left in the plan.

Findings:

PacifiCorp has deleted information from Sections 3.4.3.1 and 3.4.3.4 regarding the groundwater quantity and quality, and surface-water quality. Other information in these sections has not been adequately referenced and is used for making judgement on the potential impacts to the hydrologic balance.

Requirements:

1) PacifiCorp must retain information about spring inventories, groundwater quality and surface-water quality in their respective sections.

2) PacifiCorp must reference information used to make conclusions about the hydrology, groundwater and surface-water.

RENEWREV.TMM

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

December 8, 1994

TO: File

FROM: Jess Kelley, Reclamation Engineer JK

RE: Review of Mine Plan for 5-year Permit Renewal, PacifiCorp, Trail Mountain Mine, ACT/015/009, Folder #2, Emery County, Utah

SYNOPSIS

The permittee submitted a revised and updated plan for Division approval in November of 1994. This memorandum is the result of this writer's review of the new plan.

ANALYSIS

Since the last 5-year renewal, this mine has changed owners. The owner and permittee is now PacifiCorp. The permittee has reformatted and updated the plan to more accurately represent the existing operation and to reflect the change of ownership. Most of the content of the plan has not changed.

The new plan appears to have been compiled rather haphazardly. There are many inconsistencies and omissions and the result is that the plan is difficult to follow and is still, in many respects, not up-to-date. Needless to say, the plan must be updated as an integral whole so that it accurately describes the operation as it is and in a way that the text itself is internally consistent; i.e., map numbers must be correct and the text must not refer to maps that aren't there.

The following are problems in the plan which are fairly typical. It should be noted that this list is not complete. There may be others.

1) The main portal is listed on page 3-1, but it is not shown on Plate 3-1--*Surface Facilities*.

2) Page 3-19 mentions Plate 3-3, but the plan says elsewhere that this plate has been removed.

3) On page 2-17, the property description of T18S, R6E, Section 2 is "N2¼NE¼SE¼." The "N2" is obviously incorrect. It appears that it should read "NE" instead, but this should be verified before it is changed.

4) Page 3-61 mentions Plate 3-5, but there is no Plate 3-5 in the plan.

5) Page 3-82 says that Plate 3-6 shows cross sections, but Plate 3-6 shows mining plans. Operational and post-mining cross sections are shown on Plates 3-17 and 3-17A.

6) Plate 3-6--*Mining Plans* needs to be updated. It was last updated in 1988 and the mining plans have changed since then.

7) Plate 3-10--*Permit Boundary* needs to be updated. It was last updated in 1988 and the permit boundary has changed several times since then.

8) Plate 4-2--*Surface Ownership Map* needs to be updated. It was last updated in 1988 and surface ownership has changed since then.

9) In general, the maps are mislabeled in that they do not reflect the change of ownership from Mountain Coal Company to PacifiCorp. And some of them are not numbered correctly or are not numbered at all, which makes them inconsistent with the general format of the text and difficult to find.

RECOMMENDATIONS

This writer recommends 1) that the permittee correct the deficiencies listed above, and 2) that the permittee proofread the plan, update the maps where necessary, and clean up and coordinate the text to make the plan a current and orderly document.

cc: Daron Haddock
Pamela Grubaugh-Littig
TM5YRNWL.MEM

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

February 21, 1995

Mr. Val Payne
Senior Environmental Engineer
PacifiCorp
P.O. Box 1005
Huntington, Utah 84528

Re: Permit Renewal, Trail Mountain Mine, PacifiCorp, ACT/015/009-94C, Folder #3, Emery County, Utah

Dear Mr. Payne:

Enclosed please find the Decision Document and the renewed permit for the Trail Mountain Mine. Please have the appropriate official at PacifiCorp sign both originals of the renewed permit and return one to the Division.

If you have any questions, please call me or Pamela Grubaugh-Littig.

Very truly yours,

James W. Carter
Director

Enclosure
cc: Tom Ehmett, OSM-AFO
Lowell Braxton (w/o enclosure)
Daron Haddock (w/o enclosure)
Pamela Grubaugh-Littig
Joe Helfrich (w/o enclosure)

PERMIT RENEWAL

PacifiCorp
Trail Mountain Mine
ACT/015/009
Emery County, Utah

February 21, 1995

Contents

* Chronology
* Findings
* Permit
* Affidavit of Publication
* 510 (c) Memo

CHRONOLOGY

FIVE-YEAR RENEWAL

PacifiCorp
Trail Mountain Mine
ACT/005/009
Emery County, Utah

February 21,1995

June 21, 1994	Reminder letter sent about five year permit renewal application due to Division on October 21, 1994.
October 21, 1994	Five-year permit renewal application submitted.
September 20, 1994	Affidavit of publication for permit renewal.
December 13, 1994	Determination of Administrative Completeness.
January 10, 1995	Affidavit of publication. Published in the Emery County Progress December 20 and 27, 1994, and January 3 and 10, 1995.
February 20, 1995	AVS system queried for OSMRE, AVS recommendation. The OSMRE recommendation is "Conditional Issue".
February 21, 1995	No adverse comments received. Permit renewed.

FINDINGS

FIVE-YEAR RENEWAL

PacifiCorp
Trail Mountain Mine
ACT/015/009
EmeryCounty, Utah
February 21, 1995

1. Application for a permit renewal was made on October 21, 1994. (R645-303-233.100)

2. The terms and conditions of the existing permit are being satisfactorily met. (R645-303-233.110)

3. The present operation and reclamation operations are in compliance with the environmental protection standards of the State Program. (R645-303.233.120)

4. The requested renewal does not substantially jeopardize the operator's continuing ability to comply with the State Program on the existing permit area. (R645-303-233.130)

5. The permittee has provided evidence of having liability insurance. (Associated Electric and Gas Insurance Services Limited, X0296A1A94) (R645-303-233.140)

6. The permittee has provided evidence that a performance bond is in effect for the operation and will continue in full force and effect for the proposed period of renewal. (Surety Bond issued by ST. Paul Fire and Marine Insurance Co. #400JV3710, in the amount of $1,000,000) (R645-303-233.150)

7. For the most recent permit term, permit changes ordered by the Division and Notices of Violation requiring a permit change have been incorporated into the permit.

Permit Supervisor

Permit Coordinator

Associate Director

Director

FINDINGS.tm9

FEDERAL

PERMIT
ACT/015/009

FEBRUARY 21, 1995

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

This permit, ACT/015/009, is issued for the State of Utah by the Utah Division of Oil, Gas and Mining (Division) to:

PacifiCorp
P.O. Box 1005
Huntington, Utah 84528
(801) 653-2312

for the Trail Mountain Mine. PacifiCorp is the lessee of federal coal leases U-49332, U-082996, and UTU-64375, State Mineral Lease ML-22603 , and the owner/lessee of certain fee-owned parcels. A Surety Bond is filed with the Division in the amount of $1,000,000, payable to the State of Utah, Division of Oil, Gas and Mining, and the Office of Surface Mining, Reclamation and Enforcement (OSM). The Division must receive a copy of this permit signed and dated by the permittee.

Sec. 1 **STATUTES AND REGULATIONS** - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.

Sec. 2 **PERMIT AREA** - The permittee is authorized to conduct underground coal mining activities on the following described lands within the permit area at the Trail Mountain Mine, situated in the State of Utah, Emery County, and located:

<u>Township 17 South, Range 6 East, SLM</u>

Section 25: S1/2 NW1/4, W1/2 SW1/4, W1/2 E1/2 SW1/4, SW1/4 SE1/4, E1/2 E1/2 SW1/4; Begin at the point of SW corner of NW1/4 SE1/4, thence North 160 Rods, 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: SE1/4 NE1/4, E1/2 SW1/4 NE1/4, E1/2 SE1/4, E1/2 W1/2 SE1/4, S1/2 SW1/4, W1/2 SW1/4 SE1/4;
Section 27: S1/2 S1/2;
Section 34: All;
Section 35: Lots 1, 2, 3 and 4, S1/2NE1/4, SE1/4, SW1/4, S1/2 NW1/4; and
Section 36: All.

Township 18 South, Range 6 East, SLM

Section 1: Lots 1-8, S1/2 N1/2, E1/2 NE1/4 SW1/4, E1/2 NW1/4 NE1/4 SW1/4, N1/2 NW1/4 NE1/4 SE1/4, N1/2 NW1/4 SE1/4;
Section 2: Lots 1-8, S1/2 N1/2, N1/2 NE1/4 SW1/4, N1/2 SW1/4 NE1/4 SW1/4, SE1/4 NE1/4 SW1/4, NW1/4 NE1/4 SE1/4, N1/2 SW1/4 NE1/4 SE1/4, N1/2 NW1/4 SE1/4, N1/2 S1/2 NW1/4 SE1/4; and
Section 3: Lots 1, 2, and 8, NE1/4 SE1/4 NE1/4.

Township 18 South, Range 7 East, SLM

Section 6: Lots 4-7, W1/2 SE1/4 NW1/4, S1/2 E1/2 SW1/4.

This legal description is for the permit area of the Trail Mountain Mine which is approximately 4,045 acres. The permittee is authorized to conduct underground coal mining activities and related surface activities on the foregoing described property subject to the conditions of all applicable conditions, laws and regulations.

Sec. 3 **COMPLIANCE** - The permittee will comply with the terms and conditions of the permit, all applicable performance standards and requirements of the State Program.

Sec. 4 **PERMIT TERM** - This permit is effective on February 21, 1995 and expires on February 21, 2000.

Sec. 5 **ASSIGNMENT OF PERMIT RIGHTS** - The permit rights may not be transferred, assigned or sold without the prior written approval of the Division Director. Transfer, assignment or sale of permit rights must be

done in accordance with applicable regulations, including but not limited to 30 CFR 740.13{e} and R645-303-300.

Sec. 6 **RIGHT OF ENTRY** - The permittee shall allow the authorized representative of the Division, including but not limited to inspectors, and representatives of the Office of Surface Mining Reclamation and Enforcement (OSM), without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:

(a) have the rights of entry provided for in 30 CFR 840.12, R645-400-220, 30 CFR 842.13 and R645-400-110;

(b) be accompanied by private persons for the purpose of conducting an inspection in accordance with R645-400-100 and R645-400-200 when the inspection is in response to an alleged violation reported to the Division by the private person.

Sec. 7 **SCOPE OF OPERATIONS** - The permittee shall conduct underground coal mining activities only on those lands specifically designated as within the permit area on the maps submitted in the approved plan and approved for the term of the permit and which are subject to the performance bond.

Sec. 8 **ENVIRONMENTAL IMPACTS** - The permittee shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of the permit, including, but not limited to:

(a) Any accelerated or additional monitoring necessary to determine the nature and extent of noncompliance and the results of the noncompliance;

(b) immediate implementation of measures necessary to comply; and

(c) warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

Sec. 9 **DISPOSAL OF POLLUTANTS** - The permittee shall dispose of solids, sludge, filter backwash or pollutaqnts in the course of treatment or control of waters or emissions to the air in the manner required by the approved

Utah State Program and the Federal Lands Program which prevents violation of any applicable state or federal law.

Sec. 10 CONDUCT OF OPERATIONS - The permittee shall conduct its operations:

(a) in accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and

(b) utilizing methods specified as conditions of the permit by the Division in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 11 EXISTING STRUCTURES - As applicable, the permittee will comply with R645-301 and R645-302 for compliance, modification, or abandonment of existing structures.

Sec. 12 RECLAMATION FEE PAYMENTS - The operator shall pay all reclamation fees required by 30 CFR Part 870 for coal produced under the permit, for sale, transfer or use.

Sec. 13 AUTHORIZED AGENT - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.

Sec. 14 COMPLIANCE WITH OTHER LAWS - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq,) and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.

Sec. 15 PERMIT RENEWAL - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 16 CULTURAL RESOURCES - If during the course of mining operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify the Division. The Division, after coordination with OSM, shall inform the permittee of

necessary actions required. The permittee shall implement the mitigation measures required by Division within the time frame specified by Division.

Sec. 17 APPEALS - The permittee shall have the right to appeal as provided for under R645-300-200.

Sec. 18 SPECIAL CONDITIONS - There are special conditions associated with this permit, as described in Attachment A.

The above conditions (Secs. 1-18) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of the Division and the permittee at any time to adjust to changed conditions or to correct an oversight. The Division may amend these conditions at any time without the consent of the permittee in order to make them consistent with any federal or state statutes and any regulations.

THE STATE OF UTAH

By: _____

Date: 2/22/95

I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.

_____

Authorized Representative of the Permittee

Date: _____

A:\PERMIT.TM9

ATTACHMENT A

Special Conditions

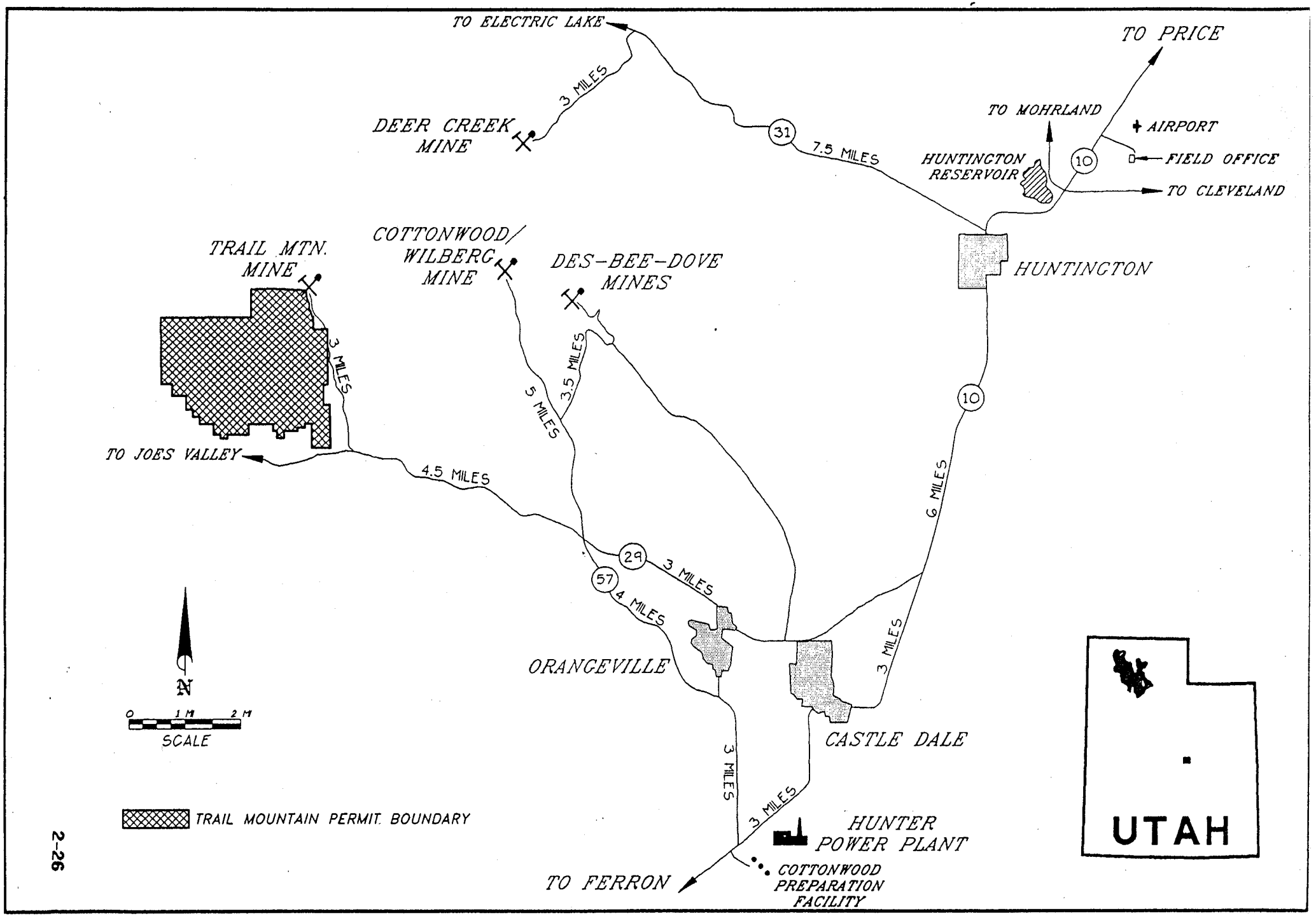
1. R645-301-731.200 Water Monitoring The applicant must monitor quality and quantity of the Star Point aquifer at a point where the flow in the aquifer leaves the permit area. The most likely place to develop this monitoring site is in the area near DH-5 (Figure 6-4). The applicant will be required to develop a well to monitor aquifer parameters, seasonal fluctuation, mining influence and hydrologic tests. This information is requested in accordance with the requirements for water monitoring regulations R645-301-731.200 through R645-301-731.215.

2. Before extending entries to the west beyond the location of hole TMX-6, the operator must drill horizontal holes to determine if significant water could be encountered in the Starpoint/Blackhawk aquifer. If significant water is encountered in the horizontal holes, the operator must stop the advance and notify the Regulatory Authority.

3. Before mining in the vicinity of perennial stream and escarpment buffer zones, the operator must provide data sufficient to justify use of the 15 degree angle-of-draw (measured from the vertical). If the technical data show that an angle-of-draw greater than 15 degrees is expected, the buffer zone must be modified to be consistent with the expected angle-of-draw.

4. The operator shall limit mining operations in the last panel on the eastern boundary of Section 1, T18S, R6E to first mining only in order to leave pillars of sufficient size to prevent caving of the overlying strata.

5. PacifiCorp must notify the Division within 14 days of the decisions of the appeals of outstanding federal violation 93-020-190-05, 1 of 1 and cessation order 94-020-370-002, 1 of 1.


TO ELECTRIC LAKE
TO PRICE
3 MILES
DEER CREEK MINE
31
7.5 MILES
TO MOHRLAND
AIRPORT
HUNTINGTON RESERVOIR
10
FIELD OFFICE
TO CLEVELAND
COTTONWOOD/ WILBERG MINE
DES-BEE-DOVE MINES
HUNTINGTON
TRAIL MTN. MINE
3 MILES
3.5 MILES
5 MILES
10
TO JOES VALLEY
4.5 MILES
6 MILES
29
3 MILES
57
4 MILES
ORANGEVILLE
3 MILES
N
0 1 M 2 M
SCALE
CASTLE DALE
3 MILES
3 MILES
TRAIL MOUNTAIN PERMIT BOUNDARY
HUNTER POWER PLANT
UTAH
TO FERRON
COTTONWOOD PREPARATION FACILITY

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/015/009 for the Trail Mountain 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. Said comments must be submitted within thirty (30) days from the date of last publication of this notice.

The area to be mined is contained on the U.S.G.S. 7.5 minute "Mahogany Point" quadrangle map. A map depicting the general area of the Trail Mountain Mine is published herewith.

Approximately 4,045 acres are contained in the permit area described as follows:

Township 17 South, Range 6 East, SLB&M

Section 25: E1/2E1/2SW1/4, SW1/4SE1/4, S1/2NW1/4, W1/2SW1/4, W1/2E1/2SW1/4

Beginning at the SW corner of the NW1/4SE1/4, then north 160 rods, then east 44 rods to the centerline of Cottonwood Creek, then south along the centerline to a point 76 rods east of the point of beginning then west 76 rods to the point of beginning.

Section 26: SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, S1/2SW1/4, W1/2SW1/4SE1/4

Section 27: S1/2S1/2

Section 34: All

Section 35: Lots 1, 2, 3 and 4
SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, W1/2SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2W1/2SE1/4

Section 36: All

Township 18 South, Range 6 East, SLB&M

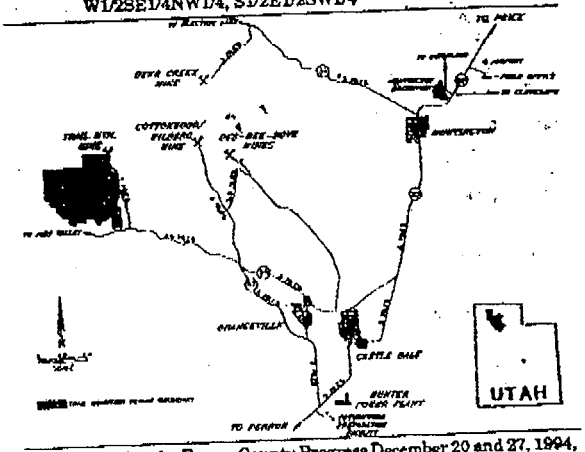
Section 1: Lots 1 thru 8,
S1/2N1/2, E1/2NE1/4SW1/4, E1/2NW1/4NE1/4SW1/4, N1/2NW1/4NE1/4SE1/4, N1/2NW1/4SE1/4

Section 2: Lots 1 thru 8,
S1/2N1/2, N1/2NE1/4SW1/4, N1/2SW1/4NE1/4SW1/4, SE1/4NE1/4SW1/4, NE1/4NE1/4SE1/4, N1/2SW1/4NE1/4SE1/4 N1/2NW1/4SE1/4, N1/2S1/2NW1/4SE1/4

Section 3: Lots 1, 2 and 8,
NE1/4SE1/4NE1/4

Township 18 South, Range 7 East, SLB&M

Section 6: Lots 4 thru 7,
W1/2SE1/4NW1/4, S1/2E1/2SW1/4



Published in the Emery County Progress December 20 and 27, 1994, and January 3 and 10, 1995.

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

I, Kevin Ashby, 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 for 4 (Four) consecutive issues, and that the first publication was on the 20th day of December, 1994 and that the last publication of such notice was in the issue of such newspaper dated the 10th day of January, 1995.

Kevin Ashby

Kevin Ashby - Publisher

Subscribed and sworn to before me this 10th day of January, 1995.

Linda Thayn

Notary Public My commission expries January 10, 1995 Residing at Price, Utah

Publication fee, $360.00

NOTARY PUBLIC
LINDA THAYN
811 NORTH 10TH EAST
PRICE, UT 84501
My Commission Expires Jan. 10, 1995
State of Utah

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/015/009 for the Trail Mountain 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. Said comments must be submitted within thirty (30) days from the date of last publication of this notice.

The area to be mined is contained on the U.S.G.S. 7.5 minute "Mahogany Point" quadrangle map. A map depicting the general area of the Trail Mountain Mine is published herewith.

Approximately 4,045 acres are contained in the permit area described as follows:

Township 17 South, Range 6 East, SLB&M

Section 25: E1/2E1/2SW1/4, SW1/4SE1/4, S1/2NW1/4, W1/2SW1/4, W1/2E1/2SW1/4

Beginning at the SW corner of the NW1/4SE1/4, then north 160 rods, then east 44 rods to the centerline of Cottonwood Creek, then south along the centerline to a point 76 rods east of the point of beginning then west 76 rods to the point of beginning.

Section 26: SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, S1/2SW1/4, W1/2SW1/4SE1/4

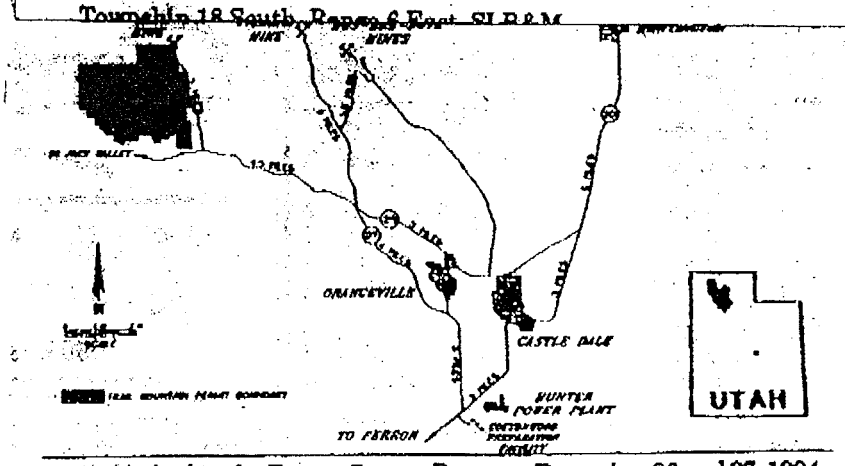
Section 27: S1/2S1/2

Section 34: All

Section 35: Lots 1, 2, 3 and 4
SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, W1/2SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2W1/2SE1/4

Section 36: All

Township 18 South, Range 6 East, SLB&M



Published in the Emery County Progress December 20 and 27, 1994, and January 3 and 10, 1995.

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

February 20, 1995

TO: File

FROM: Pamela Grubaugh-Littig, Permit Coordinator PGL

RE: Compliance Review for Section 510 (c) Findings, Trail Mountain Mine, PacifiCorp, ACT/015/009, Folders #3 and #5, Emery County, Utah

As of the writing of this memo, there is a "conditional issue" recommendation from the Applicant violator System for ACT/015/009, the permit renewal for the Trail Mountain Mine. There is an outstanding federal violation (X93-020-190-05, 1 of 1) and cessation order (X94-020-370-002, 1 of 1) which are both under appeal. The permit has been conditioned to reflect this situation: "PacifiCorp must notify the Division within 14 days of the decision of the appeals of outstanding federal violation 93-020-190-05 1 of 1 and cessation order 94-020-370-002, 1 of 1".

PacifiCorp does not have a demonstrated pattern of wilful violations, nor have they been the subject of any bond forfeiture for any operations in the state of Utah.

```
SYSTEM RECOMMENDATION           : COND ISSUE     02/20/95
PREVIOUS SYSTEM RECOMMENDATION : COND ISSUE     02/08/95
```

Records retrieved : 1

ST	PERMIT	RP ID	SEQ	VTYPE	VIOLNO	VIOLDATE
UT	ACT015017	118429	1	CMIS	C94-020-190-1	01/13/94

RCM_MNT(F7) PERMIT/APPL(F8)
PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)
■ avsdg 12 14

AVS Recom Maint Applicant Violator System 20-Feb-1995 14:14:19

```
State : UT Permit No :                    Appl No : ACT015009
Permittee :                                                Seqno : 2
Applicant : 108521( PACIFICORP )

SYSTEM : C  (COND ISSUE)  Date : 20-Feb-1995  Mode : VIEW
Reason: 0 AML, 0 AUD, 1 CMIS, 0 FORF, 0 STATE, 0 NRSP  VIOLATION(S)

OSMRE  : C  (COND ISSUE)  Date : 08-Feb-1995  Mode : VIEW
Reason: cond based on the outcome of the cmis hearing

SRA    :                  Date : 20-Feb-1995  Mode : UPDATE
Reason:
```

SAVE(F5) DELETE(F8)
PRV_SCR(F3) QUIT(F4) CHOICES(F10)
■ avsdg 12 14

Applicant Evaluation Applicant Violator System 20-Feb-1995 14:13:44

State : UT Permit No : Appl No : ACT015009
Applicant : 108521(PACIFICORP) Seqno : 2

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

SYSTEM RECOMMENDATION : COND ISSUE 02/20/95
PREVIOUS SYSTEM RECOMMENDATION : COND ISSUE 02/08/95

Records retrieved : 1

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RCM_MNT(F7) PERMIT/APPL(F8)
PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)
▪ avsdg 12 13

Applicant Evaluation Applicant Violator System 20-Feb-1995 14:13:44

State : UT Permit No : Appl No : ACT015009
Applicant : 108521(PACIFICORP) Seqno : 2

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

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PREVIOUS SYSTEM RECOMMENDATION : COND ISSUE 02/08/95

Records retrieved : 1

ST	PERMIT	RP ID	SEQ	VTYPE	VIOLNO	VIOLDATE
UT	ACT015017	118429	1	CMIS	C94-020-190-1	01/13/94

RCM_MNT(F7) PERMIT/APPL(F8)
PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)
▪ avsdg 12 14

Applicant Evaluation Applicant Violator System 20-Feb-1995 14:13:44

State : UT Permit No : Appl No : ACT015009
Applicant : 108521(PACIFICORP) Seqno : 2

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
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Ted Stewart
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Division Director

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3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
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801-538-5319 (TDD)

Call Val —

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BRAND

ROUTING - REQUEST

Please need more copies...

Feb

- [ ] READ
- [ ] HANDLE
- [ ] APPROVE

and

- [ ] FORWARD
- [ ] RETURN
- [ ] KEEP OR DISCARD
- [ ] REVIEW WITH ME

To Pam,
Here are Tech memos for Trail Mtn. Renewal. We should be able to route them to file. I suppose we need copies of the revised plans

Date 2/21

From Daron

P.S. I wrote a letter about the reference problem

Val Payne, Sr. Environmental Engineer
PacifiCorp
P. O. Box 1005
Huntington, Utah 84528

Re: Plan Deficiencies, PacifiCorp, Trail Mountain Mine, ACT/015/009, Folder #3, Emery County, Utah

Dear Mr. Payne:

The Division recently reviewed the Mining and Reclamation Plan for the Trail Mtn. Mine as part of the permit renewal process. While your plan is considered complete and accurate for allowing the renewal to occur, there are some areas that need additional work. These areas deal primarily with the general nature of the reference citations. References in Chapter 3, Sections 3.4.3.1 and 3.4.3.4 are too broad and must be made more definitive (don't just refer to Chapter 7). References to Chapter 7 of the MRP must give, at a minimum the sections within the chapter, and Annual Hydrologic Reports should be more specific as to which years and from which data the conclusions are made.

In order to make your plan a more complete document please submit a response which will address the reference issues by no later than March 24, 1995.

If you have any questions, please call me or Steven Johnson.

Sincerely,

Daron R. Haddock

Daron R. Haddock
Permit Supervisor

cc: P. Grubaugh-Littig
S. Johnson

referlet.tmt

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
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355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

February 22, 1995

Val Payne, Sr. Environmental Engineer
PacifiCorp
P. O. Box 1005
Huntington, Utah 84528

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Sincerely,

Daron R. Haddock

Daron R. Haddock
Permit Supervisor

cc: P. Grubaugh-Littig
S. Johnson

referlet.tmt

One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021
(801) 220-2000

PACIFICORP
POWER SUPPLY

RECEIVED
JAN 20 1995
DIV OF OIL, GAS & MINING

January 20, 1995

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Attention: Pamela Grubaugh-Littig

Re: RENEWAL APPLICATION DEFICIENCIES AND ADDITIONAL INFORMATION, PACIFICORP, TRAIL MOUNTAIN MINE, ACT/015/009-94C, EMERY COUNTY, UTAH.

Per the Division letter dated December 13, 1995 a response to the listed deficiencies, findings and requirements is given as follows:

Based on the legal description in the 1990 Findings Document and the 1991 Federal Lease Findings Document, the legal description in the renewal application is the same except that lots 1 and 2 were omitted from section 35. The description does not state that all of Section 35 is included as shown on the permit map.

1) The status of Section 35 must be clarified.

Please refer to page 2-16, (item (ii)) lots 1 & 2 are listed in the renewal application under a separate lease (U-49332) than the one the Division referenced (UTU-64375) on page 2-17.

The new submittal states that the disturbed area is 10.02 acres. According to the latest 1993, Exhibit A, Surface Disturbance, of the Reclamation Agreement, the disturbed area is 24.78 acres. No changes to this agreement was found in the files. Therefore, the permit document must be revised to state that 24.78 acres have been disturbed or provide evidence that a lesser amount has been disturbed.

2) The disturbed area acreage must reflect the acreage of the most current Reclamation Agreement.

Pages 2-18, 3-11 and 3-33 have been revised to indicate the disturbed area as 24.78 acres.

The revision is in a highlight strike out format with all new pages having a revision date of 10/21/94. All of Chapter 3 was replaced and has the 10/21/94 date. Many of the pages of Chapter 3 were simply renumbered or have non-substantive changes. This will be confusing in the future to have 10/21/94 dates on pages which have minimal or no revisions. When approved as part of the permit package this date will imply that the Division has done a comprehensive review of the permit as recently as 10/21/94. Only those pages with substantive changes should include the revision date of 10/21/94.

3) Only those pages with substantive changes should have a revision date of 10/21/94.

PacifiCorp plans to remove the highlight from the text and revision date of 10/21/94 from all pages upon approval of the permit, at which time new copies will be submitted to the Division for inclusion into the MRP. Care has been taken in the submittal of Chapters 4 through11, contained herein, not to include the date of 10/21/94 on pages that do not contain highlighted text. The Divisions concerns that a comprehensive review has taken place can be alleviated at this time.

Findings:

Numerous inconsistencies and omissions exist in the renewal application. The result is that the plan is difficult to follow and is still, in many respects, not up-to-date.

Requirements:

The permittee must proofread the plan, update the maps where necessary, and clean up and coordinate the text to make the plan a current and orderly document. The following are problems in the plan which are fairly typical. It should be noted that this list is not complete. There may be others.

It is obvious that the Divisions cursory review was not well coordinated. The Division totally ignored that new maps were submitted with chapter 3 which coordinate with the newly submitted text.. Instead the Division referred to the new text from the PacifiCorp Permit submittal and the old maps from the Beaver Creek Permit submittal. Thus, the majority of the Divisions requirements listed and addressed below can be easily taken care of by referencing the right maps and explanations.

a) The main portal is listed on page 3-1, but it is not shown on Plate 3-1--Surface Facilities.

Please refer to the newly submitted (10/21/94) Surface Facilities map that does show the main portal or travel portal and not to the Beaver Creek Surface Facilities map from the old Permit.

b) **Page 3-19 mentions Plate 3-3, but the plan says elsewhere that this plate has been removed.**

Page 3-19 does refer to Plate 3-3. A word search through WordPerfect 6.0a has been conducted and did not locate any area that states that Plate 3-3 has been removed. If the Division is aware of an area that makes this statement it should be specifically addressed so that PacifiCorp can address this concern.

On page 2-17, the property description of T18S, R6E, Section 2 is "N2¼NE¼SE¼." The "N2" is obviously incorrect. It appears that it should read "NE" instead, but this should be verified before it is changed.

The mistake on page 2-17 has been verified and should read NW instead Of "N2". The change has been made and revised page 2-17 has been included in this submittal.

d) **Page 3-61 mentions Plate 3-5, but there is no Plate 3-5 in the plan.**

Please refer to the newly submitted maps (10/21/94) that include Plate 3-5 and not the Beaver Creek maps from the old Permit. Plate 3-5 is Post Mining Contour Maps, Map One is Reclamation Phase I and Map Two is Reclamation Phase II.

e) **Page 3-82 says that Plate 3-6 shows cross sections, but Plate 3-6 shows mining plans. Operational and post-mining cross sections are shown on Plates 3-17 and 3-17A.**

Please refer to the newly submitted maps (10/21/94) and not to the Beaver Creek maps from the old Permit. Page 3-82 does say that Plate 3-6 shows cross sections and Plate 3-6 does show Existing and Post Mining Cross-Sections (two maps). The Divisions reference to Plates 3-17 and 3-17A clearly shows that the Division is referring to Beaver Creek Coal Co. maps and not to the newly submitted maps from PacifiCorp. Beaver Creek did not refer to their maps as Plates but as Figures and it is Figure 3-17 and 3-17a that the Division has referenced inappropriately.

f) **Plate 3-6--Mining Plans needs to be updated. It was last updated in 1988 and the mining plans have changed since then.**

Please refer to the newly submitted maps (10/21/94) and not to the Beaver Creek maps from the old Permit. Plate 3-6 referenced is a Beaver Creek map. Plate 3-2 of the newly submitted maps from PacifiCorp is the mining plan map and is updated.

g) **Plate 3-10--Permit Boundary needs to be updated. It was last updated in 1988 and the permit boundary has changed several times since then.**

Please refer to the newly submitted maps (10/21/94) and not to the Beaver Creek maps from the old Permit. Plate 3-10 referenced is a Beaver Creek map. Plate 3-4 of the newly submitted maps from PacifiCorp is the permit boundary map. This map is being re-submitted with this submittal and the permit boundary has been updated.

h) Plate 4-2-- Surface Ownership Map needs to be updated. It was last updated in 1988 and the Surface ownership has changed since then.

Plate 4-2 has been updated and is submitted with this submittal along with several other maps, text and figures.

i) In general, the maps are mislabeled in that they do not reflect the change of ownership from Mountain Coal Company to PacifiCorp. And some of them are numbered incorrectly or are not numbered at all, which makes them inconsistent with the general format of the text and difficult to find.

As stated above the concerns listed here are clearly problems by virtue of a haphazard review by the Division. PacifiCorp has or is currently submitting maps that have removed any connection with Mountain Coal, Beaver Creek Coal or Natomas and replaced them with PacifiCorps subsidiary logo Energy West Mining Co. The maps are correctly labeled and numbered to conform to the text.

Findings:

PacifiCorp has deleted information from Sections 3.4.3.1 and 3.4.3.4 regarding the groundwater quantity and quality, and surface-water quality. Other information in these sections has not been adequately referenced and is used for making judgement on the potential impacts to the hydrologic balance.

Requirements:

1) PacifiCorp must retain information about spring inventories, groundwater quality and surface-water quality in their respective sections.

Chapter 3 is Operational and Reclamation Plan. Please refer to Chapter 7, Hydrology, for inventories and information relative to groundwater and surface-water quality as stated in the submittal on pages 3-36 (bottom line) and page 3-37 (bottom line of first paragraph).

2) PacifiCorp must reference information used to make conclusions about the hydrology, groundwater and surface-water.

Please refer to page 3-40 (third paragraph, second line). Information is based on data collected by PacifiCorp. Page 3-40 has been revised to state " (see Annual Hydrologic Reports) and is enclosed in this submission.

PacifiCorp is submitting the following updated information:

Page 2-17	N2 has been changed to NW.
Page 2-18	10.02 disturbed acres has been changed to 24.78 acres.
Page 3-11	10.02 disturbed acres has been changed to 24.78 acres.
Page 3-33	10.02 disturbed acres has been changed to 24.78 acres.
Page 3-40	Added "(see Annual Hydrologic Reports)" to third paragraph, second line.
Plate 3-1a	Has been Certified, original submission wasn't certified.
Plate 3-1b	Has been Certified, original submission wasn't certified.
Plate 3-2	Has been Certified, original submission wasn't certified.
Plate 3-3	Has been Certified, original submission wasn't certified.
Plate 3-4	Has been Certified, original submission wasn't certified.
Chapter 4	Land Status, Land-Use and Post Mining Land-Use.
Plate 4-1	Surface, Coal, Oil and Gas Ownership Map.
Plate 4-2	Land Use Map.
Plate 4-3	Grazing Allotments.
Chapter 5	Historical and Cultural Resources.
Plate 5-1	Cottonwood Creek Cultural Resource Survey.
Chapter 6	Geology.
Plate 6-1	Geologic Cross Section.
Plate 6-2	Geology Map - Trail Mountain.
Plate 6-3	Structural Contour Map - Hiawatha.
Plate 6-4	Overburden Isopach Map - Hiawatha Seam.

Plate 6-5	Isopach Map - Hiawatha Seam.
Chapter 7	Hydrology.
Plate 7-1	Trail Mountain Spring Map.
Plate 7-2	Water Monitoring Locations.
Plate 7-3	Underground Water Monitoring Locations.
Plate 7-4	Surface Water Rights.
Plate 7-5	Drainage Controls.
Plate 7-6	Drainage Areas.
Plate 7-7	Sedimentation Pond Details.
Plate 7-8	Sediment Pond (as constructed).
Plate 7-9	Extent of Alluvium.
Plate 7-10	Cottonwood Creek Channel Change cross sections.
Chapter 8	Soil Resources.
Plate 8-1	Soil Map.
Chapter 9	Vegetation Resources.
Plate 9-1	Vegetation Map.
Chapter 10	Fish and Wildlife Resources.
Chapter 11	Geotechnical/Subsidence.
Appendix 7-1	Water Monitoring Program

Trail Mountain Aquifer Test Results to the back of Appendix 7-14

Please transfer the following appendices from the Beaver Creek Lease Application to the Appendices Volume PacifiCorp Submitted 10/21/94:

Appendix 3-3(L)	BLM Approval of R2P2

Appendix 4-2(L)	Federal Coal Lease UTU-64375
Appendix 5-1(L)	Archaeologic Surveys
Appendix 7-14(L)	Water Rights
Appendix 7-15(L)	Drill Hole Water Information
Appendix 8-1(L)	Prime Farmland Investigation
Appendix 8-2(L)	Soils Map and Description
Appendix 10-8(L)	Definition and Explanation of Wildlife Range Areas

Please insert the cover pages for Appendix 11-1 through 11-6 into the Appendices Volume and transfer Appendices; 12-1 to 11-1, 12-2 to 11-2 , 12-3 to 11-3, 12-4 to 11-4, 12-5 to 11-5 and 12-1(L) from the Lease Application to 11-6.

Climatoglogy information has been incorporated into Chapter 7.

Geotechnical/Subsidence information previously in Chapter 12 is now in Chapter 11.

Instructions for updating the Division's Permit Document are outlined on the accompanying Form DOGM-C2. A Notarized copy of form DOGM-C1 is enclosed.

Your help is greatly appreciated. If you have any questions please feel free to contact Karl Houskeeper at 653-2312 ext. #15 or myself at 653-2312 ext. #16.

Sincerely,

Val Payne

Val Payne
Sr. Environmental Engineer

KRH/krh

cc: Morgan Moon
J. Blake Webster
File

Form DOGM - C1 (Last Revised 6/93) File Folder # 3

APPLICATION FOR PERMIT CHANGE

Title of Change: Trail Mountain Mine Permit Renewal

Permit Number: ACT/015/009

Mine: Trail Mountain

Permittee: PacifiCorp

Description, include reason for change and timing required to implement:

updated Permit information and response to Division Deficiency letter Dated Deceber 13, 1994

☐ Yes	☑ No	1. Change in the size of the Permit Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	2. Change in the size of the Disturbed Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
☐ Yes	☑ No	4. Will permit change include operations in hydrologic basins other than currently approved?
☐ Yes	☑ No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
☑ Yes	☐ No	6. Does permit change require or include public notice publication?
☐ Yes	☑ No	7. Permit change as a result of a Violation? Violation #
☐ Yes	☑ No	8. Permit change as a result of a Division Order? D.O.#
☐ Yes	☑ No	9. Permit change as a result of other laws or regulations? Explain:
☐ Yes	☑ No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
☐ Yes	☑ No	11. Does the permit change affect the surface landowner or change the post mining land use?
☐ Yes	☑ No	12. Does permit change require or include collection and reporting of any baseline information?
☐ Yes	☑ No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
☐ Yes	☑ No	14. Does permit change require or include soil removal, storage or placement?
☐ Yes	☑ No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
☐ Yes	☑ No	16. Does permit change require or include construction, modification, or removal of surface facilities?
☐ Yes	☑ No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
☑ Yes	☐ No	18. Does permit change require or include certified designs, maps, or calculations?
☑ Yes	☐ No	19. Does permit change require or include underground design or mine sequence and timing?
☐ Yes	☑ No	20. Does permit change require or include subsidence control or monitoring?
☐ Yes	☑ No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
☐ Yes	☑ No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
☐ Yes	☑ No	23. Is this permit change coal exploration activity ☐ inside ☐ outside of the permit area?

☑ **Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.**

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

Val E Payne VALE PAYNE Sr. ENVIRONMENTAL ENGINEER Hydro

Signed - Name - Position - Date

Subscribed and sworn to before me this 20th day of January, 19 95

Notary Public

My Commission Expires: March 19, 1996

Attest: STATE OF Utah

COUNTY OF Emery

NOTARY PUBLIC
SHELBY M. HUR
15 North Main St.
Huntington, Utah 8452
My Commission Expires
November 19, 1996
STATE OF UTAH

Received by Oil, Gas & Mining

ASSIGNED PERMIT CHANGE NUMBER

Application for Permit Change
Detailed Schedule of Changes to the Permit

Title of Change: Trail Mountain Mine Permit Renewal

Permit Number: ACT/015/009

Mine: Trail Mountain

Permittee: PaciFiCorp

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☐ ADD	☑ REPLACE	☐ REMOVE	Page 2-17 in Volume 1 (10/21/94) Submission (PaciFiCorp)
☐ ADD	☑ REPLACE	☐ REMOVE	Page 2-18 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Page 3-11 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Page 3-33 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Page 3-40 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Plate 3-1a (certified) in Volume 3 (10/21/94) Submission (PaciF
☐ ADD	☑ REPLACE	☐ REMOVE	Plate 3-1b " "
☐ ADD	☑ REPLACE	☐ REMOVE	Plate 3-2 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Plate 3-3 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Plate 3-4 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Chapter 4 in Volume 1 (10/21/94) Submission (PaciFiCorp)
☐ ADD	☐ REPLACE	☑ REMOVE	all maps in Volume 3 (10/21/94) Submission which are associated with Chapter 4
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 4-1 to Volume 3 (10/21/94) Submission (PaciFiCorp)
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 4-2 " "
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 4-3 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Chapter 5 in Volume 1 (10/21/94) Submission (PaciFiCorp)
☐ ADD	☐ REPLACE	☑ REMOVE	all maps in Volume 3 (10/21/94) Submission which are Associated with Chapter 5
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 5-1 to Volume 3 (10/21/94) Submission (PaciFiCorp)
☐ ADD	☑ REPLACE	☐ REMOVE	Chapter 6 in Volume 1 (10/21/94) Submission (PaciFicorp)
☐ ADD	☐ REPLACE	☑ REMOVE	All maps in Volume 3 (10/21/94) Submission which are associated with Chapter 6
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 6-1 to Volume 3 (10/21/94) Submission (PaciFiCorp)
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 6-2 " "
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 6-3 " "

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

Application for Permit Change
Detailed Schedule of Changes to the Permit

Title of Change: Trail Mountain Mine Permit Renewal

Permit Number: Act 1015 1009

Mine: Trail Mountain

Permittee: PaciFiCorp

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 6-4 to Volume 3 (10/21/94) Submittal (PaciFiCorp)
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 6-5 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Chapter 7 in Volume 2 (10/21/94) Submittal (PaciFiCorp)
☐ ADD	☐ REPLACE	☑ REMOVE	All maps in Volume 3 (10/21/94) submittal associated with chapter 7
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 7-1 to Volume 3 (10/21/94) Submittal (PaciFiCorp)
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 7-2 " "
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 7-3 " "
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 7-4 " "
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 7-5 " "
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 7-6 " "
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 7-7 " "
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 7-8 " "
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 7-9 " "
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 7-10 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Chapter 8 in Volume 2 (10/21/94) Submittal (PaciFiCorp)
☐ ADD	☐ REPLACE	☑ REMOVE	All maps in Volume 3 (10/21/94) Submittal associated with Volume 8
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 8-1 to Volume 3 (10/21/94) Submittal (PaciFiCorp)
☐ ADD	☑ REPLACE	☐ REMOVE	Chapter 9 in Volume 2 (10/21/94) Submittal (PaciFiCorp)
☐ ADD	☐ REPLACE	☑ REMOVE	All maps in Volume 3 (10/21/94) submittal associated with chapter 9
☑ ADD	☐ REPLACE	☐ REMOVE	Plate 9-1 to Volume 3 (10/21/94) Submittal (PaciFiCorp)
☐ ADD	☑ REPLACE	☐ REMOVE	Chapter 10 in Volume 2 (10/21/94) Submittal (PaciFiCorp)
☐ ADD	☑ REPLACE	☐ REMOVE	Chapter 11 " "
☐ ADD	☑ REPLACE	☐ REMOVE	Appendix 7-1 in appendices volume (10/21/94) Submittal (PaciFiCorp)

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

Application for Permit Change
Detailed Schedule of Changes to the Permit

Title of Change:	Permit Number: ACT/015/009
Trail Mountain Mine Permit Renewal	Mine: Trail Mountain
	Permittee: PacifiCorp

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☑ ADD	☐ REPLACE	☐ REMOVE	Trail mountain Aquifer test results to the back of appendix 7-14
			into appendices volume submitted (10/21/94)
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer Appendix 3-3 (L) from Beaver creek coal lease application
			into appendices volume submitted (10/21/94)
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer Appendix 4-2 (L) from Beaver Creek coal lease application
			into appendices volume submitted (10/21/94)
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer Appendix 5-1 (L) " "
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer Appendix 7-14 (L) " "
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer Appendix 7-15 (L) " "
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer Appendix 8-1 (L) " "
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer appendix 8-2 (L) " "
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer Appendix 10-8 (L) " "
☑ ADD	☐ REPLACE	☐ REMOVE	Appendix 11-1 cover sheet to (10/21/94) submittal appendices volume
☑ ADD	☐ REPLACE	☐ REMOVE	Appendix 11-2
☑ ADD	☐ REPLACE	☐ REMOVE	Appendix 11-3
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer Appendix 12-1 to 11-1 (10/21/94) submittal
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer Appendix 12-2 to 11-2
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer appendix 12-3 to 11-3
☑ ADD	☐ REPLACE	☐ REMOVE	Appendix 11-4 through 11-6 cover sheets to submittal appendicies volume
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer appendix 12-4 to 11-4, 12-5 to 11-5 (10/21/94) appendicies volume
☑ ADD	☐ REPLACE	☐ REMOVE	Transfer appendix 12-1 (L) Beaver creek LEASE application to
			11-6 (10/21/94) submittal appendices volume
☐ ADD	☐ REPLACE	☐ REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

The Previous chapter 11 from ~~Ge~~ Beaver creek coal has been incorporated into chapter 7 of PacifiCorp Permit, and chapter 12 from Beaver creek coal is now chapter 11 in PacifiCorps Submittal.

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

February 20, 1995

TO: File

FROM: Pamela Grubaugh-Littig, Permit Coordinator PGL

RE: Compliance Review for Section 510 (c) Findings, Trail Mountain Mine, PacifiCorp, ACT/015/009, Folders #3 and #5, Emery County, Utah

As of the writing of this memo, there is a "conditional issue" recommendation from the Applicant violator System for ACT/015/009, the permit renewal for the Trail Mountain Mine. There is an outstanding federal violation (X93-020-190-05, 1 of 1) and cessation order (X94-020-370-002, 1 of 1) which are both under appeal. The permit has been conditioned to reflect this situation: "PacifiCorp must notify the Division within 14 days of the decision of the appeals of outstanding federal violation 93-020-190-05 1 of 1 and cessation order 94-020-370-002, 1 of 1".

PacifiCorp does not have a demonstrated pattern of wilful violations, nor have they been the subject of any bond forfeiture for any operations in the state of Utah.

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SYSTEM RECOMMENDATION           : COND ISSUE     02/20/95
PREVIOUS SYSTEM RECOMMENDATION : COND ISSUE     02/08/95
```

Records retrieved : 1

ST	PERMIT	RP ID	SEQ	VTYPE	VIOLNO	VIOLDATE
UT	ACT015017	118429	1	CMIS	C94-020-190-1	01/13/94

RCM_MNT(F7) PERMIT/APPL(F8)
PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)
▪ avsdg 12 14

AVS Recom Maint Applicant Violator System 20-Feb-1995 14:14:19

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State : UT Permit No :                    Appl No : ACT015009
Permittee :                                                Seqno : 2
Applicant : 108521( PACIFICORP )

SYSTEM : C  (COND ISSUE)  Date : 20-Feb-1995  Mode : VIEW
Reason: 0 AML, 0 AUD, 1 CMIS, 0 FORF, 0 STATE, 0 NRSP  VIOLATION(S)

OSMRE  : C  (COND ISSUE)  Date : 08-Feb-1995  Mode : VIEW
Reason: cond based on the outcome of the cmis hearing

SRA    :                  Date : 20-Feb-1995  Mode : UPDATE
Reason:
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SAVE(F5) DELETE(F8)
PRV_SCR(F3) QUIT(F4) CHOICES(F10)
▪ avsdg 12 14

Applicant Evaluation Applicant Violator System 20-Feb-1995 14:13:44

State : UT Permit No : Appl No : ACT015009
Applicant : 108521(PACIFICORP) Seqno : 2

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

SYSTEM RECOMMENDATION : COND ISSUE 02/20/95
PREVIOUS SYSTEM RECOMMENDATION : COND ISSUE 02/08/95

Records retrieved : 1

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RCM_MNT(F7) PERMIT/APPL(F8)
PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)
▪ avsdg 12 13

Applicant Evaluation Applicant Violator System 20-Feb-1995 14:13:44

State : UT Permit No : Appl No : ACT015009
Applicant : 108521(PACIFICORP) Seqno : 2

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

SYSTEM RECOMMENDATION : COND ISSUE 02/20/95
PREVIOUS SYSTEM RECOMMENDATION : COND ISSUE 02/08/95

Records retrieved : 1

ST	PERMIT	RP ID	SEQ	VTYPE	VIOLNO	VIOLDATE
UT	ACT015017	118429	1	CMIS	C94-020-190-1	01/13/94

RCM_MNT(F7) PERMIT/APPL(F8)
PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)
▪ avsdg 12 14

Applicant Evaluation Applicant Violator System 20-Feb-1995 14:13:44

State : UT Permit No : Appl No : ACT015009
Applicant : 108521(PACIFICORP) Seqno : 2

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

ACT/015/009 #2

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/015/009 for the Trail Mountain 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. Said comments must be submitted within thirty (30) days from the date of last publication of this notice.

The area to be mined is contained on the U.S.G.S. 7.5 minute "Mahogany Point" quadrangle map. A map depicting the general area of the Trail Mountain Mine is published herewith.

Approximately 4,045 acres are contained in the permit area described as follows:

Township 17 South, Range 6 East, SLB&M

Section 25: E1/2E1/2SW1/4, SW1/4SE1/4, S1/2NW1/4, W1/2SW1/4, W1/2E1/2SW1/4

Beginning at the SW corner of the NW1/4SE1/4, then north 160 rods, then east 44 rods to the centerline of Cottonwood Creek, then south along the centerline to a point 76 rods east of the point of beginning then west 76 rods to the point of beginning.

Section 26: SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, S1/2SW1/4, W1/2SW1/4SE1/4

Section 27: S1/2S1/2

Section 34: All

Section 35: Lots 1, 2, 3 and 4
SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, W1/2SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2W1/2SE1/4

Section 36: All

Township 18 South, Range 6 East, SLB&M

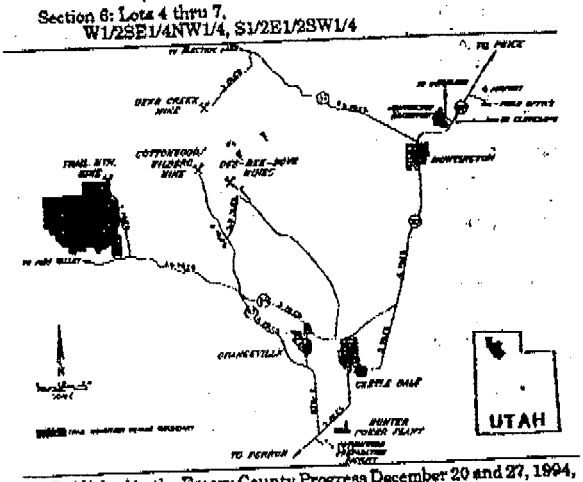
Section 1: Lots 1 thru 8,
S1/2N1/2, E1/2NE1/4SW1/4, E1/2NW1/4NE1/4SW1/4, N1/2NW1/4NE1/4SE1/4, N1/2NW1/4SE1/4

Section 2: Lots 1 thru 8,
S1/2N1/2, N1/2NE1/4SW1/4, N1/2SW1/4NE1/4SW1/4, SE1/4NE1/4SW1/4, NE1/4NE1/4SE1/4, N1/2SW1/4NE1/4SE1/4 N1/2NW1/4SE1/4, N1/2S1/2NW1/4SE1/4

Section 3: Lots 1, 2 and 8,
NE1/4SE1/4NE1/4

Township 18 South, Range 7 East, SLB&M

Section 6: Lots 4 thru 7,
W1/2SE1/4NW1/4, S1/2E1/2SW1/4



Published in the Emery County Progress December 20 and 27, 1994, and January 3 and 10, 1995.

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

I, Kevin Ashby, 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 for 4 (Four) consecutive issues, and that the first publication was on the 20th day of December, 1994 and that the last publication of such notice was in the issue of such newspaper dated the 10th day of January, 1995.

Kevin Ashby

Kevin Ashby - Publisher

Subscribed and sworn to before me this 10th day of January, 1995.

Linda Thayn

Notary Public My commission expries January 10, 1995 Residing at Price, Utah

Publication fee, $360.00

NOTARY PUBLIC
LINDA THAYN
811 NORTH 10TH EAST
PRICE, UT 84501
My Commission Expires Jan. 10, 1995
State of Utah

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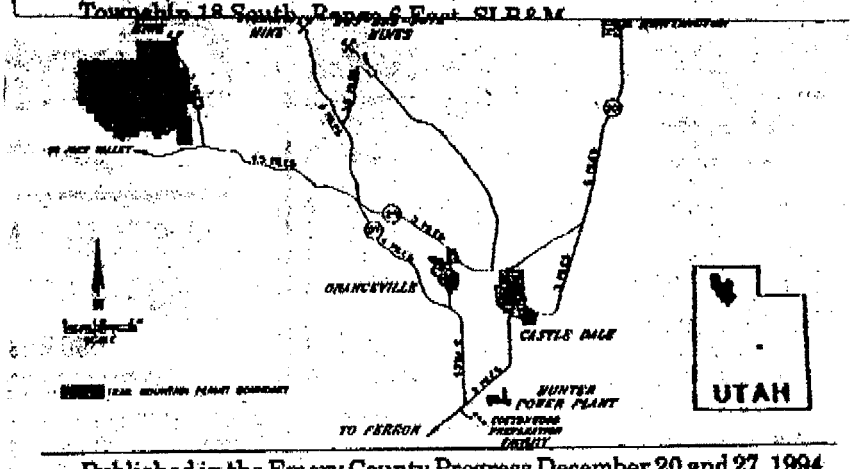
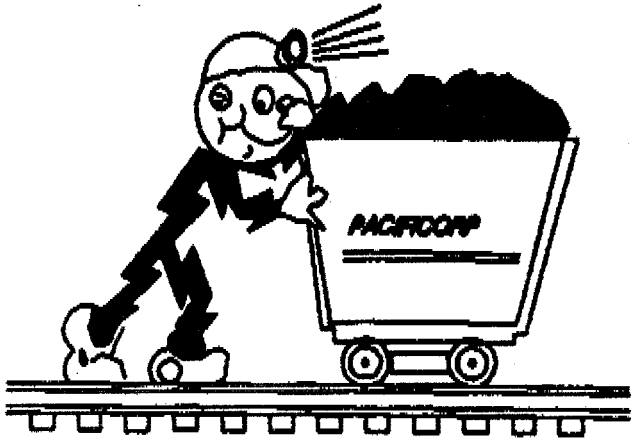
Section 36: All

Township 18 South, Range 6 East, SLB&M



Published in the Emery County Progress December 20 and 27, 1994, and January 3 and 10, 1995.

PACIFICORP
FIELD OFFICE
P.O. BOX 1005
HUNTINGTON, UTAH 84528



TELEFAX TRANSMISSION
TELECOPIER NO. (801)653-2479
CONFIRMATION (801)653-2312
COMPANY EXT. 5912

TO: PAM GRUBAUGH-LITTIG
COMPANY: DOGM DATE: 2/20/95
FAX NO.: NO. OF PAGES INCLUDING THIS PAGE: 3
FROM: VAL PAYNE
COMMENTS/INSTRUCTIONS:
AFFIDAVIT & COPY OF COMPLETE NOTICE

NOTICE

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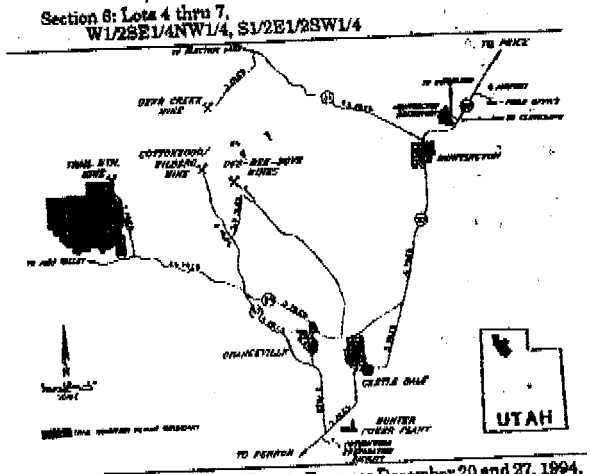
S1/2N1/2, N1/2NE1/4SW1/4, N1/2SW1/4NE1/4SW1/4, SE1/4NE1/4SW1/4, NE1/4NE1/4SE1/4, N1/2SW1/4NE1/4SE1/4 N1/2NW1/4SE1/4, N1/2S1/2NW1/4SE1/4

Section 3: Lots 1, 2 and 8,
NE1/4SE1/4NE1/4

Township 18 South, Range 7 East, SLB&M

Section 6: Lots 4 thru 7,
W1/2SE1/4NW1/4, S1/2E1/2SW1/4



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Kevin Ashby

Kevin Ashby - Publisher

Subscribed and sworn to before me this 10th day of January,1995.

Linda Thayn

Notary Public My commission expries January 10, 1995 Residing at Price, Utah

Publication fee, $360.00

NOTARY PUBLIC
LINDA THAYN
811 NORTH 10TH EAST
PRICE, UT 84501
My Commission Expires Jan. 10, 1995
State of Utah

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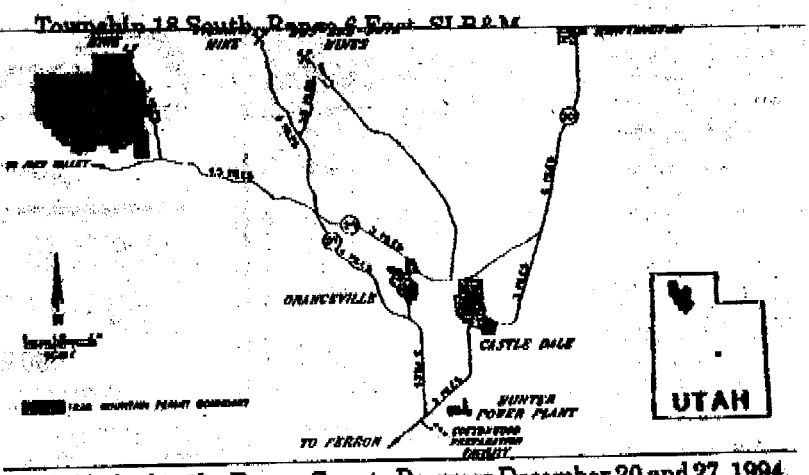
Section 27: S1/2S1/2

Section 34: All

Section 35: Lots 1, 2, 3 and 4 SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, W1/2SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2W1/2SE1/4

Section 36: All

Township 18 South, Range 6 East, SLB&M



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Section 25: E1/2E1/2SW1/4, SW1/4SE1/4, S1/2NW1/4, W1/2SW1/4,W1/2E1/2SW1/4

Beginning at the SW corner of the NW1/4SE1/4, then north 160 rods, then east 44 rods to the centerline of Cottonwood Creek, then south along the centerline to a point 76 rods east of the point of beginning then west 76 rods to the point of beginning.

Section 26: SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, S1/2SW1/4, W1/2SW1/4SE1/4

Section 27: S1/2S1/2

Section 34: All

Section 35: Lots 1, 2, 3 and 4, SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4,E1/2W1/2SE1/4, W1/2SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2W1/2SE1/4

Section 36: All

Township 18 South, Range 6 East, SLB&M

Section 1: Lots 1 thru 8, 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 thru 8, S1/2N1/2, N1/2NE1/4SW1/4, N1/2SW1/4NE1/4SW1/4, SE1/4NE1/4SW1/4, NE1/4NE1/4SE1/4, N1/2SW1/4NE1/4SE1/4, N1/2NW1/4SE1/4, N1/2S1/2NW1/4SE1/4

Section 3: Lots 1, 2 and 8, NE1/4SE1/4NE1/4

Township 18 South, Range 7 East, SLB&M

Section 6: Lots 4 thru 7, W1/2SE1/4NW1/4, S1/2E1/2SW1/4

ACT/01[illegible]009-92A
FEDERAL LEASE U-64375

ORIGINAL

R I D E R

RIDER to be attached to and form a part of Bond Number U-632958

on behalf of MOUNTAIN COAL COMPANY
(Name)

1305 SOUTH CARBON AVENUE, PRICE, UTAH 84501
(Address)

as Principal, and in favor of STATE OF UTAH, DIVISION OF OIL, GAS AND MINING

as Obligee, executed by UNITED PACIFIC INSURANCE COMPANY as Surety, in the amount of FOUR HUNDRED SIXTY-THREE THOUSAND SEVEN HUNDRED ELEVEN AND NO/100----------

Dollars ($ 463,711.00----) effective SEPTEMBER 5, 19 91.

It is hereby understood and agreed that effective as of APRIL 30, 1992, the said bond has been amended as follows:

(1) THE DISTURBED AREA HAS BEEN INCREASED FROM 8.8 TO 9.45 ACRES OF SURFACE DISTURBANCE.

(2) THE LEGAL DESCRIPTION OF THE SURFACE DISTURBANCE TO BE 9.45 ACRES IN THE SW1/4NE1/4, SECTION 25, TOWNSHIP 17 SOUTH, RANGE 6 EAST, S. L. B. & M.

(3) THE BOND AMOUNT HAS BEEN INCREASED FROM: $463,711.00
TO: $662,811.00

Nothing herein contained shall vary, alter or extend any provisions or conditions of the bond other than as above stated.

SIGNED, SEALED AND DATED this 28TH day of APRIL, 19 92.

MOUNTAIN COAL COMPANY
Principal

BY: [illegible]
PRESIDENT

LEGAL

UNITED PACIFIC INSURANCE COMPANY
Surety

BY: Cassie J. Berrisford
CASSIE J. BERRISFORD
ATTORNEY-IN-FACT

UNITED PACIFIC INSURANCE COMPANY

HEAD OFFICE, FEDERAL WAY, WASHINGTON

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That the UNITED PACIFIC INSURANCE COMPANY, a corporation duly organized under the laws of the State of Washington, does hereby make, constitute and appoint

CASSIE J. BERRISFORD of LOS ANGELES, CALIFORNIA

its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed

ANY AND ALL BONDS AND UNDERTAKINGS OF SURETYSHIP ----

and to bind the UNITED PACIFIC INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by an Executive Officer of the UNITED PACIFIC INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney(s)-in-Fact may do in pursuance hereof.

This Power of Attorney is granted under and by authority of Article VII of the By-Laws of UNITED PACIFIC INSURANCE COMPANY which became effective September 7, 1978, which provisions are now in full force and effect, reading as follows:

ARTICLE VII — EXECUTION OF BONDS AND UNDERTAKINGS

1. The Board of Directors, the President, the Chairman of the Board, any Senior Vice President, any Vice President or Assistant Vice President or other officer designated by the Board of Directors shall have power and authority to (a) appoint Attorneys-in-Fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (b) to remove any such Attorney-in-Fact at any time and revoke the power and authority given to him.

2. Attorneys-in-Fact shall have power and authority, subject to the terms and limitations of the power of attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

3. Attorneys-in-Fact shall have power and authority to execute affidavits required to be attached to bonds, recognizances, contracts of indemnity or other conditional or obligatory undertakings and they shall also have power and authority to certify the financial statement of the Company and to copies of the By-Laws of the Company or any article or section thereof.

This power of attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of UNITED PACIFIC INSURANCE COMPANY at a meeting held on the 5th day of June, 1979, at which a quorum was present, and said Resolution has not been amended or repealed:

> "Resolved, that the signatures of such directors and officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate beaning such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, the UNITED PACIFIC INSURANCE COMPANY has caused these presents to be signed by its Vice President, and its corporate seal to be hereto affixed, this 7th day of May 19 90

UNITED PACIFIC INSURANCE COMPANY

SEAL

Vice President

STATE OF Washington
COUNTY OF King } ss.

On this 7th day of May, 19 90 personally appeared Lawrence W. Carlstrom

to me known to be the Vice-President of the UNITED PACIFIC INSURANCE COMPANY, and acknowledged that he executed and attested the foregoing instrument and affixed the seal of said corporation thereto, and that Article VII, Section 1, 2, and 3 of the By-Laws of said Company and the Resolution, set forth therein, are still in full force.

My Commission Expires:

May 15, 19 90

NOTARY PUBLIC

Notary Public in and for State of Washington

Residing at Tacoma

I, Robert D. Ritzhaupt, Assistant Secretary of the UNITED PACIFIC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said UNITED PACIFIC INSURANCE COMPANY, which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company this 28TH day of APRIL 19 92

SEAL

Assistant Secretary

Robert D. Ritzhaupt

BDU-1431 Ed. 4/80

UNITED PACIFIC INSURANCE COMPANY

HEAD OFFICE, FEDERAL WAY, WASHINGTON

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS. That the UNITED PACIFIC INSURANCE COMPANY, a corporation duly organized under the laws of the State of Washington, does hereby make, constitute and appoint

CASSIE J. BERRISFORD of LOS ANGELES, CALIFORNIA

its true and lawful Attorney-in-Fact to make, execute, seal and deliver for and on its behalf, and as its act and deed

ANY AND ALL BONDS AND UNDERTAKINGS OF SURETYSHIP ----

and to bind the UNITED PACIFIC INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by an Executive Officer of the UNITED PACIFIC INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney(s)-in-Fact may do in pursuance hereof.

This Power of Attorney is granted under and by authority of Article VII of the By-Laws of UNITED PACIFIC INSURANCE COMPANY which became effective September 7, 1978, which provisions are now in full force and effect, reading as follows:

ARTICLE VII — EXECUTION OF BONDS AND UNDERTAKINGS

1. The Board of Directors, the President, the Chairman of the Board, any Senior Vice President, any Vice President or Assistant Vice President or other officer designated by the Board of Directors shall have power and authority to (a) appoint Attorneys-in-Fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (b) to remove any such Attorney-in-Fact at any time and revoke the power and authority given to him.

2. Attorneys-in-Fact shall have power and authority, subject to the terms and limitations of the power of attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

3. Attorneys-in-Fact shall have power and authority to execute affidavits required to be attached to bonds, recognizances, contracts of indemnity or other conditional or obligatory undertakings and they shall also have power and authority to certify the financial statement of the Company and to copies of the By-Laws of the Company or any article or section thereof.

This power of attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of UNITED PACIFIC INSURANCE COMPANY at a meeting held on the 5th day of June, 1979, at which a quorum was present, and said Resolution has not been amended or repealed:

> "Resolved, that the signatures of such directors and officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, the UNITED PACIFIC INSURANCE COMPANY has caused these presents to be signed by its Vice President, and its corporate seal to be hereto affixed, this 7th day of May 19 90

UNITED PACIFIC INSURANCE COMPANY

Vice President

STATE OF Washington
COUNTY OF King } ss.

On this 7th day of May, 19 90 personally appeared Lawrence W. Carlstrom

to me known to be the Vice-President of the UNITED PACIFIC INSURANCE COMPANY, and acknowledged that he executed and attested the foregoing instrument and affixed the seal of said corporation thereto, and that Article VII, Section 1, 2, and 3 of the By-Laws of said Company and the Resolution, set forth therein, are still in full force.

My Commission Expires:

May 15, 19 90

Notary Public in and for State of Washington

Residing at Tacoma

I, Robert D. Ritzhaupt, Assistant Secretary of the UNITED PACIFIC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said UNITED PACIFIC INSURANCE COMPANY, which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company this 28TH day of APRIL 19 92

Assistant Secretary

Robert D. Ritzhaupt

BOU-1431 Ed. 4/80

REPLACES AMERICAN CASUALTY COMPANY OF READING, PA BOND NO. 70 9575

Bond Number: 400 JV 3710
Permit 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 ONE MILLION & NO/100 $1,000,000.00-------- (Surety Bond Amount) for the timely performance of reclamation responsibilities of the permit area described in Exhibit "A" of this Reclamation Agreement.

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

IN WITNESS WHEREOF, the PERMITTEE has hereunto set its signature and seal this 31st day of July, 1994.

PACIFICORP

PERMITTEE

By: J Brett Harvey

Title: President, Interwest Mining Company, a wholly-owned subsidiary of PacifiCorp and Managing Agent

IN WITNESS WHEREOF, the SURETY has hereto set its signature and seal this 1st day of July, 1994.

ST. PAUL FIRE AND MARINE INSURANCE COMPANY

SURETY

By: Muriel M. van Veen

Title: Muriel M. van Veen, Attorney-in-Fact

ACCEPTED BY THE STATE OF UTAH
this 16th day of September, 1994.

James W. Carter, 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.

ACKNOWLEDGEMENT OF CORPORATION - PERMITTEE

On this 31st day of July, 1994, 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 J. Brett Harvey, President of Interwest Mining Company, a wholly-owned subsidiary of PacifiCorp and managing agent, 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.

NOTARY PUBLIC
SCOTT M. CHILD
201 South Main #2100
Salt Lake City, Utah 84140
My Commission Expires
June 8, 1996
STATE OF UTAH

Notary Public in and for said
County and State

My Commission Expires:
6-8-96

AFFIDAVIT OF QUALIFICATION FOR SURETY COMPANIES

STATE OF OREGON
COUNTY OF MULTNOMAH } SS

Muriel M. van Veen BEING FIRST DULY SWORN, ON OATH DEPOSES AND SAYS THAT HE IS THE ATTORNEY-IN-FACT OF SAID COMPANY, (OFFICER OR AGENT) 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 1st DAY OF July, A.D., 19 94

Muriel M. van Veen
(SIGNATURE OF OFFICER OR AGENT)

Sandra M. Burkey
(SIGNATURE OF NOTARY PUBLIC)

Troutdale, Oregon
(RESIDENCE)

(SEAL)
MY COMMISSION EXPIRES:

OFFICIAL SEAL
SANDRA M. BURKEY
NOTARY PUBLIC-OREGON
COMMISSION NO. 007089
MY COMMISSION EXPIRES JUNE 23, 1995

(SURETY SEAL)

(THIS FORM REQUIRED TO BE FILLED OUT BY SECTION 31-24-3, UCA 1953)

The St Paul

ST. PAUL FIRE AND MARINE INSURANCE COMPANY
Washington Street, St. Paul, Minnesota 551

CERTIFICATE OF AUTHORITY NO.

CERTIFIED COPY NO. For verification of the authenticity of this Power of Attorney, you may telephone toll free 1-800-421-3880 and ask for the Power of Attorney Clerk. Please refer to the Certificate of Authority No and the named individual(s)

1749235

F-12039

GENERAL POWER OF ATTORNEY - CERTIFIED COPY
(Original on File at Home Office of Company. See Certification.)

KNOW ALL MEN BY THESE PRESENTS: That **St. Paul Fire and Marine Insurance Company,** a corporation organized and existing under the laws of the State of Minnesota, having its principal office in the City of St. Paul, Minnesota, does hereby constitute and appoint:

Daniel J. Sloan, Thomas M. Pearson, Muriel M. Van Veen, Richard A. Stevens, individuallly, Portland, Oregon

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise.

NOT TO EXCEED IN PENALTY THE SUM OF FIFTY MILLION DOLLARS ($50,000,000) EACH

and the execution of all such instrument(s) in pursuance of these presents, shall be as binding upon said **St. Paul Fire and Marine Insurance Company,** as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office

This Power of Attorney is executed, and may be certified to and may be revoked, pursuant to and by authority of Article V,-Section 6(C), of the By-Laws adopted by the Shareholders of **ST. PAUL FIRE AND MARINE INSURANCE COMPANY** at a meeting called and held on the 28th day of April, 1978, of which the following is a true transcript of said Section 6 (C):

"The President, any Vice President, Assistant Vice President, Secretary or Service Center General Manager shall have power and authority
(1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and
(2) To appoint special Attorneys-in-fact, who are hereby authorized to certify to copies of any power-of-attorney issued in pursuance of this section and/or any of the By-Laws of the Company, and
(3) To remove, at any time, any such Attorney-in-fact or Special Attorney-in-fact and revoke the authority given him"

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 5th day of May, 1959, of which the following is a true excerpt:

"Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN TESTIMONY WHEREOF, **St. Paul Fire and Marine Insurance Company** has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 30th day of November, A.D. 1990

ST. PAUL FIRE AND MARINE INSURANCE COMPANY

STATE OF NEW JERSEY }
County of Somerset } ss.

MICHAEL B KEEGAN, Secretary

On this 23rd day of February, 19 94, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said that he/she is the therein described and authorized officer of **St. Paul Fire and Marine Insurance Company;** that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his/her signature were duly affixed by order of the Board of Directors of said Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the township of Bedminster, New Jersey, the day and year first above written.

LINDA SMETHERS, Notary Public, Middlesex, NJ
My Commission Expires December 16, 1996

CERTIFICATION

I, the undersigned officer of **St. Paul Fire and Marine Insurance Company,** do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the **ORIGINALS ON FILE IN THE HOME OFFICE OF SAID COMPANY,** and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 1st day of July, 19 94

ROY F SEYMOUR, Asst. Secretary

Only a certified copy of Power of Attorney bearing the Certificate of Authority No printed in red on the upper right corner is binding. Photocopies, carbon copies or other reproductions of this document are invalid and not binding upon the Company

ANY INSTRUMENT ISSUED IN EXCESS OF THE PENALTY AMOUNT STATED ABOVE IS TOTALLY VOID AND WITHOUT ANY VALIDITY.

EXHIBIT "A"

PERMIT AREA

LEGAL DESCRIPTION

Permit Number **ACT/015/009**

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 Distuburance 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.

Originals in Fireproof
~~ACT/015/009~~
Copy to fireproof and #4
ACT/015/018
ACT/015/019
1

CNA INSURANCE COMPANIES

230 South 500 East, Suite 480, Salt Lake City, Utah 84102

801/328-9861

RECEIVED
MAY 05 1993
DIVISION OF
OIL GAS & MINING

April 30, 1993

Ms. Pamela Grubaugh-Littig
State of Utah
Division of Gas & Mining
35 West North Temple
Three Triad Center, Suite 350
Salt Lake City, UT 84180-1230

RE: PACIFICORP BOND #'s 924 98 19
927 21 58
700 819 575

Ms. Grubaugh-Littig,

Per your request for verification of Powers of Attorney for American Casualty Company on the captioned bonds. Both Mr. Bills and Mr. Manville hold Attorney-in-Fact appointments with American Casualty Company and have done so since 1983. There has been no rescission of these powers to date. A copy of their power of attorney is attached for your review.

Should you need any further information please do not hesitate to call.

Best regards,

CNA Insurance Companies

Craig R. Wilbrett

Craig R. Wilbrett
Senior Surety Underwriter
Salt Lake City Branch

CC: Dan Carlson, H.O. Surety 21-S

CRW:as
Attachments

Revised October 1990
Exhibit "D" - **STIPULATION TO REVISE RECLAMATION AGREEMENT**

IN WITNESS WHEREOF the **PERMITTEE** has hereunto set its signature and seal this *26th* day of August, 19*94*.

PACIFICORP
PERMITTEE

By: *J. Brett Harvey*

Title: *President, Interwest Mining Company, a wholly-owned subsidiary of PacifiCorp and managing agent*

ACCEPTED BY THE STATE OF UTAH:

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.

American Casualty Company
of Reading, Pennsylvania

CNA

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, Jonathan M. Jepsen, 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 fascimile 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 10th day of August, 19 90.

State of Illinois }
County of Cook } ss

AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA

J. E. Purtell — Vice President.

On this 10th day of August, 19 90, 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 — Notary Public.

My Commission Expires November 12, 1990

CERTIFICATE

I, M. C. Vonnahme, 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 _____ day of _____, 19_____.

M. C. Vonnahme — Assistant Secretary.

8-23142-D

INV. NO. G-56625-B

Revised October 1990
Exhibit "D" - **STIPULATION TO REVISE RECLAMATION AGREEMENT**

Permit Number: *ACT/015/009*
Permit Effective Date: *10/1/92*
Trail Mountain Mine

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)

CHANGE OF SURETY:

American Casualty Company, Bond No. 700819575 is replaced with St. Paul Fire and Marine Insurance Company, Bond No. 400 JN 3710. Bond amount is unchanged at $1,000,000.00

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" - **SURFACE DISTURANCE.**

_X_ Replace Exhibit "B" - **BONDING AGREEMENT.**

____ Replace Exhibit "C" - **LIABILITY INSURANCE.**

The **BONDING** amount is revised from ($_____) to ($_____).

The **SURFACE DISTURBANCE** is revised from _____ acres to _____ 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 ($_____) to ($_____).

Originals in Fireproof
ACT/015/009
Copy to fireproof and #4
ACT/015/018
ACT/015/019
1

CNA INSURANCE COMPANIES

230 South 500 East, Suite 480, Salt Lake City, Utah 84102

801/328-9861

RECEIVED
MAY 05 1993
DIVISION OF
OIL GAS & MINING

April 30, 1993

Ms. Pamela Grubaugh-Littig
State of Utah
Division of Gas & Mining
35 West North Temple
Three Triad Center, Suite 350
Salt Lake City, UT 84180-1230

RE: PACIFICORP BOND #'s 924 98 19
927 21 58
700 819 575

Ms. Grubaugh-Littig,

Per your request for verification of Powers of Attorney for American Casualty Company on the captioned bonds. Both Mr. Bills and Mr. Manville hold Attorney-in-Fact appointments with American Casualty Company and have done so since 1983. There has been no rescission of these powers to date. A copy of their power of attorney is attached for your review.

Should you need any further information please do not hesitate to call.

Best regards,

CNA Insurance Companies

Craig R. Wilbrett

Craig R. Wilbrett
Senior Surety Underwriter
Salt Lake City Branch

CC: Dan Carlson, H.O. Surety 21-S

CRW:as
Attachments

Revised October 1990
Exhibit "D" - **STIPULATION TO REVISE RECLAMATION AGREEMENT**

IN WITNESS WHEREOF the **PERMITTEE** has hereunto set its signature and seal this *26th* day of August, 19*94*.

PACIFICORP
PERMITTEE

By: *J. Brett Harvey*

Title: *President, Interwest Mining Company, a wholly-owned subsidiary of PacifiCorp and managing agent*

ACCEPTED BY THE STATE OF UTAH:

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.

American Casualty Company
of Reading, Pennsylvania

CNA

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, Jonathan M. Jepsen, 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 fascimile 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 10th day of August, 19 90.

AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA INCORPORATED JULY 31 1902

AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA

State of Illinois }
County of Cook } ss

J. E. Purtell — Vice President.

On this 10th day of August, 19 90, 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 NOTARY PUBLIC Cook Co., Ill.

Linda C. Dempsey — Notary Public.

My Commission Expires November 12, 1990

CERTIFICATE

I, M. C. Vonnahme, 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 _____ day of _____, 19_____.

AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA INCORPORATED JULY 31 1902

M. C. Vonnahme — Assistant Secretary.

8-23142-D

INV. NO. G-56625-B

Revised October 1990
Exhibit "D" - **STIPULATION TO REVISE RECLAMATION AGREEMENT**

Permit Number: *ACT/015/009*
Permit Effective Date: *10/1/92*
Trail Mountain Mine

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)

CHANGE OF SURETY:

American Casualty Company, Bond No. 700819575 is replaced with St. Paul Fire and Marine Insurance Company, Bond No. 400 JN 3710. Bond amount is unchanged at $1,000,000.00

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" - **SURFACE DISTURANCE.**

_X_ Replace Exhibit "B" - **BONDING AGREEMENT.**

____ Replace Exhibit "C" - **LIABILITY INSURANCE.**

The **BONDING** amount is revised from ($_____) to ($_____).

The **SURFACE DISTURBANCE** is revised from _____ acres to _____ 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 ($_____) to ($_____).

PACIFICORP
ELECTRIC OPERATIONS

ONE UTAH CENTER

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

File in Recl. Agreement Fireproof file
ACT/015/009

January 4, 1993

Also file ACT/015/009 #4

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Division of Oil, Gas & Mining
Utah Department of Natural Resources
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: Revision to Reclamation Agreement, PacifiCorp, Trail Mountain Mine, ACT/015/009, Emery County, Utah

Dear Pam:

Transmitted herewith are revised exhibits "A" and "D" to the referenced Reclamation Agreement wherein we have simply corrected the disturbed acreage which was inadvertently reported in error in our submittal dated October 5, 1992. The revision consists of changing the disturbed acreage from 9.45 to 9.85 acres. The remaining items of the Reclamation Agreement are unchanged

Should you have any questions, please feel free to contact me at 801-220-4612.

Sincerely,

Scott M. Child
Property Management Administrator

Enclosures

SMC4/UDOGM.7

cc: Val Payne w/encl.
Margaret Reed w/encl.
Blake Webster w/encl.

RECEIVED
JAN 05 1993
DIVISION OF
OIL GAS & MINING

Permit Number ACT/015/009

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: 9.85

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:

Figure 3-1 Trail Mountain No.9 Mine Surface Facilities

Legal Description of PERMIT AREA:

Mine Portal Complex - 9.85 acres located in Cottonwood Canyon (Emery County, Utah) and situated in the SW¼NE¼, Section 25, Township 17 South, Range 6 East, S.L.B.&M.

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.

Revised 12-29-92

Permit Number: ACT/015/009
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 correct the disturbed acreage from 9.45 to 9.85 acres as shown on Exhibit "A" which was inadvertently reported in error on the submittal dated 10-5-92. The other remaining items are unchanged.

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.

__x__ Replace Exhibit "A" - PERMIT AREA.

_____ Replace Exhibit "B" - BONDING AGREEMENT.

_____ Replace Exhibit "C" - LIABILITY INSURANCE.

The BONDING amount is revised from ($_____) to ($_____).

The SURFACE DISTURBANCE is revised from __9.45__ acres to __9.85__ 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 ($_____) to ($_____).

IN WITNESS WHEREOF the PERMITTEE has hereunto set its signature and seal this 29th day of December, 19 92.

J. Brett Harvey
PERMITTEE

By: J. Brett Harvey

Title: Vice President - PACIFICORP

ACCEPTED BY THE STATE OF UTAH
this 7 day of Jan., 19 93.

Lowell P. Braxton
Acting 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.

One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021
(801) 220-2000

File Freeproof file
#2

PACIFICORP
POWER SUPPLY

Copy Room

RECEIVED
NOV 30 1992
DIVISION OF
OIL, GAS & MINING

November 23, 1992

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: APPROVAL OF PERMIT TRANSFER, TRAIL MOUNTAIN MINE, PACIFICORP, ACT/015/009, FOLDER #3, EMERY COUNTY, UTAH

#2

Dear Ms. Grubaugh-Littig:

Transmitted herewith please find one signed copy of the above referenced permit.

Thank you for your assistance in this matter.

Sincerely,

Val Payne

Val Payne
Sr. Environmental Engineer

cc: D. Nielson w/o enclosure
J. Blake Webster w/enclosure
File

EXHIBIT "A"

PERMIT AREA

LEGAL DESCRIPTION

Permit Number **ACT/015/009**

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 Distuburance 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.

Revised 8/4/93

BONDING CHRONOLOGY

TRAIL MOUNTAIN MINE

ACT/015/009

10/29/84	BND	Original bond #9223073 for $463,711
09/24/87	BND	Original bond #U63 05 13 for $463,711
11/16/87	DOC	Rider to bond # U63 05 13 changing legal description
02/12/90	DOC	Coal Reclamation Agreement
09/05/91	DOC	Rider to bond #U-632958 changing co. name
05/15/91	PMT	Five year mining permit issued to Beaver Creek
09/12/91	PMT	Five year mining permit issued to Mnt Coal Co.
03/10/92	PMT	Five year mining permit issued to Mnt Coal Co.
05/05/92	LTR	ARCO to DOGM re attached rider to #U-632958
06/29/92	DOC	Exhibit "A" Surface Disturbance
09/29/92	LTR	Pacificorp to DOGM re attached surety bond #700819575 for $700,000
10/05/92	LTR	Pacificorp to DOGM re attached reclamation agreement
11/23/92	LTR	Pacificorp to DOGM re permit transfer of Trail Mnt and enclosing cc of signed five year mining permit
01/04/93	LTR	Pacificorp to DOGM enclosing revision to recl. agrmt changing no. of disturbed acres
04/30/93	LTR	CNA to DOGM re powers of attorney
7/1/94		Surety Bond

REPLACES AMERICAN CASUALTY COMPANY OF READING, PA BOND NO. 7C 9575

Bond file

Bond Number: 400 JV 3710
Permit 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 ONE MILLION & NO/100 $1,000,000.00--------(Surety Bond Amount) for the timely performance of reclamation responsibilities of the permit area described in Exhibit "A" of this Reclamation Agreement.

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

Originals in Fireproof
~~ACT/015/019~~
Copy to fireproof and #4
ACT/015/018
ACT/015/019
1

CNA INSURANCE COMPANIES

230 South 500 East, Suite 480, Salt Lake City, Utah 84102

801/328-9861

RECEIVED
MAY 05 1993
DIVISION OF
OIL GAS & MINING

April 30, 1993

Ms. Pamela Grubaugh-Littig
State of Utah
Division of Gas & Mining
35 West North Temple
Three Triad Center, Suite 350
Salt Lake City, UT 84180-1230

RE: PACIFICORP BOND #'s 924 98 19
927 21 58
700 819 575

Ms. Grubaugh-Littig,

Per your request for verification of Powers of Attorney for American Casualty Company on the captioned bonds. Both Mr. Bills and Mr. Manville hold Attorney-in-Fact appointments with American Casualty Company and have done so since 1983. There has been no rescission of these powers to date. A copy of their power of attorney is attached for your review.

Should you need any further information please do not hesitate to call.

Best regards,

CNA Insurance Companies

Craig R. Wilbrett

Craig R. Wilbrett
Senior Surety Underwriter
Salt Lake City Branch

CC: Dan Carlson, H.O. Surety 21-S

CRW:as
Attachments

American Casualty Company
of Reading, Pennsylvania

CNA

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, Jonathan M. Jepsen, 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.

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"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."

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"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 fascimile 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 10th day of August, 19 90.

AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA INCORPORATED JULY 31 1902

AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA

State of Illinois } ss
County of Cook }

J. E. Purtell — Vice President.

On this 10th day of August, 19 90, 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 NOTARY PUBLIC Cook Co., Ill.

Linda C. Dempsey — Notary Public.

My Commission Expires November 12, 1990

CERTIFICATE

I, M. C. Vonnahme, 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 _____ day of _____, 19____.

AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA INCORPORATED JULY 31 1902

M. C. Vonnahme — Assistant Secretary.

8-23142-D

INV. NO. G-56625-B

PACIFICORP
ELECTRIC OPERATIONS

ONE UTAH CENTER

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

File in Recl. Agree. Fireproof
ACT/015/009

January 4, 1993

Also file ACT/015/009

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Division of Oil, Gas & Mining
Utah Department of Natural Resources
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: Revision to Reclamation Agreement, PacifiCorp, Trail Mountain Mine, ACT/015/009, Emery County, Utah

Dear Pam:

Transmitted herewith are revised exhibits "A" and "D" to the referenced Reclamation Agreement wherein we have simply corrected the disturbed acreage which was inadvertently reported in error in our submittal dated October 5, 1992. The revision consists of changing the disturbed acreage from 9.45 to 9.85 acres. The remaining items of the Reclamation Agreement are unchanged

Should you have any questions, please feel free to contact me at 801-220-4612.

Sincerely,

Scott M. Child
Property Management Administrator

Enclosures

SMC4/UDOGM.7

cc: Val Payne w/encl.
Margaret Reed w/encl.
Blake Webster w/encl.

RECEIVED
JAN 05 1993
DIVISION OF
OIL GAS & MINING

Permit Number ACT/015/009

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: 9.85

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:

Figure 3-1 Trail Mountain No.9 Mine Surface Facilities

Legal Description of PERMIT AREA:

Mine Portal Complex - 9.85 acres located in Cottonwood Canyon (Emery County, Utah) and situated in the SW¼NE¼, Section 25, Township 17 South, Range 6 East, S.L.B.&M.

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.

Revised 12-29-92

Permit Number: ACT/015/009
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 correct the disturbed acreage from 9.45 to 9.85 acres as shown on Exhibit "A" which was inadvertently reported in error on the submittal dated 10-5-92. The other remaining items are unchanged.

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.

__x__ Replace Exhibit "A" - PERMIT AREA.

_____ Replace Exhibit "B" - BONDING AGREEMENT.

_____ Replace Exhibit "C" - LIABILITY INSURANCE.

The BONDING amount is revised from ($_____) to ($_____).

The SURFACE DISTURBANCE is revised from __9.45__ acres to __9.85__ 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 ($_____) to ($_____).

IN WITNESS WHEREOF the PERMITTEE has hereunto set its signature and seal this 29th day of December, 19 92.

J. Brett Harvey
PERMITTEE

By: J. Brett Harvey

Title: Vice President - PACIFICORP

ACCEPTED BY THE STATE OF UTAH
this 7 day of Jan., 19 93.

Lowell P. Braxton
Acting 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.

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

UTAH DIVISION OF OIL, GAS AND MINING
FACSIMILE COVER SHEET

DATE: September 8, 1995

FAX #: 539-4200

ATTN: Steve Perkes

COMPANY: BLM

FROM: Pam

DEPARTMENT: DOGM

NUMBER OF PAGES BEING SENT (INCLUDING THIS ONE): 4

If you do not receive all of the pages, or if they are illegible, please call (801) 538-5340.

We are sending from a Murata facsimile machine. Our telecopier number is (801) 359-3940.

MESSAGES:

RAP !!!

Pam

(Any questions, please call me.)

Important: This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above addressed via regular postal service. Thank you.

One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021
(801) 220-2000
A Division of PacifiCorp

PACIFICORP
POWER SUPPLY

October 20, 1994

OCT 21 1994
DIV. OF OIL, GAS & MINING

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84528

a4c

AC

RE: PERMIT RENEWAL, PACIFICORP, TRAIL MOUNTAIN MINE, ACT/015/009, # 2
EMERY COUNTY, UTAH

Copy Pam & Daron

Attention: Ms. Pamela Grubaugh-Littig

The Trail Mountain Mine Permit expires on February 20, 1995. The permit document has been reviewed and portions have been revised and updated. Three (3) copies of the revised information are transmitted herewith.

The general format of the document is similar to the current permit; however, the location of the Maps and Appendices is changed. The Appendices, in the current permit, are located within the volumes of text. New binders, Volumes 1, 2, 3 and a separate Appendices volume, are provided herewith.

Instructions for updating the Division's Permit Document are outlined on the accompanying Form DOGM-C2. A notarized copy of Form DOGM-C1 is enclosed.

If you have questions regarding this information, please call Karl Houskeeper at 653-2312, ext. 15, or me at 653-2312, ext. 16. Additionally, if you would like someone from my office to assist in updating the Division's permit, please call me.

Sincerely,

Val Payne

Val Payne
Sr. Environmental Engineer

cc: M. Moon
B. Webster

Form DOGM - C1 (Last Revised 6/93)

File Folder # 3

APPLICATION FOR PERMIT CHANGE

Title of Change: PERMIT RENEWAL

Permit Number: ACT/015/009

Mine: TRAIL MOUNTAIN

Permittee: PACIFICORP

Description, include reason for change and timing required to implement:
UPDATED PERMIT INFORMATION TO RENEW THE PERMIT WHICH EXPIRES ON FEBRUARY 20, 1995.

☐ Yes	☑ No	1. Change in the size of the Permit Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	2. Change in the size of the Disturbed Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
☐ Yes	☑ No	4. Will permit change include operations in hydrologic basins other than currently approved?
☐ Yes	☑ No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
☑ Yes	☐ No	6. Does permit change require or include public notice publication?
☐ Yes	☑ No	7. Permit change as a result of a Violation? Violation #
☐ Yes	☑ No	8. Permit change as a result of a Division Order? D.O.#
☐ Yes	☑ No	9. Permit change as a result of other laws or regulations? Explain:
☑ Yes	☐ No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
☐ Yes	☑ No	11. Does the permit change affect the surface landowner or change the post mining land use?
☐ Yes	☑ No	12. Does permit change require or include collection and reporting of any baseline information?
☐ Yes	☑ No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
☐ Yes	☑ No	14. Does permit change require or include soil removal, storage or placement?
☐ Yes	☑ No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
☐ Yes	☑ No	16. Does permit change require or include construction, modification, or removal of surface facilities?
☐ Yes	☑ No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
☐ Yes	☑ No	18. Does permit change require or include certified designs, maps, or calculations?
☑ Yes	☐ No	19. Does permit change require or include underground design or mine sequence and timing?
☐ Yes	☑ No	20. Does permit change require or include subsidence control or monitoring?
☑ Yes	☐ No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
☐ Yes	☑ No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
☐ Yes	☑ No	23. Is this permit change coal exploration activity ☐ inside ☐ outside of the permit area?

☑ **Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.**

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

Val E Payne VAL E PAYNE, SR. ENV. ENGINEER, OCT. 19, 1994
Signed - Name - Position - Date

Subscribed and sworn to before me this 19 day of October, 19 94.
Debra K. Warrington
Notary Public
My Commission Expires: July 9, 19 97
Attest: STATE OF Utah
COUNTY OF Emery

NOTARY PUBLIC
Debra K. Warrington
16 North Main
Huntington, Utah 84528
My Commission Expires
July 9, 1997
STATE OF UTAH

Received by Oil, Gas & Mining

OCT 21

ASSIGNED PERMIT CHANGE NUMBER

Application for Permit Change
Detailed Schedule of Changes to the Permit

Title of Change: PERMIT RENEWAL

Permit Number: ACT/015/009

Mine: TRAIL MOUNTAIN

Permittee: PACIFICORP

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAPTER 1.0, THRU PAGE 1-9, BEAVER CREEK BINDER VOL. 1 - DISCARD
☐ ADD	☑ REPLACE	☐ REMOVE	ALL CHAP. 1, THRU PG. 1-5 (10/21/94) INTO PACIFICORP BINDER VOL. 1
☐ ADD	☐ REPLACE	☑ REMOVE	ALL APPENDIX 1, BEAV. CRK. VOL. 1 - DISCARD OR ARCHIVE
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAP. 2.0, THRU PG. 2-16, BEAV. CRK. BINDER - DISCARD
☐ ADD	☑ REPLACE	☐ REMOVE	ALL CHAP. 2, THRU PG. 2-26 (10/21/94) INTO PACIFICORP VOL. 1
☐ ADD	☐ REPLACE	☑ REMOVE	ALL APDX. 2, BEAV. CRK. BINDER - DISCARD OR ARCHIVE
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAP. 3.0, THRU PG. 3-70, BVR. CRK. BINDER - DISCARD
☐ ADD	☑ REPLACE	☐ REMOVE	ALL CHAP. 3, THRU PG. 3-82 (10/21/94) INTO PACIFICORP VOL. 1
☐ ADD	☐ REPLACE	☑ REMOVE	FIGURES (MAPS) 3-1, 3-1A, 3-1B, 3-6, 3-6D, 3-8, 3-10, 3-12, 3-12A,
☐ ADD	☐ REPLACE	☐ REMOVE	3-16, 3-17, 3-17A, BVR-CRK. BINDER - DISCARD
☐ ADD	☑ REPLACE	☐ REMOVE	PLATES (MAPS) 3-1, 3-1A, 3-1B, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7
☐ ADD	☐ REPLACE	☐ REMOVE	INTO PACIFICORP VOLUME 3
☐ ADD	☐ REPLACE	☑ REMOVE	ALL APDX. 3, BVR. CRK. - PUT INTO PACIFICORP APPENDICES VOLUME
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAPS. 4.0, 5.0 & 6.0 TEXT, BVR. CRK. - PUT IN PACIFICORP VOL 1.
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAPS. 4.0, 5.0 & 6.0 MAPS, BVR. CRK. - PUT IN PACIFICORP VOL. 3
☐ ADD	☐ REPLACE	☑ REMOVE	ALL APDX. 4, 5 & 6, BVR. CRK. BINDER - PUT IN PACIFICORP APPENDICES VOL.
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAPS. 7.0 THRU 12.0 TEXT, BVR. CRK. - PUT IN PACIFICORP VOL. 2
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAPS. 7.0 THRU 12.0 MAPS, BVR. CRK. - PUT IN PACIFICORP VOL. 3
☐ ADD	☐ REPLACE	☑ REMOVE	ALL APDX. 7 THRU 12, BVR. CRK. - PUT IN PACIFICORP APPENDICES VOL.
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021
(801) 220-2000
A Division of PacifiCorp

Steve,
Please let me know if these are OK by April 28th
Thanks Dana

PACIFICORP
POWER SUPPLY

March 14, 1995

RECEIVED
APR 7
DIV OF OIL

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Attention: Pamela Grubaugh-Littig

Re: PERMIT RENEWAL DEFICIENCIES, PACIFICORP, TRAIL MOUNTAIN MINE, ACT/015/009-94C, EMERY COUNTY, UTAH.

#2 Copy PAM

Per the Division letter dated February 22, 1995 pages 3-36 and 3-40 have been revised as follows:

Page 3-36	Revised to indicate Chapter 7, section 7.1.
Page 3-40	Revised to indicate 1992 Annual Hydrologic Report.

Please find enclosed three (3) copies of pages 3-36 and 3-40.

Your help is greatly appreciated. If you have any questions please feel free to contact Karl Houskeeper at 653-2312 ext. #15 or myself at 653-2312 ext. #16.

Sincerely,

Val Payne

Val Payne
Sr. Environmental Engineer

KRH/krh

cc: Morgan Moon
J. Blake Webster
File

Form DOGM - C1 (Last Revised 6/93)

File Folder # 3

APPLICATION FOR PERMIT CHANGE

Title of Change: TRAIL MTN. PERMIT RENEWAL - ADDITIONAL INFORMATION

Permit Number: ACT/015/009

Mine: TRAIL MOUNTAIN

Permittee: PACIFICORP

Description, include reason for change and timing required to implement:

ADDITIONAL INFORMATION IN RESPONSE TO DIVISION LETTER DATED FEB. 22, 1995.

☐ Yes	☑ No	1. Change in the size of the Permit Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	2. Change in the size of the Disturbed Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
☐ Yes	☑ No	4. Will permit change include operations in hydrologic basins other than currently approved?
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☑ **Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.**

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

Vale Payne VALE PAYNE SR. ENVIRONMENTAL ENG. 4/11/95
Signed - Name - Position - Date

Subscribed and sworn to before me this 11th day of April, 1995

Barbara J. Adams
Notary Public

My Commission Expires: 10-13, 1996

Attest: STATE OF Utah
COUNTY OF Emery

Notary Public
BARBARA J. ADAMS
15 North Main
Huntington, Utah 84523
My Commission Expires
October 13, 1996
State of Utah

Received by Oil, Gas & Mining

RECEIVED
APR 17 1995
DIV. OF OIL, GAS & MINING

ASSIGNED PERMIT CHANGE NUMBER

Application for Permit Change
Detailed Schedule of Changes to the Permit

Title of Change:	Permit Number: ACT/015/009
Trail Mountain Permit Renewal	Mine: Trail Mountain
	Permittee: PacifiCorp

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☐ ADD	☑ REPLACE	☐ REMOVE	Page 3-36
☐ ADD	☑ REPLACE	☐ REMOVE	Page 3-40
☐ ADD	☐ REPLACE	☐ REMOVE	
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☐ ADD	☐ REPLACE	☐ REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

Sedimentation production from the berm outslope to the creek has been greatly reduced by a portion of the creek being placed in a bypass culvert. This bypass culvert was installed in 1983, and extended some 300′ to the north in 1990.

All mine portals are designed in accordance with R645-301-731.521. This ensures that water will not discharge from the portal by gravity flow. Upon reclamation of the mine, portal seals will be placed in all entries as soon as underground reclamation has been completed.

3.4.3.1 PROJECTED IMPACTS OF MINING ON THE GROUNDWATER HYDROLOGIC BALANCE

Geology controls movement of groundwater. Because of the low permeability of the consolidated sedimentary rocks in the Trail Mountain area, groundwater is primarily through fractures. Data has been collected from numerous coal exploration drill holes, from within the mine workings, from surface drainages, and from spring surveys. The data have identified two separate isolated aquifer systems on the Trail Mountain property; the first is localized perched water tables in the North Horn Formation, and the second is a combination of localized perched water tables in the Blackhawk Formation and the Starpoint Sandstone which exhibits some limited potential as a regional aquifer. Due to the limited recharge to the Blackhawk Formation, mining within the Trail mountain Permit Area will have negligible impact on the regional hydrologic balance. A complete description of the hydrologic/geologic resources of the Trail Mountain area is discussed in Chapter 7, section 7.1.

1) Cottonwood Creek Basin has a greater portion of area with southern exposure with more gradual slopes than Hunting Creek Basin and 2) possible subsurface movement of water through fractures associated with Joe's Valley Fault. About seventy percent of the total discharge at the Cottonwood Creek station above Straight Canyon for the water year 1979 occurred during the snow melt period (April-July).

Sixty years of data are available for the gaging station on Cottonwood Creek near Orangeville (9324500). The drainage area above Orangeville contributing to Cottonwood Creek is approximately 208 square miles. Cottonwood Creek has an average discharge near Orangeville of about ninety-five (95) cfs, or 69,000 acre-feet per year. The maximum and minimum discharges of record on Cottonwood Creek near Orangeville are 7,220 cfs (August 1, 1964) and 1.2 cfs (April 8, 1966), respectively.

The mine permit area is drained by minor drainage systems associated with Cottonwood Canyon Creek.

Cottonwood Canyon Creek is a major drainage system which borders the eastern limit of the Trail Mountain permit area. Based on data collected by PacifiCorp, (see 1992 Annual Hydrologic Report) Cottonwood Canyon Creek is an ephemeral stream from its headwaters to the northeast quarter of Section 24 Township 17 South, Range 6 East and intermittent from that point to its confluence with Cottonwood Creek at Straight Canyon. During periods of drought, flow in Cottonwood Canyon Creek is limited to flow emanating from the alluvial deposits at the intersection with Roans Canyon. From the intersection with Roans Canyon to Section 36 the stream loses water to alluvial deposits. The drainage is dry from Section 36 to Section 6 except during spring runoff which normally occurs from late April trough June or during

PERMIT RENEWAL

PacifiCorp
Trail Mountain Mine
ACT/015/009
Emery County, Utah

February 21, 1995

Contents

* Chronology
* Findings
* Permit
* Affidavit of Publication
* 510 (c) Memo

CHRONOLOGY

FIVE-YEAR RENEWAL

PacifiCorp
Trail Mountain Mine
ACT/005/009
Emery County, Utah

February 21,1995

June 21, 1994	Reminder letter sent about five year permit renewal application due to Division on October 21, 1994.
October 21, 1994	Five-year permit renewal application submitted.
September 20, 1994	Affidavit of publication for permit renewal.
December 13, 1994	Determination of Administrative Completeness.
January 10, 1995	Affidavit of publication. Published in the Emery County Progress December 20 and 27, 1994, and January 3 and 10, 1995.
February 20, 1995	AVS system queried for OSMRE, AVS recommendation. The OSMRE recommendation is "Conditional Issue".
February 21, 1995	No adverse comments received. Permit renewed.

FINDINGS

FIVE-YEAR RENEWAL

PacifiCorp
Trail Mountain Mine
ACT/015/009
EmeryCounty, Utah
February 21, 1995

1. Application for a permit renewal was made on October 21, 1994. (R645-303-233.100)

2. The terms and conditions of the existing permit are being satisfactorily met. (R645-303-233.110)

3. The present operation and reclamation operations are in compliance with the environmental protection standards of the State Program. (R645-303.233.120)

4. The requested renewal does not substantially jeopardize the operator's continuing ability to comply with the State Program on the existing permit area. (R645-303-233.130)

5. The permittee has provided evidence of having liability insurance. (Associated Electric and Gas Insurance Services Limited, X0296A1A94) (R645-303-233.140)

6. The permittee has provided evidence that a performance bond is in effect for the operation and will continue in full force and effect for the proposed period of renewal. (Surety Bond issued by ST. Paul Fire and Marine Insurance Co. #400JV3710, in the amount of $1,000,000) (R645-303-233.150)

7. For the most recent permit term, permit changes ordered by the Division and Notices of Violation requiring a permit change have been incorporated into the permit.

Permit Supervisor

Permit Coordinator

Associate Director

Director

FINDINGS.tm9

FEDERAL

PERMIT
ACT/015/009

FEBRUARY 21, 1995

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

This permit, ACT/015/009, is issued for the State of Utah by the Utah Division of Oil, Gas and Mining (Division) to:

PacifiCorp
P.O. Box 1005
Huntington, Utah 84528
(801) 653-2312

for the Trail Mountain Mine. PacifiCorp is the lessee of federal coal leases U-49332, U-082996, and UTU-64375, State Mineral Lease ML-22603 , and the owner/lessee of certain fee-owned parcels. A Surety Bond is filed with the Division in the amount of $1,000,000, payable to the State of Utah, Division of Oil, Gas and Mining, and the Office of Surface Mining, Reclamation and Enforcement (OSM). The Division must receive a copy of this permit signed and dated by the permittee.

Sec. 1 **STATUTES AND REGULATIONS** - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.

Sec. 2 **PERMIT AREA** - The permittee is authorized to conduct underground coal mining activities on the following described lands within the permit area at the Trail Mountain Mine, situated in the State of Utah, Emery County, and located:

<u>Township 17 South, Range 6 East, SLM</u>

Section 25: S1/2 NW1/4, W1/2 SW1/4, W1/2 E1/2 SW1/4, SW1/4 SE1/4, E1/2 E1/2 SW1/4; Begin at the point of SW corner of NW1/4 SE1/4, thence North 160 Rods, 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: SE1/4 NE1/4, E1/2 SW1/4 NE1/4, E1/2 SE1/4, E1/2 W1/2 SE1/4, S1/2 SW1/4, W1/2 SW1/4 SE1/4;
Section 27: S1/2 S1/2;
Section 34: All;
Section 35: Lots 1, 2, 3 and 4, S1/2NE1/4, SE1/4, SW1/4, S1/2 NW1/4; and
Section 36: All.

Township 18 South, Range 6 East, SLM
Section 1: Lots 1-8, S1/2 N1/2, E1/2 NE1/4 SW1/4, E1/2 NW1/4 NE1/4 SW1/4, N1/2 NW1/4 NE1/4 SE1/4, N1/2 NW1/4 SE1/4;
Section 2: Lots 1-8, S1/2 N1/2, N1/2 NE1/4 SW1/4, N1/2 SW1/4 NE1/4 SW1/4, SE1/4 NE1/4 SW1/4, NW1/4 NE1/4 SE1/4, N1/2 SW1/4 NE1/4 SE1/4, N1/2 NW1/4 SE1/4, N1/2 S1/2 NW1/4 SE1/4; and
Section 3: Lots 1, 2, and 8, NE1/4 SE1/4 NE1/4.

Township 18 South, Range 7 East, SLM
Section 6: Lots 4-7, W1/2 SE1/4 NW1/4, S1/2 E1/2 SW1/4.

This legal description is for the permit area of the Trail Mountain Mine which is approximately 4,045 acres. The permittee is authorized to conduct underground coal mining activities and related surface activities on the foregoing described property subject to the conditions of all applicable conditions, laws and regulations.

Sec. 3 **COMPLIANCE** - The permittee will comply with the terms and conditions of the permit, all applicable performance standards and requirements of the State Program.

Sec. 4 **PERMIT TERM** - This permit is effective on February 21, 1995 and expires on February 21, 2000.

Sec. 5 **ASSIGNMENT OF PERMIT RIGHTS** - The permit rights may not be transferred, assigned or sold without the prior written approval of the Division Director. Transfer, assignment or sale of permit rights must be

done in accordance with applicable regulations, including but not limited to 30 CFR 740.13{e} and R645-303-300.

Sec. 6 **RIGHT OF ENTRY** - The permittee shall allow the authorized representative of the Division, including but not limited to inspectors, and representatives of the Office of Surface Mining Reclamation and Enforcement (OSM), without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:

(a) have the rights of entry provided for in 30 CFR 840.12, R645-400-220, 30 CFR 842.13 and R645-400-110;

(b) be accompanied by private persons for the purpose of conducting an inspection in accordance with R645-400-100 and R645-400-200 when the inspection is in response to an alleged violation reported to the Division by the private person.

Sec. 7 **SCOPE OF OPERATIONS** - The permittee shall conduct underground coal mining activities only on those lands specifically designated as within the permit area on the maps submitted in the approved plan and approved for the term of the permit and which are subject to the performance bond.

Sec. 8 **ENVIRONMENTAL IMPACTS** - The permittee shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of the permit, including, but not limited to:

(a) Any accelerated or additional monitoring necessary to determine the nature and extent of noncompliance and the results of the noncompliance;

(b) immediate implementation of measures necessary to comply; and

(c) warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

Sec. 9 **DISPOSAL OF POLLUTANTS** - The permittee shall dispose of solids, sludge, filter backwash or pollutaqnts in the course of treatment or control of waters or emissions to the air in the manner required by the approved

Utah State Program and the Federal Lands Program which prevents violation of any applicable state or federal law.

Sec. 10 CONDUCT OF OPERATIONS - The permittee shall conduct its operations:

(a) in accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and

(b) utilizing methods specified as conditions of the permit by the Division in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 11 EXISTING STRUCTURES - As applicable, the permittee will comply with R645-301 and R645-302 for compliance, modification, or abandonment of existing structures.

Sec. 12 RECLAMATION FEE PAYMENTS - The operator shall pay all reclamation fees required by 30 CFR Part 870 for coal produced under the permit, for sale, transfer or use.

Sec. 13 AUTHORIZED AGENT - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.

Sec. 14 COMPLIANCE WITH OTHER LAWS - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq,) and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.

Sec. 15 PERMIT RENEWAL - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 16 CULTURAL RESOURCES - If during the course of mining operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify the Division. The Division, after coordination with OSM, shall inform the permittee of

necessary actions required. The permittee shall implement the mitigation measures required by Division within the time frame specified by Division.

Sec. 17 APPEALS - The permittee shall have the right to appeal as provided for under R645-300-200.

Sec. 18 SPECIAL CONDITIONS - There are special conditions associated with this permit, as described in Attachment A.

The above conditions (Secs. 1-18) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of the Division and the permittee at any time to adjust to changed conditions or to correct an oversight. The Division may amend these conditions at any time without the consent of the permittee in order to make them consistent with any federal or state statutes and any regulations.

THE STATE OF UTAH

By: _____

Date: 2/22/95

I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.

_____

Authorized Representative of the Permittee

Date: 3/10/95

A:\PERMIT.TM9

ATTACHMENT A

Special Conditions

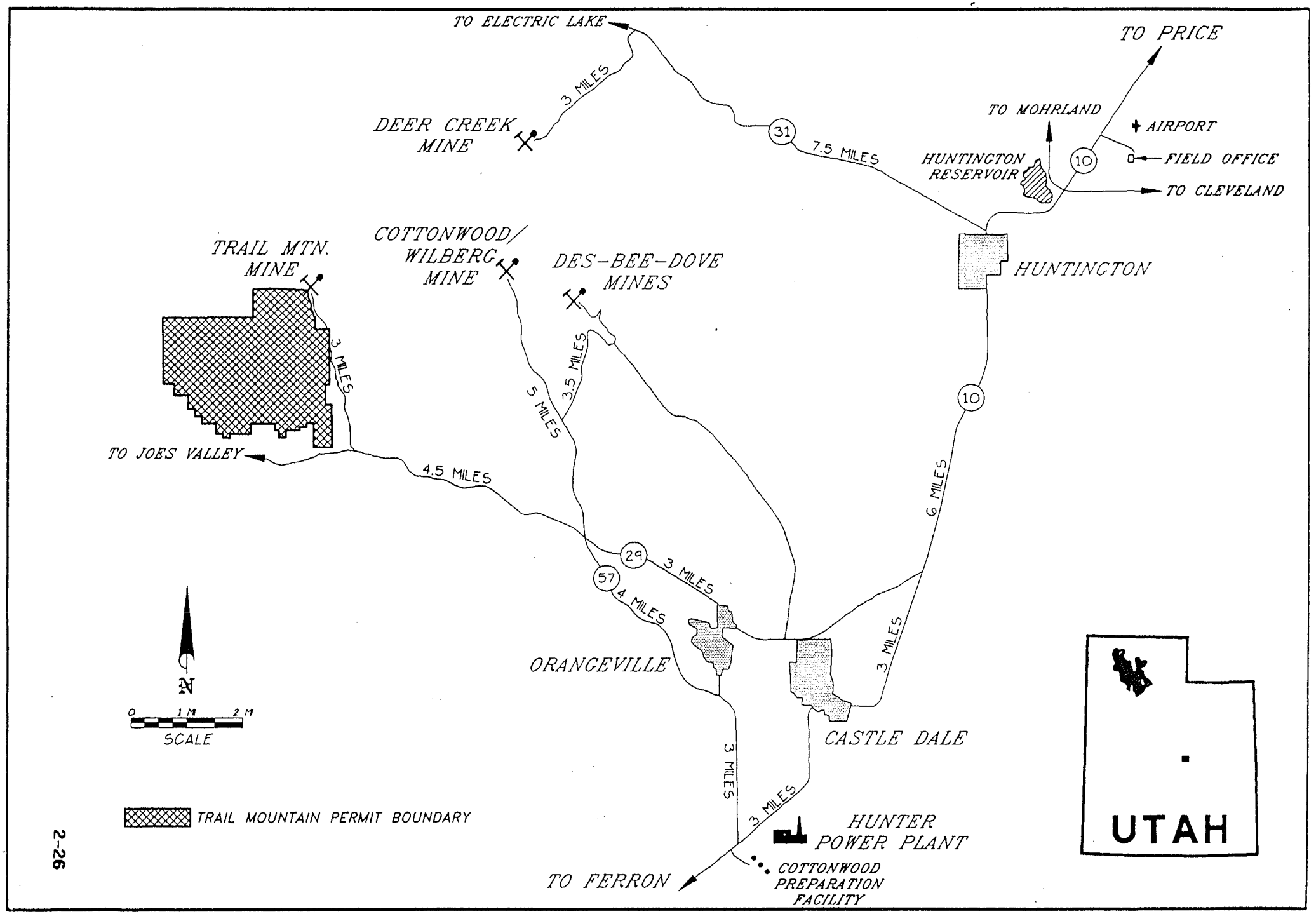
1. R645-301-731.200 Water Monitoring The applicant must monitor quality and quantity of the Star Point aquifer at a point where the flow in the aquifer leaves the permit area. The most likely place to develop this monitoring site is in the area near DH-5 (Figure 6-4). The applicant will be required to develop a well to monitor aquifer parameters, seasonal fluctuation, mining influence and hydrologic tests. This information is requested in accordance with the requirements for water monitoring regulations R645-301-731.200 through R645-301-731.215.

2. Before extending entries to the west beyond the location of hole TMX-6, the operator must drill horizontal holes to determine if significant water could be encountered in the Starpoint/Blackhawk aquifer. If significant water is encountered in the horizontal holes, the operator must stop the advance and notify the Regulatory Authority.

3. Before mining in the vicinity of perennial stream and escarpment buffer zones, the operator must provide data sufficient to justify use of the 15 degree angle-of-draw (measured from the vertical). If the technical data show that an angle-of-draw greater than 15 degrees is expected, the buffer zone must be modified to be consistent with the expected angle-of-draw.

4. The operator shall limit mining operations in the last panel on the eastern boundary of Section 1, T18S, R6E to first mining only in order to leave pillars of sufficient size to prevent caving of the overlying strata.

5. PacifiCorp must notify the Division within 14 days of the decisions of the appeals of outstanding federal violation 93-020-190-05, 1 of 1 and cessation order 94-020-370-002, 1 of 1.


TO ELECTRIC LAKE
3 MILES
DEER CREEK MINE
31
7.5 MILES
TO PRICE
TO MOHRLAND
AIRPORT
HUNTINGTON RESERVOIR
10
FIELD OFFICE
TO CLEVELAND
HUNTINGTON
TRAIL MTN. MINE
COTTONWOOD/ WILBERG MINE
DES-BEE-DOVE MINES
3 MILES
3.5 MILES
5 MILES
10
TO JOES VALLEY
4.5 MILES
6 MILES
29
3 MILES
57
4 MILES
ORANGEVILLE
3 MILES
CASTLE DALE
N
0 1 M 2 M
SCALE
3 MILES
3 MILES
TRAIL MOUNTAIN PERMIT BOUNDARY
HUNTER POWER PLANT
COTTONWOOD PREPARATION FACILITY
TO FERRON
UTAH

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/015/008 for the Trail Mountain 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. Said comments must be submitted within thirty (30) days from the date of last publication of this notice.

The area to be mined is contained on the U.S.G.S. 7.5 minute "Mahogany Point" quadrangle map. A map depicting the general area of the Trail Mountain Mine is published herewith.

Approximately 4,045 acres are contained in the permit area described as follows:

Township 17 South, Range 6 East, SLB&M

Section 25: E1/2E1/2SW1/4, SW1/4SE1/4, S1/2NW1/4, W1/2SW1/4, W1/2E1/2SW1/4

Beginning at the SW corner of the NW1/4SE1/4, then north 160 rods, then east 44 rods to the centerline of Cottonwood Creek, then south along the centerline to a point 76 rods east of the point of beginning then west 76 rods to the point of beginning.

Section 26: SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, S1/2SW1/4, W1/2SW1/4SE1/4

Section 27: S1/2S1/2

Section 34: All

Section 35: Lots 1, 2, 3 and 4
SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, W1/2SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2W1/2SE1/4

Section 36: All

Township 18 South, Range 6 East, SLB&M

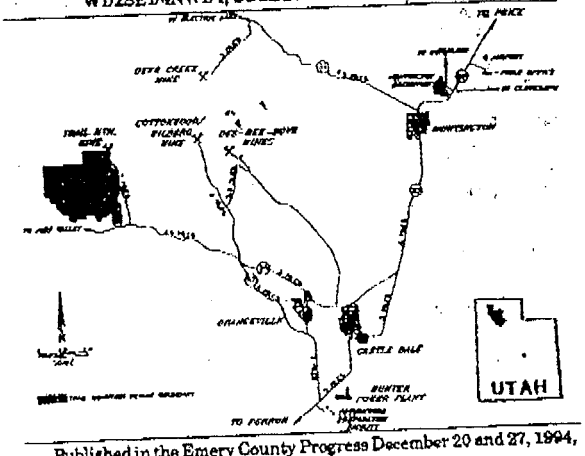
Section 1: Lots 1 thru 8,
S1/2N1/2, E1/2NE1/4SW1/4, E1/2NW1/4NE1/4SW1/4, N1/2NW1/4NE1/4SE1/4, N1/2NW1/4SE1/4

Section 2: Lots 1 thru 8,
S1/2N1/2, N1/2NE1/4SW1/4, N1/2SW1/4NE1/4SW1/4, SE1/4NE1/4SW1/4, NE1/4NE1/4SE1/4, N1/2SW1/4NE1/4SE1/4 N1/2NW1/4SE1/4, N1/2S1/2NW1/4SE1/4

Section 3: Lots 1, 2 and 8,
NE1/4SE1/4NE1/4

Township 18 South, Range 7 East, SLB&M

Section 6: Lots 4 thru 7,
W1/2SE1/4NW1/4, S1/2E1/2SW1/4



Published in the Emery County Progress December 20 and 27, 1994, and January 8 and 10, 1995.

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

I, Kevin Ashby, 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 for 4 (Four) consecutive issues, and that the first publication was on the 20th day of December, 1994 and that the last publication of such notice was in the issue of such newspaper dated the 10th day of January, 1995.

Kevin Ashby

Kevin Ashby - Publisher

Subscribed and sworn to before me this 10th day of January, 1995.

Linda Thayn

Notary Public My commission expries January 10, 1995 Residing at Price, Utah

Publication fee, $360.00

NOTARY PUBLIC
LINDA THAYN
811 NORTH 10TH EAST
PRICE, UT 84501
My Commission Expires Jan. 10, 1995
State of Utah

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/015/009 for the Trail Mountain Mine with the Division of Oil, Gas and Mining under the laws of the State of Utah and the Office of Surface Mining.

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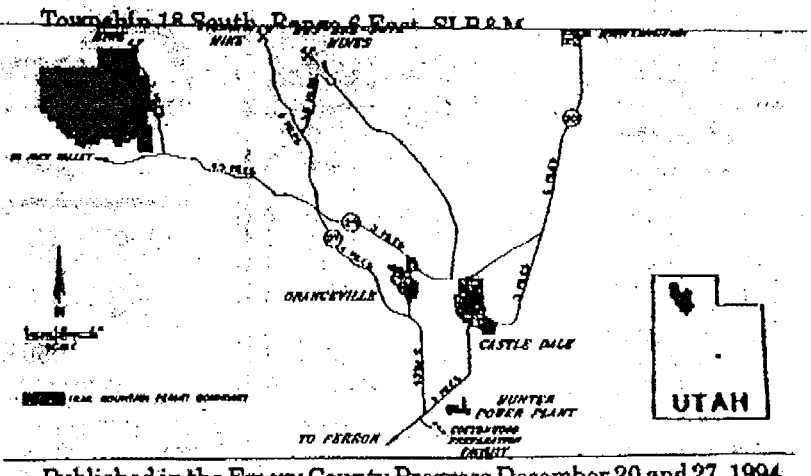
Section 27: S1/2S1/2

Section 34: All

Section 35: Lots 1, 2, 3 and 4
SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, W1/2SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2W1/2SE1/4

Section 36: All

Township 18 South, Range 6 East, SLB&M



Published in the Emery County Progress December 20 and 27, 1994, and January 3 and 10, 1995.

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

February 20, 1995

TO: File

FROM: Pamela Grubaugh-Littig, Permit Coordinator PGL

RE: Compliance Review for Section 510 (c) Findings, Trail Mountain Mine, PacifiCorp, ACT/015/009, Folders #3 and #5, Emery County, Utah

As of the writing of this memo, there is a "conditional issue" recommendation from the Applicant violator System for ACT/015/009, the permit renewal for the Trail Mountain Mine. There is an outstanding federal violation (X93-020-190-05, 1 of 1) and cessation order (X94-020-370-002, 1 of 1) which are both under appeal. The permit has been conditioned to reflect this situation: "PacifiCorp must notify the Division within 14 days of the decision of the appeals of outstanding federal violation 93-020-190-05 1 of 1 and cessation order 94-020-370-002, 1 of 1".

PacifiCorp does not have a demonstrated pattern of wilful violations, nor have they been the subject of any bond forfeiture for any operations in the state of Utah.

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SYSTEM RECOMMENDATION           : COND ISSUE     02/20/95
PREVIOUS SYSTEM RECOMMENDATION  : COND ISSUE     02/08/95
```

Records retrieved : 1

ST	PERMIT	RP ID	SEQ	VTYPE	VIOLNO	VIOLDATE
UT	ACT015017	118429	1	CMIS	C94-020-190-1	01/13/94

RCM_MNT(F7) PERMIT/APPL(F8)
PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)
■ avsdg 12 14

AVS Recom Maint Applicant Violator System 20-Feb-1995 14:14:19

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State : UT Permit No :                    Appl No : ACT015009
Permittee :                                                Seqno : 2
Applicant : 108521( PACIFICORP )

SYSTEM : C  (COND ISSUE)  Date : 20-Feb-1995  Mode : VIEW
Reason: 0 AML, 0 AUD, 1 CMIS, 0 FORF, 0 STATE, 0 NRSP  VIOLATION(S)

OSMRE  : C  (COND ISSUE)  Date : 08-Feb-1995  Mode : VIEW
Reason: cond based on the outcome of the cmis hearing

SRA    :                  Date : 20-Feb-1995  Mode : UPDATE
Reason:
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SAVE(F5) DELETE(F8)
PRV_SCR(F3) QUIT(F4) CHOICES(F10)
■ avsdg 12 14

Applicant Evaluation Applicant Violator System 20-Feb-1995 14:13:44

State : UT Permit No : Appl No : ACT015009
Applicant : 108521(PACIFICORP) Seqno : 2

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

SYSTEM RECOMMENDATION : COND ISSUE 02/20/95
PREVIOUS SYSTEM RECOMMENDATION : COND ISSUE 02/08/95

Records retrieved : 1

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PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)
▪ avsdg 12 13

Applicant Evaluation Applicant Violator System 20-Feb-1995 14:13:44

State : UT Permit No : Appl No : ACT015009
Applicant : 108521(PACIFICORP) Seqno : 2

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

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Records retrieved : 1

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RCM_MNT(F7) PERMIT/APPL(F8)
PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)
▪ avsdg 12 14

Applicant Evaluation Applicant Violator System 20-Feb-1995 14:13:44

State : UT Permit No : Appl No : ACT015009
Applicant : 108521(PACIFICORP) Seqno : 2

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021
(801) 220-2000
A Division of PacifiCorp

PACIFICORP
POWER SUPPLY

October 20, 1994

Daron

OCT 21 1994
DIV. OF OIL, GAS & MINING

Permit Renewal

94

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84528

RE: PERMIT RENEWAL, PACIFICORP, TRAIL MOUNTAIN MINE, ACT/015/009, # 2
EMERY COUNTY, UTAH

Copy Pam & Daron

Attention: Ms. Pamela Grubaugh-Littig

The Trail Mountain Mine Permit expires on February 20, 1995. The permit document has been reviewed and portions have been revised and updated. Three (3) copies of the revised information are transmitted herewith.

The general format of the document is similar to the current permit; however, the location of the Maps and Appendices is changed. The Appendices, in the current permit, are located within the volumes of text. New binders, Volumes 1, 2, 3 and a separate Appendices volume, are provided herewith.

Instructions for updating the Division's Permit Document are outlined on the accompanying Form DOGM-C2. A notarized copy of Form DOGM-C1 is enclosed.

If you have questions regarding this information, please call Karl Houskeeper at 653-2312, ext. 15, or me at 653-2312, ext. 16. Additionally, if you would like someone from my office to assist in updating the Division's permit, please call me.

Sincerely,

Val Payne

Val Payne
Sr. Environmental Engineer

cc: M. Moon
B. Webster

Form DOGM - C1 (Last Revised 6/93) File Folder # 3

APPLICATION FOR PERMIT CHANGE

Title of Change: PERMIT RENEWAL

Permit Number: ACT/015/009

Mine: TRAIL MOUNTAIN

Permittee: PACIFICORP

Description, include reason for change and timing required to implement:
UPDATED PERMIT INFORMATION TO RENEW THE PERMIT WHICH EXPIRES ON FEBRUARY 20, 1995.

☐ Yes	☑ No	1. Change in the size of the Permit Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	2. Change in the size of the Disturbed Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
☐ Yes	☑ No	4. Will permit change include operations in hydrologic basins other than currently approved?
☐ Yes	☑ No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
☑ Yes	☐ No	6. Does permit change require or include public notice publication?
☐ Yes	☑ No	7. Permit change as a result of a Violation? Violation #
☐ Yes	☑ No	8. Permit change as a result of a Division Order? D.O.#
☐ Yes	☑ No	9. Permit change as a result of other laws or regulations? Explain:
☑ Yes	☐ No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
☐ Yes	☑ No	11. Does the permit change affect the surface landowner or change the post mining land use?
☐ Yes	☑ No	12. Does permit change require or include collection and reporting of any baseline information?
☐ Yes	☑ No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
☐ Yes	☑ No	14. Does permit change require or include soil removal, storage or placement?
☐ Yes	☑ No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
☐ Yes	☑ No	16. Does permit change require or include construction, modification, or removal of surface facilities?
☐ Yes	☑ No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
☐ Yes	☑ No	18. Does permit change require or include certified designs, maps, or calculations?
☑ Yes	☐ No	19. Does permit change require or include underground design or mine sequence and timing?
☐ Yes	☑ No	20. Does permit change require or include subsidence control or monitoring?
☑ Yes	☐ No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
☐ Yes	☑ No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
☐ Yes	☑ No	23. Is this permit change coal exploration activity ☐ inside ☐ outside of the permit area?

☑ **Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.**

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

Val E Payne. VAL E PAYNE, SR. ENV. ENGINEER, OCT. 19, 1994
Signed - Name - Position - Date

Subscribed and sworn to before me this 19 day of October, 19 94
Debra K. Warrington
Notary Public
My Commission Expires: July 9, 19 97
Attest: STATE OF Utah
COUNTY OF Emery

NOTARY PUBLIC
Debra K. Warrington
15 North Main
Huntington, Utah 84528
My Commission Expires
July 9, 1997
STATE OF UTAH

Received by Oil, Gas & Mining

OCT 21

ASSIGNED PERMIT CHANGE NUMBER

Form DOGM - C2 (Last Revised 6/93)

File Folder # 3

Application for Permit Change
Detailed Schedule of Changes to the Permit

Title of Change: PERMIT RENEWAL

Permit Number: ACT/015/009

Mine: TRAIL MOUNTAIN

Permittee: PACIFICORP

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAPTER 1.0, THRU PAGE 1-9, BEAVER CREEK BINDER VOL. 1 - DISCARD
☐ ADD	☑ REPLACE	☐ REMOVE	ALL CHAP. 1, THRU PG. 1-5 (10/21/94) INTO PACIFICORP BINDER VOL. 1
☐ ADD	☐ REPLACE	☑ REMOVE	ALL APPENDIX 1, BEAV. CRK. VOL. 1 - DISCARD OR ARCHIVE
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAP. 2.0, THRU PG. 2-16, BEAV. CRK. BINDER - DISCARD
☐ ADD	☑ REPLACE	☐ REMOVE	ALL CHAP. 2, THRU PG. 2-26 (10/21/94) INTO PACIFICORP VOL. 1
☐ ADD	☐ REPLACE	☑ REMOVE	ALL APDX. 2, BEAV. CRK. BINDER - DISCARD OR ARCHIVE
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAP. 3.0, THRU PG. 3-70, BYR. CRK. BINDER - DISCARD
☐ ADD	☑ REPLACE	☐ REMOVE	ALL CHAP. 3, THRU PG. 3-82 (10/21/94) INTO PACIFICORP VOL. 1
☐ ADD	☐ REPLACE	☑ REMOVE	FIGURES (MAPS) 3-1, 3-1A, 3-1B, 3-6, 3-6D, 3-8, 3-10, 3-12, 3-12A,
☐ ADD	☐ REPLACE	☐ REMOVE	3-16, 3-17, 3-17A, BYR-CRK. BINDER - DISCARD
☐ ADD	☑ REPLACE	☐ REMOVE	PLATES (MAPS) 3-1, 3-1A, 3-1B, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7
☐ ADD	☐ REPLACE	☐ REMOVE	INTO PACIFICORP VOLUME 3
☐ ADD	☐ REPLACE	☑ REMOVE	ALL APDX. 3, BYR. CRK. - PUT INTO PACIFICORP APPENDICES VOLUME
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAPS. 4.0, 5.0 & 6.0 TEXT, BYR. CRK. - PUT IN PACIFICORP VOL 1.
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAPS. 4.0, 5.0 & 6.0 MAPS, BYR. CRK. - PUT IN PACIFICORP VOL. 3
☐ ADD	☐ REPLACE	☑ REMOVE	ALL APDX. 4, 5 & 6, BYR. CRK. BINDER - PUT IN PACIFICORP APPENDICES VOL.
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAPS. 7.0 THRU 12.0 TEXT, BYR. CRK. - PUT IN PACIFICORP VOL. 2
☐ ADD	☐ REPLACE	☑ REMOVE	ALL CHAPS. 7.0 THRU 12.0 MAPS, BYR. CRK. - PUT IN PACIFICORP VOL. 3
☐ ADD	☐ REPLACE	☑ REMOVE	ALL APDX. 7 THRU 12, BYR. CRK. - PUT IN PACIFICORP APPENDICES VOL.
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021
(801) 220-2000
A Division of PacifiCorp

PACIFICORP
POWER SUPPLY

RECEIVED
MAY 31 1995
DIVISION OF OIL
GAS & MINING PRICE UTAH

May 31, 1995

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Attention: Pamela Grubaugh-Littig

Re: PERMIT RENEWAL, PACIFICORP, TRAIL MOUNTAIN MINE, ACT/015/009-94C, EMERY COUNTY, UTAH.

Per the Division letter dated May 3, 1995 please find enclosed twelve (12) finalized copies of the Trail Mountain Permit.

The redline has been removed from the text and three copies are enclosed that should be inserted into binders already supplied to the Division. The remaining nine copies are enclosed in binders. Please inform the appropriate government agencies that receive a copy of this permit to transfer the appendices from the Beaver Creek Coal Company permit into the enclosed binders. In addition the following appendices should be transferred from the Beaver Creek Coal Company lease by application:

Appendix 3-3 (L)	BLM Approval of R2P2
Appendix 4-2 (L)	Federal Coal Lease UTU-64375
Appendix 5-1 (L)	Archaeologic Surveys
Appendix 7-14 (L)	Water Rights
Appendix 7-15 (L)	Drill Hole Water Information
Appendix 8-1 (L)	Prime Farmland Investigation
Appendix 8-2 (L)	Soils Map and Description
Appendix 10-8 (L)	Definition and Explanation of Wildlife Range Areas

Your help is greatly appreciated. If you have any questions please feel free to contact Karl Houskeeper at 687- 4825.

Sincerely,

Val Payne
Sr. Environmental Engineer

KRH/krh

cc: Morgan Moon
J. Blake Webster
File

PACIFICORP
TRAIL MOUNTAIN MINE

CHAPTER 1

INTRODUCTION AND SUMMARY OF PERMIT APPLICATION

PACIFICORP
TRAIL MOUNTAIN MINE

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PACIFICORP

TRAIL MOUNTAIN MINE

APPLICATION FOR MINING PERMIT

The application for mining permit is submitted to the State of Utah, Division of Oil Gas and Mining, in accordance with the Utah Coal Mining and Reclamation Act, Title 40, Chapter 10, U.C.A., 1953 (as amended); the applicable rules and regulatons adopted thereunder, rules R645 approved April 12, 1990 and September 11, 1992; Surface Mining Control & Reclamation Act of 1977 (P.L. 95-87), and applicable regulations adopted thereunder (30 C.F.R. 700, et seq.); the Cooperative Agreement between the State of Utah and the United States Secretary of the Interior, and other applicable laws and regulations.

1.1 INTRODUCTION

PacifiCorp's Trail Mountain Mine is located in Cottonwood Canyon, 12 miles west of Orangeville, Utah (See Figure 1-1).

A mining and reclamation permit, ACT/015/009, which incorporates the Office of Surface Mining (OSM) permit UT-0017, was issued by the State of Utah, Division of Oil, Gas and Mining (DOGM) to Trail Mountain Coal Company on February 19, 1985. The subsequent permit, ACT/015/009-1, was modified to include the Tract II area on April 30, 1987. A permit transfer from Arch Minerals (Trail Mountain Coal Co.) to Beaver Creek Coal Company (Trail Mountain No. 9 Mine) was approved by DOGM on 11/23/87. A permit transfer from Beaver Creek Coal Company (Trail Mountain No. 9 Mine) to PacifiCorp (Trail Mountain Mine) was approved on 11/13/92.

The following Permit Application will focus on the entire mine which from this time forth will be referred to as the Trail Mountain Mine.

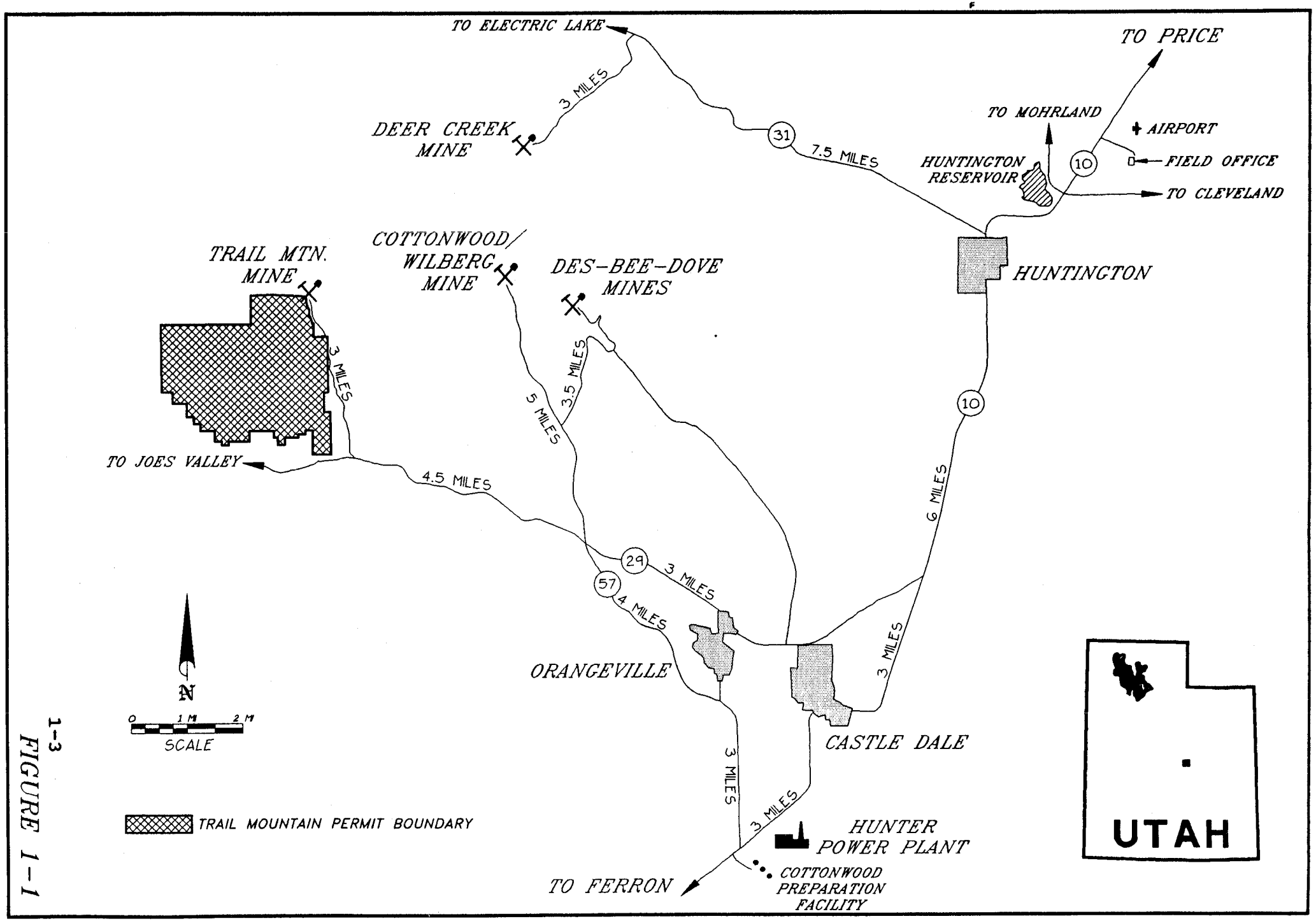
TO ELECTRIC LAKE
TO PRICE
3 MILES
DEER CREEK MINE
31
7.5 MILES
TO MOHRLAND
AIRPORT
HUNTINGTON RESERVOIR
10
FIELD OFFICE
TO CLEVELAND
COTTONWOOD/ WILBERG MINE
TRAIL MTN. MINE
DES-BEE-DOVE MINES
HUNTINGTON
3 MILES
3.5 MILES
5 MILES
10
TO JOES VALLEY
4.5 MILES
6 MILES
29
3 MILES
57
4 MILES
ORANGEVILLE
3 MILES
CASTLE DALE
N
0 1 M 2 M
SCALE
3 MILES
3 MILES
TRAIL MOUNTAIN PERMIT BOUNDARY
HUNTER POWER PLANT
TO FERRON
COTTONWOOD PREPARATION FACILITY
UTAH

FIGURE 1-1

1.2 SOCIOECONOMICS

The Trail Mountain Mine is located in Sections 25, 26, 27, 34, 35 and 36 in T.17S, R 6 E., Sections 1, 2, and 3 in T. 18S, R 6 E. and Section 6 in T. 18S , R 7 E., SLB&M, in Emery County, twelve miles west of Orangeville, Utah.

The Trail Mountain Mine, at the present time, operates with longwalls and continuous miners in the Hiawatha Coal Seam. The Hiawatha seam is the only minable seam in the Trail Mountain Mine area. Trail Mountain Mine works approximately 220 days per year, three shifts per day, eight hours per shift with two production shifts and one maintenance shift. Annual production from Trail Mountain Mine is approximately 3,500,000 to 5,000,000 tons.

Annual production is dictated by the demand requirements of the Hunter Power Plant.

With current reserves, PacifiCorp projects that the longwalls, continuous miners, employees and production will be in place for the duration of this permit term.

There will be a maximum of approximately 300 employees working at the Trail Mountain Mine site.

1.3 Scope of Operation

The Trail Mountain Mine is an underground coal operation located in Sections 25, 26, 27, 34, 35 and 36, Township 17 South, Range 6 East and Sections 1, 2, and 3, Township 18 South, Range 6 East and Section 6, Township 18 South, Range 7 East, Salt Lake Base and Meridian, Emery County, Utah. The mine is located on approximately 4045.78 acres of Federal and State leases and fee coal lands. Annual production of the mine is approximately 3,500,000 to 5,000,000 tons per year.

Underground mining is occurring in the Hiawatha seam of the Blackhawk Formation. Surface facilities, including the offices, bathhouse, shop, storage facilities and tipple are located at the intersection of the coal seam and the canyon floor. Surface facilities occupy approximately 10.02 acres.

1.4 Summary of Environmental Impacts

Similar to many other coal operations along the east front of the Wasatch Plateau, the Trail Mountain Mine is located in a steep walled canyon. Vegetation, soils, geology, hydrology, and wildlife of the mine plan area are typical of the general area.

As mining has been conducted in the area for over 50 years with rather minimal impact to the environmental resources, it is expected that continued operation of the Trail Mountain Mine will also have minimal impact. Impacts are expected to be minimal due to implementation of mining practices which incorporate sound and practical environmental considerations in the mine planning process.

CHAPTER 2

LEGAL, FINANCIAL COMPLIANCE AND RELATED INFORMATION

PACIFICORP

TRAIL MOUNTAIN MINE

PacifiCorp
Trail Mountain Mine

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LEGAL, FINANCIAL, COMPLIANCE, AND RELATED INFORMATION

2.1 Scope

The scope of the legal, financial, compliance and related information chapter of this mining and reclamation plan is to describe the status of the owner of the Trail Mountain Mine and to document its right to mine the property. Sections within this chapter cover the following major topics; identification of interests, right of entry and operation information, other license and permits, location of public office for filing applications, and newspaper publication.

2.2 Identification of Interests

2.2.1 Permit Applicant. The permit applicant, name and address, including telephone number:

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

2.2.2 Owner of Record of Surface Area and of Coal Rights. Every legal or equitable owner of record of the areas to be affected by surface operations and facilities and every legal or equitable owner of record of the coal to be mined:

a) Surface

(i) United States of America
U.S. Forest Service
Manti-LaSal National Forest
599 West River Drive
Price, Utah 84501

(ii) State of Utah
Division of State Lands and Forestry
Three Triad Center, Suite 400
355 West North Temple
Salt Lake City, Utah 84180

(iii) PacifiCorp
201 South Main, Suite 2100
Salt Lake City, Utah 841480-0021

b. Coal

(i) State of Utah
Division of State Lands and Forest
Three Triad Center, Suite 400
355 West North Temple
Salt Lake City, Utah 84180

(ii) United States of America
Dept. of Interior
Bureau of Land Management
Moab District
P.O. Box AB
Price, Utah 84501

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

2.2.3 Holders of Leasehold Interests in Surface Area and of Coal Rights. The holder of record of leasehold interests in areas to be affected by surface operations of facilities and the holders of record of any leasehold interest in the coal to be mined is shown below:

a) Leasehold interest in surface:

None.

b) Leasehold interest in coal:

PacifiCorp	
State Coal Lease No.	ML-22603
Federal Coal Lease No.	U-49332
	U-082996
	UTU-64375

2.2.4 Purchaser of Record Under a Real Estate Contract for Surface Area or Coal. Any purchaser of record under a real estate contract of area to be affected by surface operations and facilities and any purchaser of record under a real estate contract of the coal to be mined:

None.

2.2.5 Operator. The operator, if the operator is a person different from the applicant, including his or her telephone number:

The operator is:

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

2.2.6 Resident Agent. The resident agent of the applicant who will accept service of process, including his or her telephone number:

Val E. Payne
PO Box 1005
Huntington, Utah 84528
(801) 653-2312

2.2.7 Business Designation. A statement of whether the applicant is a corporation, partnership, single proprietorship, association or other business entity:

PacifiCorp, an Oregon Corporation, with an office located at One Utah Center, Suite 2100, 201 South Main Salt Lake City, Utah 84140-0021, 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 can be held responsible for payment of the reclamation fee.

2.2.7.1 Officers and Directors of the Applicant. The names and addresses of every officer, partner, director, or other person performing a function similar to a director of the applicant:

PACIFICORP OFFICERS

NAME	ADDRESS
Fredrick W. Buckman Date Position Assumed 2-1-94	President and Chief Executive Officer 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116

PacifiCorp
Trail Mountain Mine

NAME	ADDRESS
A.M. Gleason Date Position Assumed 2-1-94	Vice Chairman 805 Broadway Vancouver, WA 98660
William J. Glasgow Date Position Assumed 2-1-92	Sr. Vice President and Chief Financial Officer 700 NE Multnomah, Suite 1600 Portland, OR 97232-4166
Verl R. Topham Date Position Assumed 5-27-94	Sr. Vice President and General Counsel 201 South Main, Suite 2300 Salt Lake City, UT 84140
John A. Bohling Date Position Assumed 2-17-93	Sr. Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Shelly R. Faigle Date Position Assumed 2-19-92	Sr. Vice President 920 SW Sixth Avenue, Suite 1000 Portland, OR 97204
Paul G. Lorenzini Date Position Assumed 5-27-94	Sr. Vice President 920 SW Sixth Avenue, Suite 1000 Portland, OR 97204
Daniel L. Spalding Date Position Assumed 5-1-80	Sr. Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Dennis P. Steinberg Date Position Assumed 5-11-94	Sr. Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Harry A. Haycock Date Position Resigned 6-94	Sr. Vice President 201 South Main, Suite 2300 Salt Lake City, UT 84140
Sally A. Nofziger Date Position Assumed 5-1-80	Vice President and Corporate Secretary 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
William C. Brauer Date Position Assumed 2-19-92	Vice President 201 South Main, 2300 OUC Salt Lake City, UT 84140

PacifiCorp
Trail Mountain Mine

NAME	ADDRESS
David P. Hoffman Date Position Assumed 5-11-94	Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Thomas J. Imeson Date Position Assumed 11-28-90	Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Robert F. Lanz Date Position Assumed 10-78	Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Richard T. O'Brien Date Position Assumed 8-18-93	Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Michael J. Pittman Date Position Assumed 5-19-93	Vice President 920 SW Sixth Avenue, Suite 1100 Portland, OR 97204
Ernest E. Wessman Date Position Assumed 5-19-93	Vice President 201 South Main, Suite 2100 Salt Lake City, UT 84101
Stan M. Marks Date Positions Resigned 6-94	Vice President 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
William E. Peressini Date Position Assumed 1-1-94	Treasurer 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Jacqueline S. Bell Date Position Assumed 5-17-89	Controller 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Lenore M. Martin Date Position Assumed 7-8-87	Assistant Secretary 700 NE Multnomah, Suite 700 Portland, OR 97232-4116

PacifiCorp
Trail Mountain Mine

NAME	ADDRESS
Marsha E. Carroll Date Position Assumed 8-19-92	Assistant Secretary 700 NE Multnomah, Suite 700 Portland, OR 97232-4116
John Detjens III Date Position Assumed 7-10-85	Assistant Secretary 700 NE Multnomah, Suite 950 Portland, OR 97232-4116
John M. Schweitzer Date Position Assumed 6-13-84	Assistant Secretary 700 NE Multnomah, Suite 950 Portland, OR 97232-4116
John R. Stageberg Date Position Assumed 8-15-90	Assistant Treasurer 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116
Bruce N. Williams Date Position Assumed 8-15-90	Assistant Treasurer 700 NE Multnomah, Suite 1600 Portland, OR 97232-4116

PacifiCorp
Trail Mountain Mine

UTAH POWER & LIGHT COMPANY DIVISION OFFICERS

NAME	ADDRESS
John E. Mooney Date Position Assumed 9-1-91	Executive Vice President 201 South Main, Suite 2300 Salt Lake City, UT 84140
Thomas W. Forsgren Date Position Assumed 1-9-89	Vice President 40 East 100 South Salt Lake City, UT 84111
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 2484 Washington Blvd., Suite 400 Ogden, UT 84401
H. Arnold Wagner Date Position Assumed 8-19-92	Controller and Assistant Secretary 201 South Main, Suite 700 Salt Lake City, UT 84140

PacifiCorp
Trail Mountain Mine

PACIFIC POWER & LIGHT COMPANY DIVISION OFFICERS

NAME	ADDRESS
Diana E. Snowden Date Position Assumed 1-8-86	Sr. Vice President 920 SW Sixth Avenue, Suite 1500 Portland, OR 97204
Thomas A. Lockhart Date Position Assumed 2-15-89	Vice President 1607 CY Avenue 82604 PO Box 720 Casper, WY 82602
CK Ferguson Date Position Assumed 6-9-82	Assistant Secretary 920 SW Sixth Avenue, Mezz-PSB Portland, OR 97204

DIRECTORS OF PACIFICORP

Fredrick W. Buckman
700 NE Multnomah, Suite 1600
Portland, OR 97232-4116
Date Position Assumed 2-9-94

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

Stanley K. Hathaway
Hathaway, Speight, Kunz & Trautwein
PO Box 1208
Cheyenne, WY 82003-1208
Date Position Resigned 8-10-94

C.M. Bishop, Jr.
Pendleton Woolen Mills
PO Box 3030
Portland, OR 97208
Date Position Assumed 3-11-70

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

A.M. Gleason
700 NE Multnomah, Suite 1600
Portland, OR 97232-4116
Date Position Assumed 2-1-94

Verl R. Topham
201 South Main, Suite 2300
Salt Lake City, UT 84140
Date Position Assumed 5-27-94

C. Todd Conover
3 Polo Field Land
Denver, CO 80202
Date Position Assumed 8-21-91

Keith R. McKennon
Chairman of the Board
825 NE Multnomah, Suite 1055
Portland, OR 97232
Date Position Assumed 2-9-94

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

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

Nolan E. Karras
Investment Management & Research, Inc.
4695 South 1900 West #3
Roy, UT 84067
Date Position Assumed 2-17-93

Robert G. Miller
PO Box 42121
Portland, OR 97242
Date Position Assumed 8-10-94

2.2.7.2 Principal Shareholder of the Applicant. The name and address of any person who is a principal shareholder of the applicant:

No single shareholder holds in excess of 5% of the stock. There are a total of 123.2 million shares of PacifiCorp.

2.2.7.3 Names Under Which Applicant and Principal Shareholder Operated U.S. Coal Mines. Names under which the applicant, partner, or principal shareholder previously operated underground or surface coal mining operations in the United States within the five years preceding the date of application:

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 and Light Company Mining Division as the mine operator. Utah Power and Light Company assumed operations of its mines on April 27, 1986, replacing Emery Mining Corporation as its operator.

2.2.7.4 Principals, Officers and Resident Agents. If any owner, holder, purchaser, or operator identified under paragraph 2.2. of this section is a business entity other than a single proprietor, the application shall contain the names and addresses of their respective principals, officers and resident agents.

The officers and directors of PacifiCorp, the owner identified in 2.2.2, are the same as the applicant in Section 2.2.7.1.

2.2.8 Current, Pending or Previous Coal Mining Permits. A statement of any current or previous coal mining permits in the United States held by the Applicant subsequent to 1970 and by any person identified in paragraph 2.2.7.3 of this section and of any pending permit application to conduct underground or surface coal mining activities in the United States. The information shall be listed by permit or application number and identify the division for each of those coal mining operations:

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

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

2.2.9 Owner of Record of Surface and Subsurface Areas Contiguous to Proposed Permit Area. The names and addresses of the owners of record of all surface and subsurface areas contiguous to any part of the proposed permit area:

a) Contiguous Surface

i) United States of America
Manti-LaSal National Forest
599 Price River Drive
Price, Utah 84501

ii) United States of America
Bureau of Land Management
Moab District
P.O. Box Ab
Price, Utah 84501

iii) Corporation of the Presiding
Bishop of the Church of Jesus Christ
of Latter-Day Saints
50 East North Temple
Salt Lake City, Utah 84111

b) Contiguous Subsurface

i) United States of America
Bureau of Land Management
Moab District

P.O. Box Ab
Price, Utah 84501

ii) Corporation of the Presiding
Bishop of the Church of Jesus Christ
of Latter-Day Saints
50 East North Temple
Salt Lake City, Utah 84111

iii) PacifiCorp
201 South Main, Suite 2100
Salt Lake City, Utah 84140

2.2.10 Mine Name and MSHA Identification. The name of the proposed mine and the Mine Safety and Health Administration identification number for the mine and all sections:

a) Mine Name

Trail Mountain Mine (formerly Trail Mountain No. 9 Mine)

b) MSHA Identification Number

42-01211

2.2.11 Applicant's Interest in Areas Contiguous to Proposed Permit Area. A statement of all lands, interests in lands, options or pending bids on interests held or made by the applicant for lands which are contiguous to the area to be covered by the permit:

Applicant currently holds two Federal Coal leases (U-083066 and U-47978) portions of which are contiguous to the Trail Mountain Mine permit area.

The Applicant has also filed an application for leasing under the Lease-on-Application procedures for the Cottonwood Canyon/North Trail Mountain area which is contiguous to the current Trail Mountain Mine Permit Area.

2.3 Compliance Information.

2.3.1 Status of Mining Permits or Bonds. A statement of whether the applicant, any subsidiary, affiliate or person controlled by or under common control has had any federal or state mining permits suspended or revoked in the last five years or has forfeited a mining bond or security deposit:

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.

2.3.2 Suspension, Revocation or Forfeiture. Each application shall describe all proceedings identified under 2.3.1 and the status of any suspension, revocation of forfeiture proceedings:

None.

2.3.3 Compliance Information. A list of all notices of violation received by the applicant in the past 3 years for violations pertaining to air or water environmental protection:

See Pages 2-14 & 2-15.

NOV INFORMATION

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
				Energy West Mining Company					
04/10/92	Des-Bee-Dove	ACT/015/017	92-26-1-1 DOGM	Failure to maintain road drainage	$280.00	Terminated	05/19/92		42-00988 42-00082 42-01393
12/02/93	Des-Bee-Dove	ACT/015/017	93-020-190-05 OSM	Failure to control erosion		Abatement	01/13/94		
9/15/94	Des-Bee-Dove	ACT/015/017	94-020-370-002 OSM	Failure to obtain permit		Pending	9/16/94	Temp Relief granted	
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	$280.00	Terminated	06/04/92	Silt fences repaired	42-00121 6/77
9/24/92	Deer Creek	ACT/015/018	92-7-3-1 DOGM	Failure to maintain sediment control	$100.00	Terminated	10/22/92	Remedial action required by 10/21/92	42-00121 6/77
9/16/93	Deer Creek	ACT/015/018	93-7-1-3 DOGM	Failure to conduct mining activities in accordance with approved plan - Lower terrace	$500.00	Modified	12/20/93	Abatement submitted	42-00121
6/27/94	Deet Creek	ACT/015/018	94-25-1-1 DOGM	Mining without a permit	Undetermined-	Pending	8/9/94	Hearing	42-00121
03/27/92	Cottonwood Wilberg	ACT/015/019	92-32-6-1 DOGM	Conducting coal mining and reclamation operations outside the approved disturbed area.	$400.00	Terminated	05/06/92	Assessment conference held 6/17/92	42-01944 7/85
10/2/92	Cottonwood Wilberg	ACT/015/019	92-34-1-1 DOGM	Failure to conduct mining in accordance with approved PAP	$640.00	Terminated	10/22/92	Submit plans for mine discharge by 10/20/92	
				CENTRALIA MINING COMPANY					
09/15/93	Centralia WTDCO	WA-0001C	93-011-392-2 1 of 2 OSM	Failure to respond to revision order	$1900.00	Terminated			45-00416
			93-011-392-2	Static Safety Factor					

NOV Date	Pit/Mine	Permit No.	NOV #/Agency	Nature	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
				BRIDGER COAL COMPANY					
07/22/92	BCC	338-T2	2399-92 AQD	Failure to control dust			01/06/93	Remediation plan approved	45-00677
09/03/92	BCC	338-T2	100306 LQD	Contaminated ground water and soil		Pending	10/12/92	Remedial action is progressing	48-00677
11/19/92	BCC	338-T2	100309 Pt.1 LQD	Failure to strip topsoil before affecting area		Terminated	12/19/92	Remedial action completed	48-00677
11/19/92	BCC	338-T2	100309 Pt.2 LQD	Failure to route all surface runoff from stockpiled coal		Terminated	12/19/92	Remedial action completed	48-00677
06/03/93	BCC	338-T3	100263 LQD	Failure to control sediment	$1000.00	Terminated	01/06/93	Sediment removed	45-00677
10/22/93	BCC	338-T3	100274 LQD	Operating off permit	$3000.00	Abated	01/06/93	IBR submitted	45-00677

GLENROCK COAL COMPANY

None

2.4 Right of Entry and Operation Information. A description of the documents upon which the applicant bases its legal right to enter and begin underground coal activities in the permit area and whether the rights are the subject of pending litigation. For underground activities where operations involve the surface mining of coal, evidence of the right to surface mine must be provided:

a) Documents Established Rights

(i) United States Coal Lease No. U-082996 dated effective July 1, 1962, covering the following land:

T. 17 S., R. 6 E., S.L.B. & M.
Section 25: E1/2E1/2SW1/4, SW1/4SE1/4:

(ii) United States Coal Lease No. U-49332 dated effective March 1, 1983, covering the following land:

T. 17 S., R. 6 E., S L.B. & M.

Section 25:	S1/2NW1/4, W1/2SW1/4, W1/2E1/2SW1/4.
Section 26:	SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4,
Section 35:	Lots 1 and 2, SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4:

(iii) State of Utah Coal Lease No. ML-22603 dated effective February 8, 1965, covering the following land:

T. 17S, R 6 E., S.L.B. & M.
Section 36: All:

(iv) Private Land obtained under Warranty Deed dated September 30, 1992 from Mountain Coal Company to PacifiCorp, covering the following lands:

T. 17 S., R. 6 E., S.L.B. & M.
Section 25: Beginning at the SW corner of the NW1/4SE1/4, then north 160 rods, then east 44 rods to the centerline of Cottonwood Creek, then south along the

centerline to a point 76 rods east of the point of beginning then west 76 rods to the point of beginning.

(v) United States Coal Lease No. UTU-64375 dated effective June 30, 1990, covering the following lands:

T. 17 S., R. 6 E., S.L.B. & M.

Section 26:	S1/2SW1/4, W1/2SW1/4SE1/4;
Section 27:	S1/2S1/2;
Section 34:	All;
Section 35:	Lots 3 and 4, W1/2SW1/4NE1/4, S1/2NW1/4,SW1/4,W1/2W1/2SE1/4.

T. 18 S., R. 6 E., S.L.B. & M.

Section 1:	Lots 1 thru 8, 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 thru 8, S1/2N1/2, N1/2NE1/4SW1/4,N1/2SW1/4NE1/4SW1/4, SE1/4NE1/4SW1/4, N21/4NE1/4SE1/4, N1/2SW1/4NE1/4SE1/4, N1/2NW1/4SE1/4, N1/2S1/2NW1/4SE1/4
Section 3:	Lots 1, 2 and 8, NE1/4SE1/4NE1/4

T. 18 S., R. 7 E., S.L.B. & M.

Section 6:	Lots 4 thru 7, W1/2SE1/4NW1/4, S1/2E1/2SW1/4

containing 2,630.81 acres more or less.

b) Pending Litigation

None.

c) Surface Mining Rights

None.

2.5 Relationship to areas Designated Unsuitable for Mining. The

relationship of the permit area to possible areas designated as being unsuitable for mining, whether an exemption is claimed under the regulations, and whether surface operations will be conducted within 300 feet of occupied dwellings:

a) Areas Designated Unsuitable for Mining

The proposed permit area is not within an area designated unsuitable for the surface effects of underground coal mine activities under R645. Neither is the proposed permit area under study for designation in an administrative proceeding initiated under those parts. Mining would not affect renewable resource lands and would not result in substantial losses of food, fiber, or water supply. The permit area contains no prime farmland or merchandisable timber. Mining would not affect natural hazard lands and thereby endanger life and property. In addition, the permit area includes no cemeteries, no national trails, no wild and scenic rivers, no wilderness or wilderness study areas, and no sufficient harvestable forest cover.

b) Exemption

The applicant does not claim exemption.

c) Dwellings

There are no occupied dwellings within 5 miles of the proposed permit area.

2.6 Permit Term Information. The number of surface acres to be affected and the horizontal and vertical extent of the workings:

a) Surface Acres Affected

The number of surface acres to be disturbed by the operation is 10.02 acres. In addition, the entire 4045.78 acres of the permit area has some potential to be affected by underground mining.

b) Horizontal Extent of Underground Workings

All 4045.78 acres of the permit area will be affected by underground development.

c) 2.6.3 Vertical Extent of Workings

The work performed within the permit area will remain within the Hiawatha seam. The Hiawatha seam is the only minable seam in the area.

d) Permit Term
This permit will be for the term of the previous permit - starting on February 21, 1995 through February 20, 2000. The permit is expected to be renewed at 5 year intervals throughout the life of the mine.

2.7 Personal Injury and Property Damage Insurance Information. A certificate of liability insurance or evidence that the self insurance requirements are satisfied.

See Pages 2-20 & 2-21.

ACORD. CERTIFICATE OF INSURANCE [redacted] 5747 (SJC)

ISSUE DATE (MM/DD/YY) 2/16/94

PRODUCER	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.
Marsh & McLennan, Incorporated 2700 U.S. Bank Tower 111 S.W. 5th Avenue Portland, OR 97204 Darryl W. Hill	**COMPANIES AFFORDING COVERAGE** COMPANY LETTER A AEGIS INSURANCE SERVICES INC. COMPANY LETTER B COMPANY LETTER C COMPANY LETTER D COMPANY LETTER E
INSURED PacifiCorp dba Pacific Power & Light and dba Utah Power & Light 920 SW Sixth Portland, OR 97204	

COVERAGES

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

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [X] CLAIMS MADE [ ] OCCUR. [ ] OWNER'S & CONTRACTOR'S PROT. [ ]	XO296A1A94	2/24/94	2/24/95	GENERAL AGGREGATE	$ 1000000
					PRODUCTS-COMP/OP AGG.	$
					PERSONAL & ADV. INJURY	$
					EACH OCCURRENCE	$ 1000000
					FIRE DAMAGE (Any one fire)	$
					MED. EXPENSE (Any one person)	$
	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS [ ] GARAGE LIABILITY				COMBINED SINGLE LIMIT	$
					BODILY INJURY (Per person)	$
					BODILY INJURY (Per accident)	$
					PROPERTY DAMAGE	$
A	EXCESS LIABILITY [ ] UMBRELLA FORM [X] OTHER THAN UMBRELLA FORM	XO296A1A94 Per AEGIS Certificate number 28181 attached	2/24/94	2/24/95	EACH OCCURRENCE	$ 35000000
					AGGREGATE	$ 35000000
	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY LIMITS	
					EACH ACCIDENT	$
					DISEASE-POLICY LIMIT	$
					DISEASE-EACH EMPLOYEE	$
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

(SEE REVERSE AND/OR ATTACHED)

CERTIFICATE HOLDER	CANCELLATION
State of Utah, Dept. of Natural Resources, Division of Oil & Gas 356 W North Temple Salt Lake City, UT 84180-1203	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL XXXXXXXX MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX AUTHORIZED REPRESENTATIVE Sandra L. Johnson ORIGINAL COPY

Form B (Additional Insured)

Certificate Number: 28181

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") or modifies 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 S.W. 6th, Portland, OR 97204

POLICY NUMBER: XO296A1A94	POLICY PERIOD:	From:	2-24-94
		To:	2-24-95

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 to explosions is covered. Insurance Company will notify State of Utah of any 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: 2-24-94

ISSUED TO: The State of Utah, Dept. of Natural Resources
Division of Oil and Gas ("Certificate Holder")

ADDRESS: 356 West North Temple
Salt Lake City, UT 84180-1203

AEGIS INSURANCE SERVICES, INC.

BY: Sandra A. [signature]
At Jersey City, New Jersey

ORIGINAL COPY

[illegible]
9001 (8/87)

Copies: White-Certificate Holder; Canary-Aegis Insurance Services, Inc.; Pink-Insured; Goldenrod-Broker

2.8 Proposed Performance Bond. A proposed performance bond in the name of PacifiCorp is secured.

2.9 Identification of Other Licenses and Permits. A list of all other licenses and permits under applicable state and federal law needed by the applicant to conduct underground coal mining activities:

		DATE OF APPROVAL
Mining Permit UT-0017	US Dept. of Interior Office of Surface Mining Brooks Towers 1020 15th Street Denver, CO 80202	2-19-85
Mining Permit ACT-015/009	State of Utah Division of Oil, Gas and Mining 355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, UT 84180	2-19-85
Utah Pollutant Discharge Elimination System Permit UTG040003	Utah Dept. of Health PO Box 16690 Salt Lake City, UT 84116	5-1-89
Permit Approval on Sediment Pond (less than 2 ac.ft.)	Utah Dept. of Health PO Box 16690 Salt Lake City, UT 84116 Utah Dept. of Natural Resources State Engineer 288 N. 1460 W. Salt Lake City, UT 84116	N/A
Special Use Permit	US Forest Service Manti-LaSal National Forest 599 Price River Drive Price, UT 84501	11-3-80
Current MSHA ID #42-01211	US Dept. of Labor MSHA PO Box 25367 Denver, CO 80225	3-22-83

2.10 Identification of Location of Public Office for Filing of Application. PacifiCorp will simultaneously file a complete copy of this permit application for public inspection with:

a) Emery County Recorder
Emery County Courthouse
Castle Dale, Utah

b) Utah Division of Oil, Gas and Mining
3 Triad Center, Suite 350
355 West North Temple
Salt Lake City, Utah 84180-1203

2.11 Newspaper Advertisement and Proof of Publication. Upon filing of the permit application with the Division of Oil, Gas and Mining, the applicant will also file an advertisement in the Emery County Progress, local newspaper with circulation in Carbon and Emery Counties sufficient to cover the locality of the applicants operations. This advertisement will be run as required. A copy of the proposed advertisement is attached.

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/015/009 for the Trail Mountain 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. Said comments must be submitted within thirty (30)

days from the date of last publication of this notice.

The area to be mined is contained on the U.S.G.S. 7.5 minute "Mahogany Point" quadrangle map. A map depicting the general area of the Trail Mountain Mine is published herewith.

Approximately 4,045 acres are contained in the permit area described as follows:

Township 17 South, Range 6 East, SLB&M

Section 25: E1/2E1/2SW1/4, SW1/4SE1/4, S1/2NW1/4, W1/2SW1/4,W1/2E1/2SW1/4

Beginning at the SW corner of the NW1/4SE1/4, then north 160 rods, then east 44 rods to the centerline of Cottonwood Creek, then south along the centerline to a point 76 rods east of the point of beginning then west 76 rods to the point of beginning.

Section 26: SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, S1/2SW1/4, W1/2SW1/4SE1/4

Section 27: S1/2S1/2

Section 34: All

Section 35: Lots 1, 2, 3 and 4, SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4,E1/2W1/2SE1/4, W1/2SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2W1/2SE1/4

Section 36: All

Township 18 South, Range 6 East, SLB&M

Section 1: Lots 1 thru 8, S1/2N1/2, E1/2NE1/4SW1/4, E1/2NW1/4NE1/4SW1/4, N1/2NW1/4NE1/4SE1/4, N1/2NW1/4SE1/4

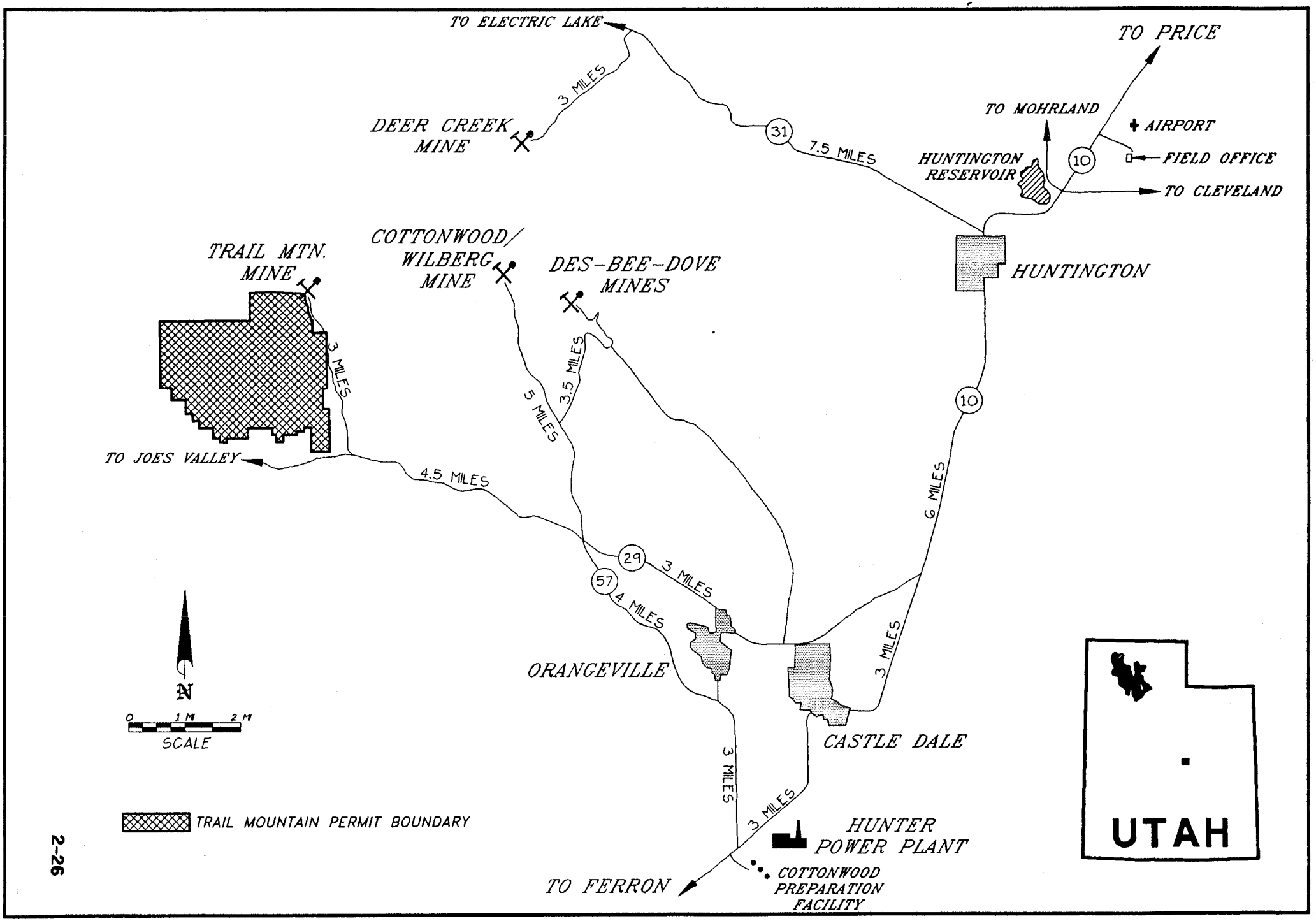
Section 2: Lots 1 thru 8, S1/2N1/2, N1/2NE1/4SW1/4, N1/2SW1/4NE1/4SW1/4, SE1/4NE1/4SW1/4, NE1/4NE1/4SE1/4, N1/2SW1/4NE1/4SE1/4, N1/2NW1/4SE1/4, N1/2S1/2NW1/4SE1/4

PacifiCorp
Trail Mountain Mine

Section 3: Lots 1, 2 and 8,
NE1/4SE1/4NE1/4

Township 18 South, Range 7 East, SLB&M

Section 6: Lots 4 thru 7,
W1/2SE1/4NW1/4, S1/2E1/2SW1/4


TO ELECTRIC LAKE
TO PRICE
3 MILES
DEER CREEK MINE
31
7.5 MILES
TO MOHRLAND
AIRPORT
HUNTINGTON RESERVOIR
10
FIELD OFFICE
TO CLEVELAND
TRAIL MTN. MINE
COTTONWOOD/ WILBERG MINE
DES-BEE-DOVE MINES
HUNTINGTON
3 MILES
3.5 MILES
5 MILES
10
TO JOES VALLEY
4.5 MILES
6 MILES
29
3 MILES
57
4 MILES
ORANGEVILLE
3 MILES
N
0 1 M 2 M
SCALE
CASTLE DALE
3 MILES
3 MILES
TRAIL MOUNTAIN PERMIT BOUNDARY
HUNTER POWER PLANT
TO FERRON
COTTONWOOD PREPARATION FACILITY
UTAH

CHAPTER 3

OPERATIONAL AND RECLAMATION PLAN

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OPERATION AND RECLAMATION PLAN

3.1 SCOPE

Chapter 3 sets out the plans that PacifiCorp intends to undertake during the permit term and life of the operation. The chapter is divided into five sections: surface facilities, operation plan, environmental protection, reclamation plan, and bibliography.

3.2 SURFACE FACILITIES

The Trail Mountain Mine is an existing operation that was started in the 1940's. All surface facilities are in place under an approved mining and reclamation plan ACT/015/009.

3.2.1 SITE SELECTION AND PREPARATION

The mine site was selected for its location. Access to the coal seam is facilitated by the intersection at the mine site of the coal outcrop and the canyon floor.

Site preparation consisted of clearing the site, construction of pads and facilities, and development of portals.

3.2.2 PORTALS

Five portals provide access to the Trail Mountain Mine. One portal located on the corner of the outcrop of Cottonwood Canyon and a small side-drainage canyon is a fan portal. The second portal, 150 feet south of the fan portal, is the main intake and travel portal. The third portal is the belt portal. It is located just to the south of the main portal. The fourth portal is south of the belt portal and is used as a ventilation portal.

A fifth portal has been driven to the outside approximately 1000′ south of the fourth portal. This is a ventilation portal, and surfaces just south of the old sealed entry at this location. Complete description of this project is found in Appendix 3-7. (See Plate 3-1 for locations).

An old sealed entry is found 500 feet south of the fourth portal (ventilation portal). It is not used in this operation.

3.2.3 SURFACE BUILDINGS AND STRUCTURES

The buildings and structures associated with the Trail Mountain Mine are shown in Plate 3-1. They consist of an office, bathhouse, shop, power substation, fan control house, coal handling system, explosives magazines, fuel storage area, and sediment control facilities. The office, shop, sub-station, fan control house, fuel storage area, and sediment controls were all in place prior to 1987. A new bathhouse, coal handling facility, explosive magazines, ventilation portal, and culinary water system were added in late 1990. The main canyon culvert was also extended approximately 300′ at that time. Since PacifiCorp purchased the Trail Mountain Mine in 1992 surface modifications have taken place such as, concrete portal liners, new travel portal, new twin fan, new fuel storage area, high pressure water building and tank, relocation of water treatment plant, storage shed, storage dock, modified ROM transfer and a new 60″ overland tube conveyor. See Appendix 3-4 for the Operation Plan for the structures. Also see Appendices 3-7, 3-8, 3-9, 3-10 and 7-13 for details on the new facilities.

3.2.4 COAL HANDLING, PROCESSING, PREPARATION AND STORAGE

Coal in the Trail Mountain Mine is mined by longwalls and continuous miners. The 48 inch section belts transfers coal to the 60 inch main belt. The 60 inch main belt brings the coal to the surface where a magnet at the ROM transfer removes metal from the coal stream. The coal can then be shipped on a 60 inch belt to the Cottonwood Mine via the tube conveyor or can be shipped to the 575 ton silo and coal storage area via the crusher and the 54 inch belt. When the coal is shipped to the Cottonwood Mine it is sized from 16″ x 0″ run of mine to 6″ x 0″. When the coal is shipped to the Trail Mountain Facilities it passes through a crusher. The crusher at the Trail Mountain Mine has the capability of sizing the coal from 16″ x 0″ through 2″ x 0″. The crushed coal is then conveyed to a 575-Ton bin where it is loaded by a short belt into on-road trucks for shipment. In the event the crusher fails or the bin is full, coal will be diverted by a flop gate into a chute and placed in an open storage pile. Figure 3-1 shows a generalized schematic of the coal handling system. Appendix 3-8 describes further details on the coal handling system.

3.2.5 POWER SYSTEM TRANSMISSION LINES, SUBSTATION, MINE FEEDERS

The present utility power is supplied by Utah Power at 25,000 volts, 60 HZ, 3 . This incoming line supplies the mine substation located south of the office building. The existing 25,000 volts primary, 12,470 volts secondary, substation rate at 7500 KVA is

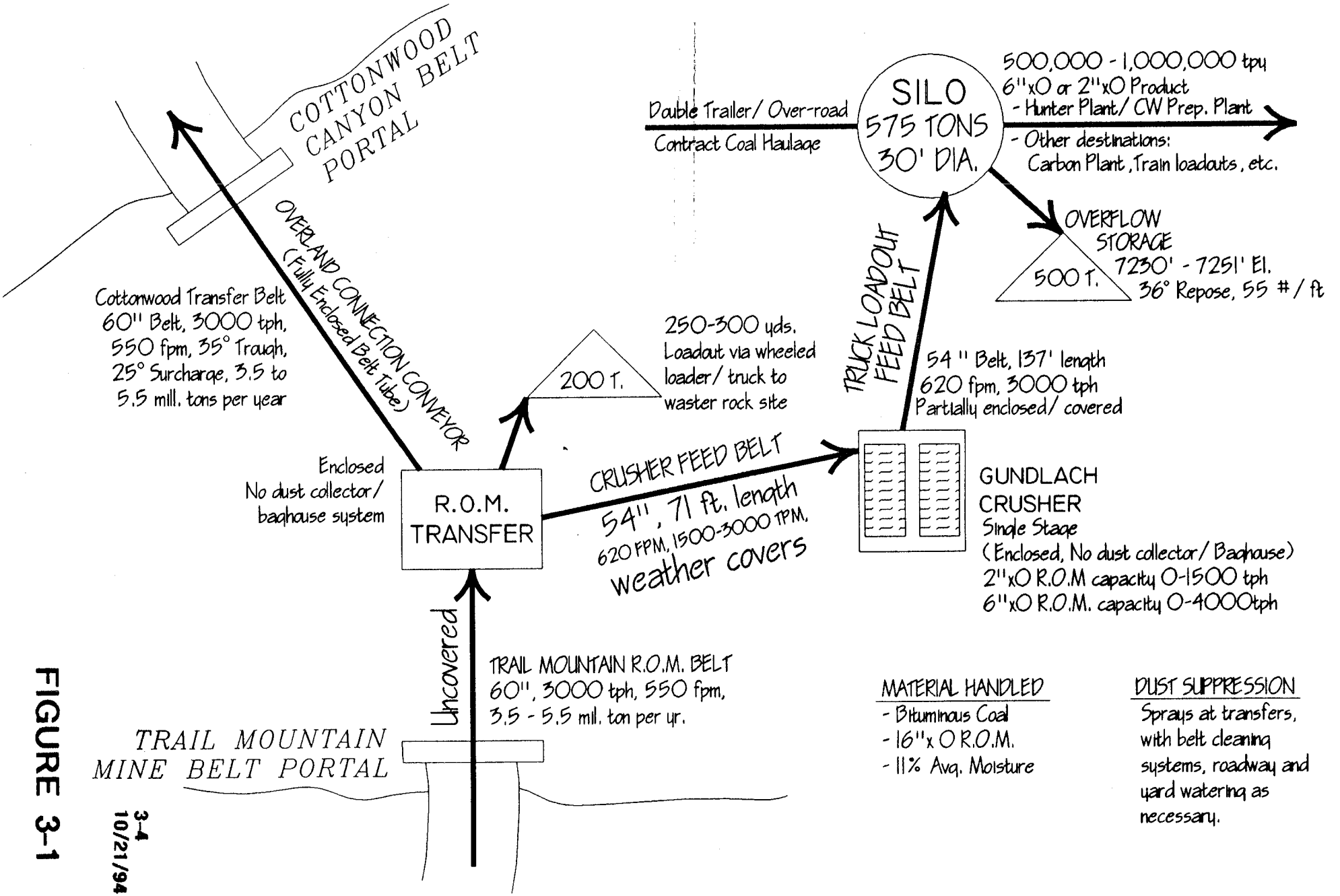

COTTONWOOD CANYON BELT PORTAL
OVERLAND CONNECTION CONVEYOR (Fully Enclosed Belt Tube)
Cottonwood Transfer Belt
60" Belt, 3000 tph, 550 fpm, 35° Trough, 25° Surcharge, 3.5 to 5.5 mill. tons per year
Double Trailer/ Over-road Contract Coal Haulage
SILO
575 TONS
30' DIA.
500,000 - 1,000,000 tpy
6"xO or 2"xO Product
- Hunter Plant/ CW Prep. Plant
- Other destinations: Carbon Plant, Train loadouts, etc.
OVERFLOW STORAGE
500 T.
7230' - 7251' El.
36° Repose, 55 #/ft
TRUCK LOADOUT FEED BELT
54" Belt, 137' length
620 fpm, 3000 tph
Partially enclosed/ covered
200 T.
250-300 yds.
Loadout via wheeled loader/ truck to waster rock site
Enclosed
No dust collector/ baghouse system
R.O.M. TRANSFER
CRUSHER FEED BELT
54", 71 ft. length
620 FPM, 1500-3000 TPM,
weather covers
GUNDLACH CRUSHER
Single Stage
(Enclosed, No dust collector/ Baghouse)
2"xO R.O.M capacity 0-1500 tph
6"xO R.O.M. capacity 0-4000tph
Uncovered
TRAIL MOUNTAIN R.O.M. BELT
60", 3000 tph, 550 fpm,
3.5 - 5.5 mill. ton per yr.
TRAIL MOUNTAIN MINE BELT PORTAL
MATERIAL HANDLED
- Bituminous Coal
- 16"x O R.O.M.
- 11% Avg. Moisture
DUST SUPPRESSION
Sprays at transfers, with belt cleaning systems, roadway and yard watering as necessary.

FIGURE 3-1

connected to this transmission line in a delta primary, wye secondary configuration for underground distribution.

Underground power is distributed by three (3) 4/0 mine feeder cables at 12,470 volts. At each working section, belt drive location, compressor station, high pressure pump station, etc., a transformer reduces the 12,470 volts to 950/480 machine voltage.

A 400 KVA 4160 volt primary, 480 volt secondary transformer supplies power to miscellaneous surface areas (tipple, shop, etc.). The mine office receives power from a pole mounted 480/220/120 transformer.

A proposed system scheduled to be in service as of August 5, 1995 will consist of the following: The incoming utility power will be supplied by Utah Power at 69,000 volts, 60 HZ, 3 . This line will supply two (2) identical substation transformers (one of which will be a standby/backup unit) rated at 10 MVA. These transformers will be located southwest of the office building. The primary voltage will be 69,000 volts delta connected and the secondary will be 12,470 volts wye connected. The existing 7500 KVA transformer will remain in place for a secondary backup power system. All power from the substation on will remain the same as mentioned above.

3.2.6 WATER SUPPLY SYSTEM

The culinary water supply for the Trail Mountain Mine is drawn from underground mine water. Mine water is collected in an underground sump and skimmed of oil. Approximately 10,000 gallons per day of this water is prepared in the treatment

plant for use as potable water. Some mine water is used for wash down. Water is treated on the surface at a maximum rate of 10 gpm and then stored in two 22,000 gallon capacity fresh water storage tanks. The treatment plant and process are approved by the State of Utah, Department of Environmental Quality, Division of Drinking Water. A schematic of the water system is shown in Figure 3-2. This systems is connected to the mine water system at the belt portal location. If the need should develop for filling water trucks, or supplying alternate water to the mine or surface system, this water would be drawn from the 2-22,000 gallon surface storage tanks referred to in Figure 3-2 (see Figure 3-3 for underground water system).

3.2.7 SEWAGE SYSTEM

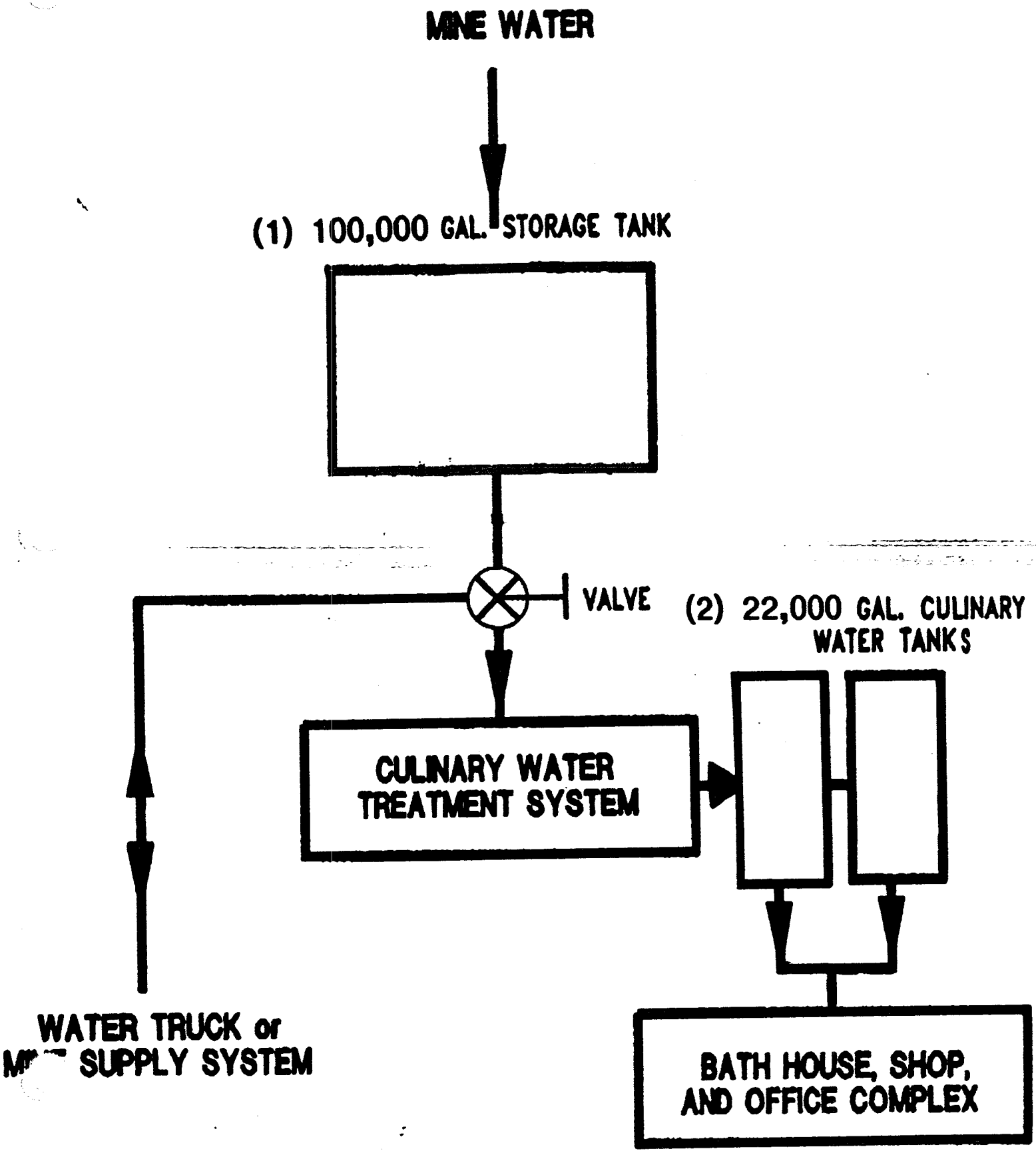
A septic tank and leach field arrangement supply sewage treatment. The septic tank is located near the southeast corner of the office building. The leach field extends approximately 120 feet south of the septic tank. The system is used by approximately 300 people.

3.2.8 WATER DIVERSION STRUCTURES

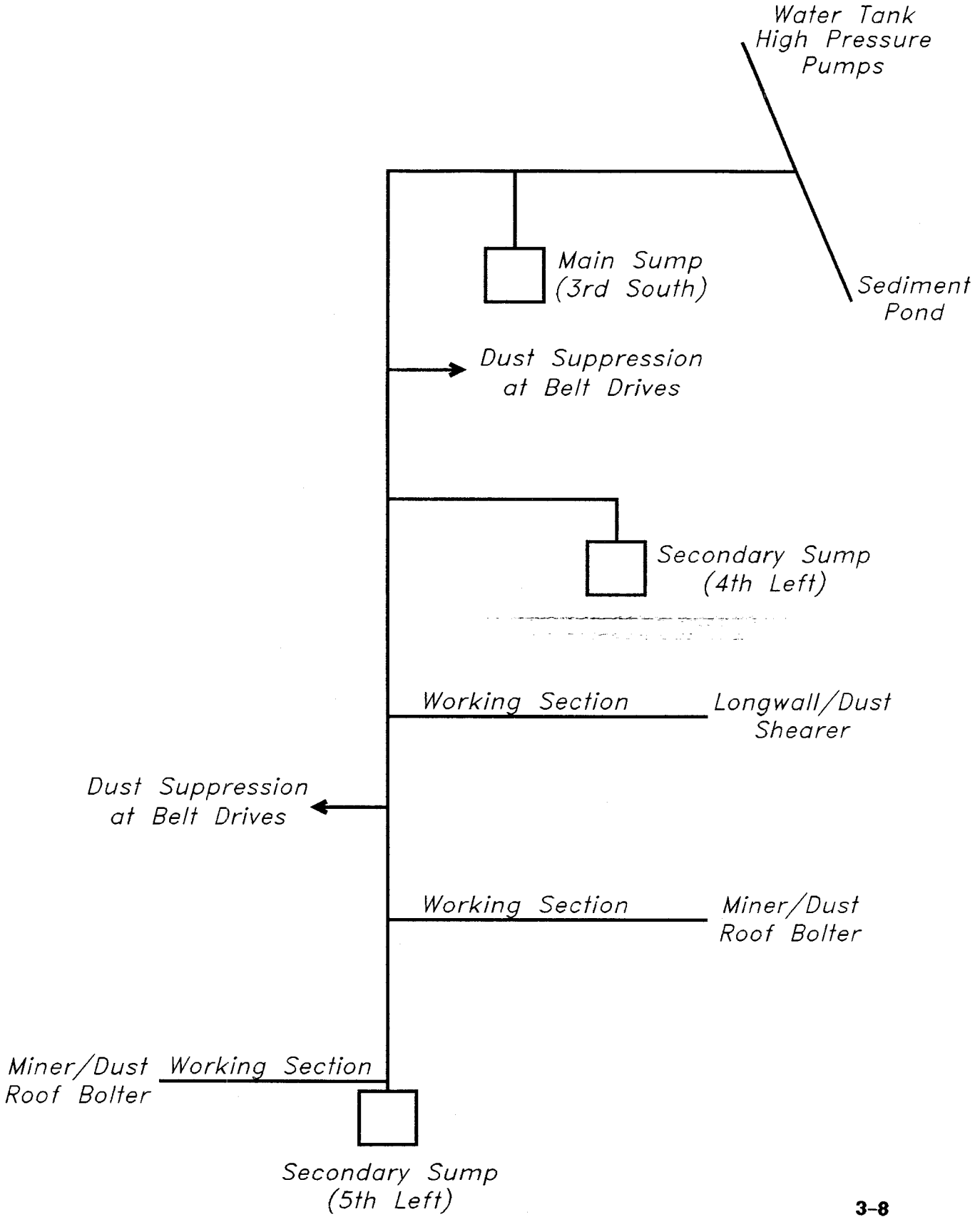
Three water diversion structures are maintained at the Trail Mountain Mine. A concrete curb and gutter running north-south through the facilities area diverts water from the disturbed area into the sediment pond. A 66 inch culvert that has been placed in Cottonwood Creek has allowed the facilities pad area to be extended, and also allow Cottonwood Creek to flow beneath the mining operation. The length of this culvert is approximately 1,900 feet, extending from below the sedimentation pond to the property boundary north of the bathhouse (see Chapter 7). A 48 inch culvert located at the mouth

FIGURE 3-2

CULINARY WATER SYSTEM



TRAIL MOUNTAIN MINE
TYPICAL UNDERGROUND WATER SYSTEM



3-8
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FIGURE 3-3

of the side canyon, just west of the fan portal, diverts water from the canyon directly into the 66 inch culvert of Cottonwood Creek without crossing the mine property (see Chapter 7).

3.2.9 SEDIMENTATION CONTROL STRUCTURES AND WATER TREATMENT FACILITIES

A sedimentation pond is located on the southern end of the permit area. All surface water that has crossed the mine property is diverted to this structure. Mine water can also be periodically pumped directly into the sediment pond. The pond contains a 48 inch emergency overflow culvert and a decant pipe, located on the east side of the pond (see Chapter 7).

3.2.10 TRANSPORTATION, ROADS, PARKING AREAS, RAIL SPURS

Access to the mine is provided by county road, Forest Service road, and private right-of-way along Cottonwood Creek. The road is paved and used by mine personnels private vehicles, coal trucks for haulage, and by the public for access to the upper canyon.

The facilities area of the Trail Mountain Mine is accessed from a county road (see Plate 3-1 and Appendix 3-5). The facilities area consists of: coal storage areas, parking lot, supply yard, equipment and material storage areas. Only one primary road exists on the mine site. This is a coal haulage road, and is shown on Plates 3-1A and 3-1B of this plan. The road is approximately 905′ long, 20′ wide, and is on a grade of approximately 7%. The primary road has been designed and constructed to meet the requirements of R645-301-534.300 and R645-301-742.420, and is certified as such.

Controlled pad and road drainage crosses the haul road and enters the curb and gutter system which reports to the sediment pond.

All other roads on the site are ancillary roads. These include the upper terrace access road, new portal access road and the tipple access road. Ancillary roads are used on an occasional, as needed basis only, and therefore are classed as ancillary roads according to R645-301-527.100.

All roads are constructed and maintained to minimize disturbance and adverse impacts on fish, wildlife and related environmental values. Roads will be maintained to meet applicable design standards throughout their use, by blading, watering and resurfacing as necessary. Roads are also located, designed, constructed, reconstructed, used, maintained, and will be reclaimed so as to prevent or control damage to public or private property; using non-acid or non-toxic forming substances in surfacing; and will have a static safety factor of 1.3 for all embankments.

The mining operation is conducted within 100 feet of a public (county owned) road. The requirements of R645-103-234 and protection of the public interests are met in the following ways:

(1) This is a pre-law operation, and has always been located adjacent to the public road which provides access to the public and private lands in and beyond Cottonwood Canyon;

(2) The road has been upgraded and paved through cooperation of the Mine, Emery County Road Department, and the US Forest Service;

(3) Necessary approvals for the road have been obtained from the authorities with jurisdiction over the public road through the cooperative effort of upgrading and paving of the road to the mine site. Necessary encroachment permits have been obtained from Emery County for accesses to and from the public road.

(4) Required public notices concerning the operation have been posted in local newspapers for Permit Approvals, Permit Renewals and Permit Transfers.

3.2.11 TOTAL AREA FOR SURFACE DISTURBANCE DURING THE PERMIT TERM

The total area of present surface disturbance at the Trail Mountain Mine plan area, including all compliance activities (sediment pond, upper and lower culvert installation, borrow area portal areas and surface pad extension), is 10.02 acres (see Plate 3-1).

3.2.12 DETAILED CONSTRUCTION SCHEDULE

Construction of basic facilities was completed prior to the 1977 Act. Sediment controls, including the sediment pond, curb/gutter and bypass culverts were completed in late 1987. Minor system enhancements were completed from 1987 through the fall of 1990. Construction details and schedules for these projects are found in Appendices 7-13, 3-9, 3-7, 3-8, 3-9 and 3-10 respectively.

3.3 OPERATION PLAN

Trail Mountain Mine will employ a maximum of approximately 300 people to conduct its underground mining activities. Underground mining consists of longwall retreat mining and continuous miner development. Production is estimated between 3,500,000 to 5,000,000 tons per year. Coal is conveyed to the surface at approximately 16" x 0" run of mine product. It is then conveyed through an overland tube conveyor to the Cottonwood Mine Portal on the opposite canyon side. It then travels underground until it

reaches the Cottonwood Mine Facility, where it is crushed to a 6" x 0" run of mine product before shipment via triple trailers to the Hunter Power Plant. Coal can also be crushed to 6" x 0" run of mine product at the existing Trail Mountain Mine facilities and shipped via double trailers.

3.3.1 MINING PLANS

The layout of mining plans are shown on Plate 3-2.

3.3.1.1 ORIENTATION AND MULTIPLE SEAM CONSIDERATIONS

As shown on Plate 3-2, the original mains were driven north to south, with panels being driven off the mains in an east to west orientation. This mine layout was developed prior to the Act. Longwall section development will be in an east to west orientation. Surface exploration drilling along with geologic mapping have been utilized to document the coal resources of the trail Mountain area. (United States Department of the Interior. Memorandum Resource Recovery Report, March 25, 1982, states that the Hiawatha is the only coal seam of current economic interest known to occur in the vicinity of the Trail Mountain tract). Coal resources above the Hiawatha seam to date show the seams to be thin, discontinuous and of poor quality*. PacifiCorp has no plans to mine the upper coal seam (see Appendix 3-2).

*US Department of the interior memorandum March 25, 1982 page 2, paragraph 4, page 3 paragraph 2 and US Department of Interior memorandum May 10, 1982 page 1, paragraph 3.

3.3.1.2 PORTALS, SHAFTS AND SLOPES

Portals have been previously addressed in the Surface Facilities section. Shafts and slopes do not apply to this property because of the geology of the coal seam.

3.3.1.3 MINING METHODS - CONTINUOUS MINER AND LONGWALL

No Room and pillar mining is anticipated during the permit term. Longwall retreat mining with continuous miner development of mains, longwall panels and gate road development will be employed during the life of the mine.

Continuous Mining Units

The principal purpose of continuous mining units at the Trail Mountain Mine is mine development; i.e., section development of mainline entries, longwall sections - gate road development and longwall section - setup/bleeder entry development.

Figure 3-4 illustrates the basic configuration of a typical five entry main, consisting of 20 ft. wide entries and crosscuts driven on 80 ft. x 100 ft. pillar centers. The pillars created measure a nominal 60 ft. wide x 80 ft. long; a size which has been developed for sufficient support of the main entries and overlying strata.

Figure 3-4 also illustrates the basic configuration of a typical two-entry longwall panel development, consisting of 20 ft. wide entries and crosscuts driven on 50 ft. x 100 ft. pillar centers. Bleeder and setup development consists of 20 ft. wide entries and crosscuts on nominal 50 ft. x 100 ft. pillar centers. With the retreating longwall mining system, all panel development work is accomplished by continuous mining units prior to longwall equipment installation.

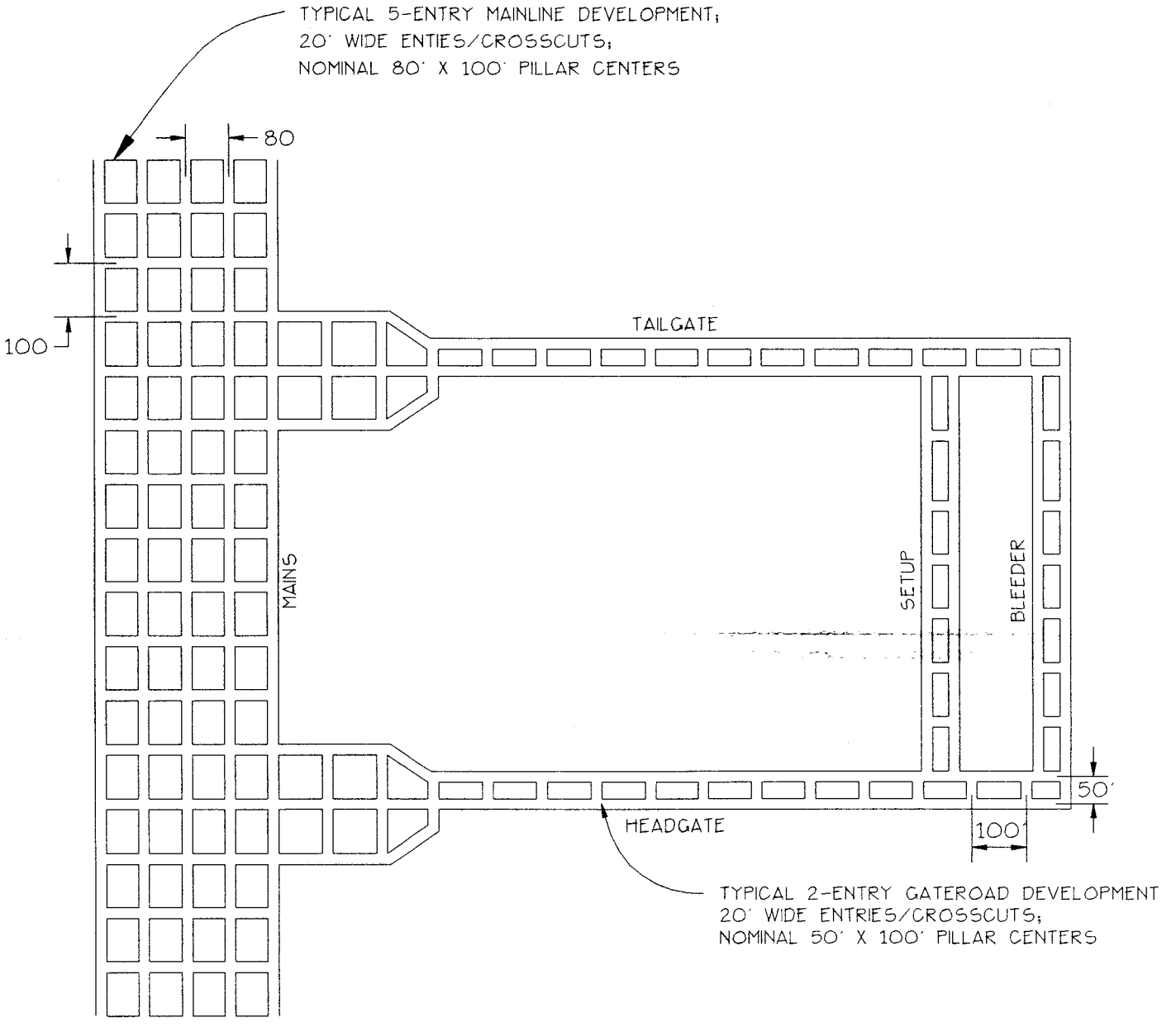

FIGURE 3-4

TYPICAL MAIN ENTRY AND PANEL DEVELOPMENT AT THE TRAIL MOUNTAIN MINE

Longwall Mining System

The predominant mining method at the Trail Mountain Mine will be LONGWALL RETREAT MINING. This method, as practiced by PacifiCorp, presents the safest and most efficient underground resource recovery mining method available.

As referenced above, the two-entry gate road system is developed with 20 ft. wide entries and crosscuts on nominal 50 ft. x 100 ft. pillar centers. This type of "yield pillar" configuration is designed so that the gate road support pillars will gradually yield as longwall retreat proceeds from panel to panel. The purpose of this design is to prevent the buildup of unrelieved stresses within the pillar; stresses which, in the past have resulted in pillar failure and the accompanying danger to personnel and property.

Figure 3-5 illustrates the basic configuration of a retreating longwall system. After gate road entries are driven to the extent of the longwall panel length, on both sides of the longwall face, setup and bleeder entries are driven to connect the gate roads. A solid coal barrier is left between the setup and bleeder entries, sized based on geologic parameters, to insure long term bleeder stability.

Long wall face width, depending on geologic parameters of the coal deposit, varies from 500 ft. to 1000 ft. wide. Standard face width is 750 ft., from center-line of headgate entry to center-line setup entry, the longwall begins retreat mining; from the setup entry, "outby" toward the mainline entries. A protection barrier is left between the mined out longwall panel (extraction face) and the mainline entries; sized to insure long term mainline entry stability.

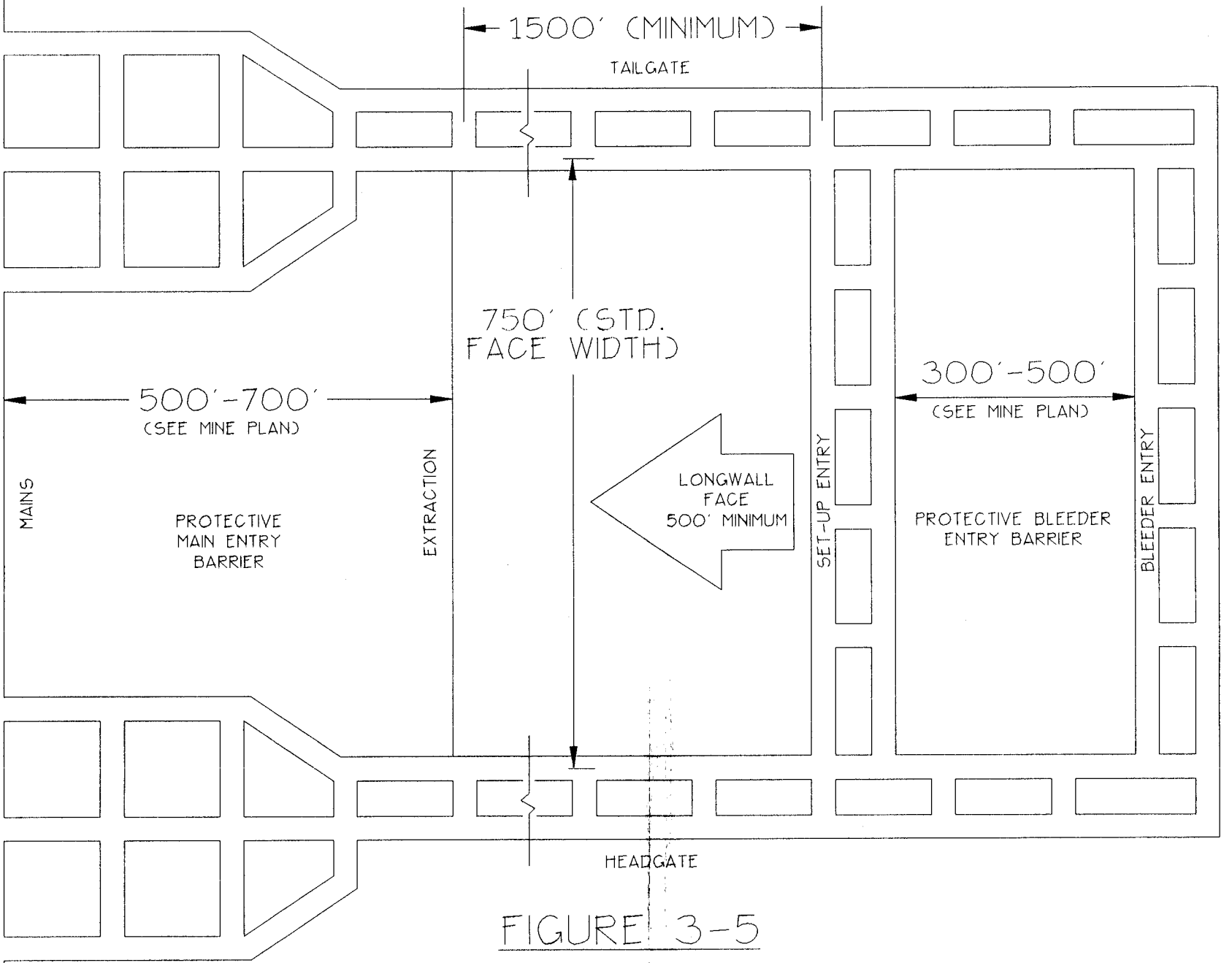

FIGURE 3-5

TYPICAL LONGWALL PANEL RETREAT AS USED AT THE TRAIL MOUNTAIN MINE

Panels are designed within the mining area, bounded by natural and imposed limits with varying degrees of confidence as to location and extent. Lease boundaries are definitely located and invariable in the short term. Faults may vary somewhat from currently assumed locations. Geologic limitations; such as seam splits, channel scours, spars, stratigraphic thinning, etc. may affect the mining limits by varying hundreds of feet as information becomes available and as mining recovery economics and practicality are further refined. Underground burned areas, from a practical point of view, are indeterminate prior to mining. Regulatory mining restrictions, such as escarpment protection barriers and perennial stream buffer zones further confine the mining extent.

Within the limitation of the above boundaries, longwall panel length and width are maximized to the extent possible due to the economic cost and production loss associated with longwall moves. The minimum panel length, currently considered economical, is 1500 ft. of recoverable reserves. The minimum panel width, currently considered economical, is 500 ft. of recoverable reserve.

3.3.1.4 PROJECTED MINE DEVELOPMENT - MAINS, SUBMAINS, PANELS, ETC.

The plan of mine development projected for the Trail Mountain Mine is shown in Plate 3-2.

Development of the fifth left mains and third west mains will continue. The panels east of fifth left main will be driven west to east and the panels west off the fifth left mains will be driven east to west. Panel sequence for extraction will be second east to fifth east and thirteenth right to first right.

3.3.1.5 RETREAT MINING

Panel extraction will commence once the fifth left mains are developed below the second east panel and the second east tailgate, headgate are bleeders are completed.

3.3.1.6 ROOF CONTROL, VENTILATION, WATER SYSTEMS, DUST SUPPRESSION, DEWATERING, ELECTRICAL ETC.

Plans for roof control, ventilation, water system, dust suppression, etc., have been submitted to MSHA and are on file at the MSHA district office; Mine Safety and health Administration, P.O. Box 25367, Denver Colorado 80225.

3.3.2 BARRIER PILLARS

PacifiCorp will be leaving barrier pillars around oil and gas wells, surface structures and streams, property boundaries, and outcrops. These barriers will protect the recovery of the resource and the environment. A complete discussion of barrier pillars is presented in Chapter 12, Geotechnical.

3.3.2.1 PROTECTION OF OIL AND GAS WELLS

Presently no oil or gas wells exist on the property. However, should any well be drilled, a barrier of 300 feet in diameter will be left unless a variance from MSHA is obtained to leave a smaller barrier.

3.3.2.2 PROTECTION OF SURFACE STRUCTURES AND STREAMS

No surface structures or perennial stream beds will be undermined during the life of the mine.

3.3.2.3 PROPERTY BOUNDARIES

Property boundaries are designated in accordance with both State and Federal mining regulations.

3.3.2.4 OUTCROP PROTECTION

Outcrop protection is provided by leaving a minimum barrier of 200′ between mine workings and the coal outcrop. One exception to the above is the eastern most entry of the 3-entry system driven north and northeast to the ventilation portal. The eastern entry is located within the 200′ barrier for a distance of approximately 240′ and at no time comes closer than 160′ from the outcrop. The 3-entries were necessary to meet MSHA regulations and provide adequate ventilation. The location of this variance is in the side canyon approximately 1700′ south of the forth portal, and is shown on Figure A-3-7-2, Appendix 3-7. Outcrop protection is further addressed in the geotechnical chapter of this permit.

3.3.3 CONSERVATION OF COAL RESOURCES

3.3.3.1 PROJECTED MAXIMUM RECOVERY

Maximum amount of coal recoverable from the Trail Mountain property is approximately 20,167,382 tons. Table 3-1 shows the breakdown of coal recovery. Plate 3-3 shows the areas of coal recovery.

3.3.3.2 JUSTIFICATION OF NON-RECOVERY

It is estimated that resource recovery rate of 80% or better can be obtained within the proposed longwall panels. Overall minable reserve recovery for the Trail Mountain Mine is estimated at 60%.

The maximum amount of economically recoverable coal will be extracted with the exception of protective coal, which must be left in place to ensure the integrity of the mine. This protective coal falls into two categories. The two categories are barrier coal and strata control coal. (See appendix 12-1).

TABLE 3-1

RECOVERABLE RESERVES

LEASE AREA	IN-PLACE TONS	RECOVERABLE TONS
FEDERAL LEASE U-49332	4,666,670	973,002
FEDERAL LEASE U-082996	276,954	93,618
FEDERAL LEASE U-64375	44,874,379	20,167,382
STATE LEASE ML-22603	1,035,160	0

TOTAL RECOVERABLE TONS ASSIGNED TO TRAIL MOUNTAIN 21,234,002

3.3.3.3 ACCESS TO FUTURE RESERVES

There are two (2) areas currently designated as future reserve access points at the Trail Mountain Mine: 3rd West Mains and North Mains

Access to future western reserves will be by western extension of the existing 3rd West Mains, running east/west, at the northern boundary of Federal Lease U-64375. Access to future northern reserves will be by northern extension of the existing North Mains, running north/south, at the western boundary of Federal Lease U-49332. Solid coal barrier pillars are to be left on either side of these main entries to ensure their long term stability for access.

Mining plans and projections may change between permit submittal and actual mining. However, PacifiCorp will commit to conducting operations in accordance with accepted industry practices, so as to achieve maximum economic recovery as specified by 43 CFR 3482.1 (c) (7). PacifiCorp also commits to professional cooperation with the Bureau of Land Management (BLM) in achieving MER on all Federal Coal leases.

3.3.4 EQUIPMENT SECTION

3.3.4.1 SURFACE EQUIPMENT

The following is a list of surface equipment presently being used at Trail Mountain Mine. This equipment will be utilized to handle coal and other surface functions for the mine..

1-120 L Michigan Cat Front End Loader

Additional equipment will be provided as needed by contractors.

3.3.4.2 UNDERGROUND EQUIPMENT

The permit area will be mined with longwall and continuous mining equipment.

Typical continuous mining equipment is;

- Continuous Miners
- Shuttle Cars
- Section Scoops
- Roof Bolters
- Feeder Beakers
- Rock Dusters
- Face Fans
- Power Centers
- Welders
- Shop Car

Typical longwall mining equipment is;

- Longwall Shearer
- Face Conveyor
- Longwall Supports
- Stageloader
- Crusher
- Power Center
- Electrical Controls
- Scoop/Forklift
- Shop Car
- Emulsion pumps

Shield Movers

Pod Rock Duster

Typical general mine equipment is;

Diesel Scoops

Diesel Trucks

Diesel Pickups

Mantrips

Trailers

Compressors

Welders

Belt Drives

Conveyors

Belt Storage

Road Grader

Dozer

Power Centers

Section Switches

Submersible Pumps

Rock Dusters

3.3.5 MINE SAFETY, FIRE PROTECTION, AND SECURITY

PacifiCorp maintains a safety department at the mine site. All new miners are trained in basic first aid before working underground. Once each year all miners are given an eight hour retraining class. All working sections maintain the necessary first aid items including stretchers, bandages, splints, tourniquets, etc. Fire protection-All machines underground are equipped with a fire suppression system. On portable non-water machines a dry-type chemical system is used. On machines equipped with water, a deluge system or a dry type chemical system is maintained. All belt drives and takeups are equipped with these systems. An adequate supply of rock dust and a dry-type fire extinguisher are located at belt drives transformers, oil storage areas, and other dangerous areas in and around the mine.

SURFACE FIRE FIGHTING PLAN

In compliance with Title 30 Code of Federal Regulations Part 77.215(j) and R645-301-528.323.1 the following plan to extinguish surface fires and coal waste fires will be adhered to in the advent of a fire.

I. PREVENTION

A. All warning and non-smoking signs will be observed by employees and visitors to the mine.

B. Accumulations of oil, grease, diesel fuel, coal fines and other combustibles will not be allowed to accumulate as a possible source of fire.

C. Coal stock piles and coal waste piles will be closely monitored to detect symptoms of a possible fire.

D. All employees will be trained as to their responsibilities in the advent of a fire.

II. EXTINGUISHING SURFACE FIRES

A. In the advent of a fire on the surface area of the coal mine all employees both in the mine and on the surface will be notified immediately, all persons will be accounted for and evacuated to a safe place.

B. The local fire departments, mine rescue teams and other trained and qualified persons experienced in fighting fires will be notified immediately, equipped with the appropriate equipment, and the proper action will be taken to extinguish the fire.

C. Measures will be taken to prevent unauthorized persons interfering or being endangered by the fire and the methods to extinguish the fire.

D. All necessary controls available to prevent adverse impact on water quality and other environmental concerns will be incorporated immediately.

III. REPORTING PROCEDURES

A. All necessary reports and accident claims will be completed and filed with the appropriate state and/or federal agency.

Security - Trail Mountain Mine operates three 8 hour shifts, 5 days a week. Security is maintained with company personnel during operating hours. During off shift hours, a security system is installed that notifies the Sheriffs Department.

3.3.5.1 SIGNS

Required signs are maintained at the Trail Mountain Mine. Property boundary signs are posted along the access to the mine property and at the northern and southern property boundaries. Buffer zone signs are maintained on the west side of Cottonwood Creek (see Figure 3-6).

TRAIL MOUNTAIN MINE

OWNER: PACIFICORP

201 SOUTH MAIN SUITE 2100
SALT LAKE CITY, UTAH 84140-0021
PHONE: 801-220-4618

UTAH PERMIT NO. ACT/015/009
U.P.D.E.S. PERMIT NO. UTG-040003

OPERATOR: ENERGY WEST MINING CO.

P.O. BOX 310
HUNTINGTON, UTAH 84528
PHONE: 801-687-9821

MSHA ID. NO. 42-01211

BUFFER ZONE
DO NOT DISTURB

PERIMETER
DO NOT DISTURB

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FIGURE 3-6

All signs will be maintained throughout the operational life of the facility, or at least as long as they are required and relevant. Permit ID signs and required perimeter markers will be maintained until bond release.

3.3.5.2 FENCES AND GATES

Approximately 2,000 feet of chain link fence, containing three access gates, is maintained at the Trail Mountain Mine site. This chain link fence also serves to alienate the east boundaries of the surface disturbance of the mine plan area. Identification and perimeter signs are installed on the fence. Also, a substation is enclosed by a seven foot chain link fence with a three strand barb-wire cap and two gates.

3.3.5.3 FACILITIES - COAL STOCKPILES, REFUSE PILES, COAL SEAMS.

Coal stockpiles - Coal is conveyed from the mine and transferred via a tube conveyor to the Cottonwood Mine or to a 575-ton storage bin at the Trail Mountain Mine. In the event of a system failure or if the bin is full, coal is diverted and stockpiled north of the bin. The size of this pile will vary greatly depending on conditions; however, extreme dimensions are approximately 300′ by 150′. This pile is recovered by front-end loaders which place the coal back into the handling system going to the loadout bin. All runoff from the stockpile, as well as other coal handling facilities, is directed to the sediment pond. All conveyors are covered, and water sprays are used as necessary to reduce fugitive dust emissions. There are no refuse piles at this mine site. Any coal refuse or waste generated will be hauled to the approved Cottonwood/Wilberg Waste Rock disposal area.

3.3.5.4 EXPLOSIVES - STORAGE AND HANDLING - USE.

Storage - Explosives and caps are stored in separate MSHA approved explosive magazines. The magazines are of approved steel construction. The doors are so constructed to prevent easy access and tampering with the locking mechanisms. All magazines are properly electrically grounded. The magazines are located as required to provide added security. Locations of the magazines are shown on Plate 3-1.

Handling - All materials are transported in an approved boxes separated into two compartments with a divider. These boxes are then carried on trailers and diesel powered tractors.

Use - Explosives are primarily used underground. Underground explosives are used to blast rock to make room for overcasts, belt drives, and at other areas where extra height is required. Other uses underground include grading of roadways and to facilitate cleaning up of unintentional roof falls, etc.

Surface uses include road grading and other conditions that require blasting: however, such uses are rare and are normally handled by licensed contractors.

Explosives - Permissible explosives and caps are used exclusively.

3.3.6 OPERATION SCHEDULE

Trail Mountain Mine operates longwalls and continuous miners for development of longwall panels and mains. The longwall operates two shifts a day or two machine shifts and the continuous miners operates two shifts a day or four machine shifts.

3.3.6.1 ANNUAL PRODUCTION PER YEAR FOR THE PERMIT TERM

The Trail Mountain Mine produces approximately 3,500,000 to 5,000,000 tons per year and will continue that production for the permit term.

3.3.6.2 OPERATING SCHEDULE - DAYS - SHIFTS

The Trail Mountain Mine currently operates as follows:

208-240 days/year

3 shifts/day

8 hours/shift

2 production shift/day

1 maintenance shift/day

2 continuous miner shifts/production shift

1 longwall shift/production shift

This schedule is a general outline and subject to change.

3.3.6.3 OPERATION EMPLOYMENT

Trail Mountain Coal Company employs approximately 300 people, 66 salaried and 232 hourly employees.

3.3.6.4 TEMPORARY CESSATION

Whenever it is known that operations are to be temporarily ceased for more than 30 days, PacifiCorp shall submit to the Division a notice of intention to cease or abandon the operations, in accordance with R645-301-515.320 and to MSHA standards.

This notice will describe mitigation measures to be employed in accordance with the terms and conditions of the permit approval, such as a statement of the number of surface acres involved in the cessation, extent of sub-surface strata, prior reclamation efforts accomplished on the property, and identification of all backfilling, regarding, revegetation, environmental monitoring, underground opening closures and water treatment activities that will continue during the temporary cessation.

If underground openings are to remain inactive for a period greater than 90 days, such openings will be temporarily closed off from access. Such closures will consist of a chain link or other substantial wire mesh fabric fence placed over the portals to prevent public access while allowing for air flow. Locked gates may be installed in the portal to allow for mine inspection.

3.3.7 MINE PLAN AREA

The mine plan area of the Trail Mountain Mine is outlined in Figure 3-10. A total of 4045.78 acres are included in the mine plan area.

3.3.7.1 PROJECTED MINING BY YEAR

The mine development and projected mining schedule are shown on Plate 3-2. As shown, additional permit terms will be required.

3.3.7.2 ACREAGE AND DELINEATION

As described in Chapter II, the mine plan area consists of approximately 4045.78 acres of fee, federal and state land. State land totals 640 acres and federal land consists of two leases totaling 3352.28 acres. The remainder of the mine plan area is fee land held by PacifiCorp .

3.4 ENVIRONMENTAL PROTECTION

This section addresses the environmental concerns and impact of the mining operation. The aspects of land-use, cultural resources, hydrology, soils, vegetation, fish and wildlife, air quality, subsidence, and waste disposal are addressed. Each aspect is addressed in terms of projected impacts and control measures. For those aspects that warrant it (hydrology, vegetation, fish and wildlife, air quality, and subsidence) a discussion of monitoring procedures are also included.

3.4.1 PRESERVATION OF LAND USE

The post-mining land-use of the Trail Mountain Mine, owned by PacifiCorp, are anticipated to remain the same as the pre-mining land-uses of grazing, wildlife habitat and recreation. A full discussion of these uses area found in Chapter IV.

Following completion of the mining operations, the mine site will be reclaimed and revegetated. The area will be graded, scarified, and seeded before the next growing season. The seed mixtures to be used are discussed in Chapter 9 and Section 3.5 of this Chapter.

The site will receive treatments of fertilizer and additional seedings until it is determined stable for the bond release period.

During low run off, the stream diversion culvert will be removed and the stream channel will be restored. No reclamation work is contemplated on the access road to the site. This road

has varied ownership (county, federal and private) and provides access for Forest Service and private land up Cottonwood Canyon.

Lands held by PacifiCorp are classified by Emery County, the US Forest Service, and the State of Utah as a recreation, forestry and mining area.

3.4.1.1 PROJECTED IMPACTS OF MINING ON CURRENT AND FUTURE LAND-USE

Within the permit area, approximately 10.02 acres has been disturbed by surface facilities of the mine. This disturbance has affected the soils and vegetation of the area. The effect on vegetation is temporary and will be eliminated by revegetation of the disturbed area. Wildlife loss of habitat in the riparian community has occurred. The acreage is small; however, the riparian area is considered to be of critical value to the overall density of terrestrial wildlife. Continued operation of the surface facilities will have no significant impact on the local wildlife. A full discussion can be found in Chapter 10.

3.4.1.2 CONTROL MEASURES TO MITIGATE IMPACTS

Careful planning of the reclamation activities will help to minimize the impact of the Trail Mountain Mine on land-use. Return of the mine site to the premining land-use of grazing, wildlife, and recreation at the conclusion of mining will be accomplished according to the steps outlined below:

1) Seal all large diameter openings with non-combustible material.
2) Remove all surface structures, equipment and facilities, followed by trash and debris removal.
3) Re-establishment of drainages and grading and contouring of disturbed areas.

4) Establishment of a permanent diverse vegetative cover suited to the post-mining land-use on all affected land will be done as soon as practicable following reclamation.

Contemporaneous reclamation of those areas not needed during operation will take place throughout the life of the mine. All other areas (building and equipment sites, storage and parking areas) will not be reclaimed until the conclusion of mining.

3.4.2 PROTECTION OF CULTURAL RESOURCES

No public parks or historical sites worthy of preservation have been found in the mine plan area. Chapter 5 contains a discussion of cultural resources.

3.4.2.1 PROJECTED IMPACTS OF MINING ON CULTURAL RESOURCES

Two types of projected impacts exist on cultural resources as a result of mining. Direct impacts are a direct result of mine development or operation. Indirect impacts result from activities that are not directly associated with the mine development or operation.

Any effect of the Trail Mountain Mine on cultural resources probably occurred during development. No cultural resources have been found in the area of the mine, therefore no direct impacts form any future development are likely to occur.

The inventory indicated two CRRS:2 sites located in the lower canyon. These sites are vulnerable to indirect impact from vandalism. The proposed development of the canyon road by the county and Forest Service could subject these sites to direct impact from road construction activities. However, measures to mitigate impact will be observed.

3.4.2.2 CONTROL MEASURES TO MITIGATE IMPACTS

Measures used to mitigate the effects of the mining operation on cultural resources must be implemented prior to any disturbance associated with the proposed development. Once construction has begun, only avoidance procedures are feasible mitigation measures. Although in a narrow canyon, avoidance is sometimes impractical.

During 1985 and 1986, the proposed construction and realignment of three miles of county road from Highway 29 to the Trail Mountain Mine site was completed. Two CRRS: sites were located and all engineer and design work conducted by the Emery County Engineering departments was done in such a manner as to avoid these cultural sites.

In 1990, additional facilities were constructed at the mine site. Construction details, as well as control measures to mitigate impacts for each of these projects are described in Appendices 7-13, 3-9, 3-7, 3-8, 3-9 and 3-10 respectively.

The Trail Mountain Mine site contains no know cultural resources that are liable to be impacted by the continued operation or compliance construction.

3.4.3 PROTECTION OF HYDROLOGIC BALANCE

The Trail Mountain Mine will operate all mine activities in such a way as to minimize potential impacts to surface and groundwater resources. Drainage control facilities will contain and hold the required volume for the specified period for water flowing through or originating in the disturbed area. Suspended material will be allowed to settle in a sediment control pond before discharge into natural drainages. Such discharges will be in accordance with an approved UPDES Discharge Permit.

Sedimentation production from the berm outslope to the creek has been greatly reduced by a portion of the creek being placed in a bypass culvert. This bypass culvert was installed in 1983, and extended some 300′ to the north in 1990.

All mine portals are designed in accordance with R645-301-731.521. This ensures that water will not discharge from the portal by gravity flow. Upon reclamation of the mine, portal seals will be placed in all entries as soon as underground reclamation has been completed.

3.4.3.1 PROJECTED IMPACTS OF MINING ON THE GROUNDWATER HYDROLOGIC BALANCE

Geology controls movement of groundwater. Because of the low permeability of the consolidated sedimentary rocks in the Trail Mountain area, groundwater is primarily through fractures. Data has been collected from numerous coal exploration drill holes, from within the mine workings, from surface drainages, and from spring surveys. The data have identified two separate isolated aquifer systems on the Trail Mountain property; the first is localized perched water tables in the North Horn Formation, and the second is a combination of localized perched water tables in the Blackhawk Formation and the Starpoint Sandstone which exhibits some limited potential as a regional aquifer. Due to the limited recharge to the Blackhawk Formation, mining within the Trail mountain Permit Area will have negligible impact on the regional hydrologic balance. A complete description of the hydrologic/geologic resources of the Trail Mountain area is discussed in Chapter 7.

Groundwater Quantity

Mining occurs in the lower Blackhawk Formation, which consists of interbedded layers of sandstone and mudstone separated by mineable and non-minable coal seams. The sandstonebeds-fluvial channel systems are generally massive while the mudstone layers are fine textured and have a tendency to swell when wet and decompose into an impervious clay. Because of the aquiclude formed by mudstone layers in the North Horn Formation, recharge to the Blackhawk Formation is limited, even along major fault systems. Due to the lithologic characteristics of the Blackhawk, both vertical and horizontal migration is constricted. Refer to Chapter 7, Hydrology, for a detailed discussion of the Hydrologic Balance.

The interception of groundwater varies and is dependent on several factors. One of the moist significant is that when the mine enters virgin country, a significant amount of water is liberated. In virtually all cases the amount of water which flows into the mine exceeds the recharge and, in time, the water inflow decreases in volume. If new areas are not mined, the discharge from the mine will decrease accordingly.

Ground Water Quality

Groundwater chemical quality is very good in strata above the Mancos Shale. The USGS reports a range in dissolved solids from 50 to 750 mg/l for samples from 140 springs in the region issuing from the Starpoint Sandstone and overlying formations (Danielson et al., 1981). Danielson et al. (1981) identified the regional trends of decreasing water quality from north to south and west to east across the Wasatch Plateau.

Danielson, T.W.; Remillard, M.D.; Fuller, R.H., Hydrology of the Coal Resourse areas in the Upper Drainges of Huntington and Cottonwood Creeks, Central Utah, U.S. Geological survey-Water Resource Investigations, Open File Report 81-539.

Waters percolation through the underlying mancos Shale quickly deteriorate,, with total dissolved solids concentrations frequently exceeding 3000 mg/l.

The quality also decrease vertically because of the influence of marine sediments along with the trend of decreasing quality from north to south.

The predominant dissolved chemical constituents of the groundwater from both surface springs and samples collected in the mine are calcium, bicarbonate, magnesium and sulfate. Concentrations of magnesium are normally about one-half the concentration of calcium. Sulfate concentrations are typically higher in water from springs issuing from the Starpoint-Blackhawk aquifer zone or confined aquifers intersected by mine workings. As mentioned earlier water quality degrades from the north to the south and also vertically.

3.4.3.2 CONTROL MEASURES TO MITIGATE IMPACTS

Although the analysis of the overburden samples tested has shown that no toxic or hazardous materials are present, groundwater quality will be protected by handling earth materials and runoff in a manner that minimizes infiltration to the groundwater system.

Mine water encountered in the mine, which is not needed for dust suppression or mining, will be discharged according to stipulations in UPDES Permit No. UTG 040003.

State and federal regulations (R645-301-727) require that an alternate water supply be provided to replace any water source disrupted, degraded, or diminished by the mining operation. Though the mining operation is unlikely to effect the water supplies in the Trail Mountain area, PacifiCorp will provide this alternate supply if needed.

In the unlikely event of mining adversely affecting a water source, PacifiCorp will review and select an alternative after considering all possibilities of each site-specific circumstances.

3.4.3.3 GROUNDWATER MONITORING PLAN

Representative springs (see Chapter 7) will be monitored in accordance with the monitoring program. In addition, data will be collected from within the mine.

3.4.3.4 PROJECTED IMPACTS OF MINING ON THE SURFACE WATER HYDROLOGIC BALANCE

As has been previously mentioned, the occurrence and quality of water in any region is highly controlled by geology. The PacifiCorp permit area is located in the headwater region of the San Rafael River Basin. The surface drainage system of the permit area is within the Cottonwood Creek drainage system.

Quantity

Cottonwood Creek above Straight Canyon drains approximately 21.9 square miles. The average channel gradient of Cottonwood Creek above Straight Canyon is 300 feet/mile (5.7 percent). Only a short period of record (October 1978 to present is available for the USGS stream gaging station (09324200) on Cottonwood Creek above Straight Canyon. Danielson et al. (1981) estimate the average annual precipitation to be on the order of twenty two (22) inches, or 26,000 acre-feet, on the Cottonwood Creek drainage above Straight Canyon. Danielson et al. (1981) also estimate that only two percent of the precipitation on Cottonwood Creek above Straight Canyon leaves the basin as stream flow compared to thirty percent for Huntington Creek above Huntington. The suggested reasons for the wide difference in percent of precipitation contributing to stream flow are:

1) Cottonwood Creek Basin has a greater portion of area with southern exposure with more gradual slopes than Hunting Creek Basin and 2) possible subsurface movement of water through fractures associated with Joe's Valley Fault. About seventy percent of the total discharge at the Cottonwood Creek station above Straight Canyon for the water year 1979 occurred during the snow melt period (April-July).

Sixty years of data are available for the gaging station on Cottonwood Creek near Orangeville (9324500). The drainage area above Orangeville contributing to Cottonwood Creek is approximately 208 square miles. Cottonwood Creek has an average discharge near Orangeville of about ninety-five (95) cfs, or 69,000 acre-feet per year. The maximum and minimum discharges of record on Cottonwood Creek near Orangeville are 7,220 cfs (August 1, 1964) and 1.2 cfs (April 8, 1966), respectively.

The mine permit area is drained by minor drainage systems associated with Cottonwood Canyon Creek.

Cottonwood Canyon Creek is a major drainage system which borders the eastern limit of the Trail Mountain permit area. Based on data collected by PacifiCorp Cottonwood Canyon Creek is an ephemeral stream from its headwaters to the northeast quarter of Section 24 Township 17 South, Range 6 East and intermittent from that point to its confluence with Cottonwood Creek at Straight Canyon. During periods of drought, flow in Cottonwood Canyon Creek is limited to flow emanating from the alluvial deposits at the intersection with Roans Canyon. From the intersection with Roans Canyon to Section 36 the stream loses water to alluvial deposits. The drainage is dry from Section 36 to Section 6 except during spring runoff which normally occurs from late April trough June or during

precipitation events. Flow in the channel re-emerges in Section 6 and continues to the confluence with Cottonwood Canyon at Straight Canyon.

The quality of flow from the headwaters of the San Raffle River Basin is excellent. However, this quality rapidly deteriorates downstream as streams cross shale formations and receive irrigation return flow from Mancos-derived soils. The impact of the mining on this system will be quite limited.

The existence of runoff and sediment control structures should minimize the potential for degradation of the quality of stream waters due to runoff from disturbed areas of the Trail Mountain Mine. The construction and upgrading of surface facilities utilized in conjunction with the Trail Mountain Mine (yard areas, road, etc.) will result in temporary increases in the suspended sediment concentration of the adjacent stream. However, because of the regulatory requirement that sediment control be provided for all areas of surface disturbance, concentrations should be quickly normalized.

3.4.3.5 MITIGATION AND CONTROL PLANS

Runoff from all disturbed areas will be passed through sediment control facilities, as discussed earlier in this report. Any discharge from facilities will be monitored in accordance with UPDES permit standards and state and federal regulations.

The effects of the mining operation on the surface water system will be analyzed through the surface water monitoring plan described in Chapter 7. In the unlikely event that monitoring shows that the surface water system is being adversely affected by mining activities, additional steps will be taken to rectify the situation in consultation with state and federal regulatory agencies.

3.4.3.6 SURFACE WATER MONITORING PLAN

An ongoing hydrologic monitoring program will be conducted at each of the stations shown in Figure 7-9. Stations have been established to monitor water quality and quantity above and below the mine plan area.

3.4.4 PRESERVATION OF SOIL RESOURCES

The Trail Mountain Mine site is a previously disturbed site. Topsoil resources were not protected during development activities from 1948 to 1967. A small amount of topsoil has been removed and stockpiled from the more recent channel/culvert construction. In the event of any future disturbances, soil resources will be protected. Protection will involve the removal, stockpiling and stabilizing of soils suitable for reclamation. Suitability will be determined by analyses of soil samples.

3.4.4.1 PROJECTED IMPACT OF MINING ON SOIL RESOURCES

Little soil exists on the presently disturbed mine site. What soil existed prior to commencement of mining activities have long been buried by construction of the pads and buildings.

A small pile of topsoil has been stored just northwest of the fan portal area. This material was salvaged prior to the recent installation of the 48" culvert in the side canyon. The topsoil pile has been marked and reseeded according to requirements.

The remaining surficial materials are being compacted and mixed with crushed coal and coal fines. Operation and maintenance of equipment contributes oil, gasoline and diesel fuel to the soil in some places.

3.4.4.2 CONTROL MEASURES TO MITIGATE IMPACTS

As only limited amounts of soil remain on the disturbed site due to previous disturbance and no further disturbances are proposed, few, if any, mitigation measures can be implemented.

In the event future disturbances of operations uncover or encounter salvageable soils, PacifiCorp will remove, stockpile and stabilize the soils for use in future reclamation work.

Testing is planned to determine if the surficial materials can be used for revegetation work. Historic plots were set up on the mine site in cooperation with the regulatory agency to determine the feasibility of using the existing material for revegetation.

In 1984, a test plot area was installed just north of the bathhouse at the Trail Mountain Mine site. For a complete description of this test plot and record of yearly sampling, please refer to Chapter 9.

3.4.5 PROTECTION OF VEGETATIVE RESOURCES

The mine site was disturbed during development activities from 1948-1967. As such no vegetative protection activities were implemented during development of the mine site. Future disturbances will require verification that threatened and endangered species do not exist on the area of proposed disturbance. If any threatened and endangered species are found, the appropriate authorities will be contacted.

3.4.5.1 PROJECTED IMPACTS OF MINING ON VEGETATIVE RESOURCES

The mine has been in existence since 1948 and development work since that time has removed or covered vegetative resources. Impact has been to portions of the riparian and grassland-shrub communities. The extent of impact is not great due to the limited areal extent of the disturbance.

3.4.5.2 MITIGATING MEASURES TO BE EMPLOYED TO REDUCE IMPACT TO VEGETATIVE RESOURCES

As previously mentioned, the mine site was disturbed during development activities for 1948-1967. Disturbance of the vegetative resources has already occurred. Any further disturbance will require the verification that threatened and endangered species do not exist on the proposed site. If any threatened and endangered species are found, the appropriate authorities will be contacted

3.4.5.3 MONITORING PROCEDURES - REFERENCE AREAS AND REVEGETATION

Revegetation of the disturbed area will be undertaken following the completion of the mining activities. Success of the revegetation activities will be determined yearly through quantitative and qualitative data. The vegetation test plot methods and design that were used are described in Chapter 9.

3.4.6 PROTECTION OF FISH AND WILDLIFE

The presence of wildlife in the mine plan area indicates their adaptability to the impacts of the mine. As a result, the overall impacts to wildlife are expected to be very minor. In addition, PacifiCorp is committed to practical mitigation of adverse effects of construction and maintenance of the mine operation.

3.4.6.1 PROJECTED IMPACTS OF MINING ON FISH AND WILDLIFE

The known impacts of mining on fish and wildlife resources are many and varied according to the type, location, and age of the mine and technology used to remove the coal. Additionally the floral and faunal components in the mining area determine the resultant impact. It is desirable that environmental protection be accomplished during all aspects of the life of the mine from construction through final reclamation, but the degree of environmental protection is often difficult to determine. This is particularly true in cases where mining operations have been functioning for many years prior to serious environmental awareness and new improved standards of protection. Such mining operations do not have the benefit of modern sites, design, construction, and technology and have often already impacted the environmental resources such that continued operation will not be a serious additional consequence.

Continued operation of Trail Mountain Mine will continue to have the same affect on the fish and wildlife resources in the area; therefore consideration of these affects is warranted. Reclamation also needs to be considered since discontinuation of the Trail Mountain operation would potentially facilitate a return of the habitat to its "normal state". The impacts of concern that have and could result in perturbations to the environment and ultimately relate to the stability of fish and wildlife in the area of concern are directly related to: (1) surface disturbance, (2) loss of habitat, (3) noise and (4) human activity. Both aquatic and terrestrial habitats are of concern since the portals, loading facilities and haul roads occupy riparian habitat adjacent to a small stream, and the mine underlies a variety of terrestrial communities that are considered of high interest to various management agencies because these species are of economic or recreational value.

3.4.6.2 MITIGATING MEASURES TO BE EMPLOYED TO PROTECT FISH AND WILDLIFE

PacifiCorp will perform the following mitigation measures in order to minimize disturbances and impacts on wildlife and their habitats that could be impacted during continued operation of the mine. The mitigative measures will meet the requirements of R645-301-322 and will be consistent with the performance standards of R645-301-358.

PacifiCorp will make significant efforts to educate all employees associated with their on-site mine operation to the intricate values of the wildlife resources within the mine plan and adjacent areas. High interest species, critical habitats and critical life history periods will be emphasized.

The company will maintain the relative inaccessibility of the mine plan area.

Discharge of firearms by employees will be prohibited on company controlled property during working hours.

In winter a portion of the mine plan area, particularly the canyon bottom along the stream and haul and access road is inhabited by mule deer, and the potential is present for road strikes and harassment when the animals are in a weakened energy state due to snow and cold. These impacts need to be reduced. Drivers will be informed of the concerns for protection of wildlife, and encourage to reduce speed in the canyon between November 1 and May 15 when mule deer are abundant.

PacifiCorp will take precautions to keep all forms of coal or other sediments generated by operation of the mine from inadvertently entering the stream.

Since the major area of concern in introduction of sediments into the stream is the portal and load-out facilities immediately adjacent to the stream, the company has put the stream into a bypass culvert. This will prevent sediment input. This was done in consultation with he appropriate management agency to alleviate the problem. The main canyon culvert was extended approximately 300′ upstream in late 1990. This extension impacted approximately 0.21 acres of riparian habitat. As mitigation for this removal of riparian area, 20 small rock check dams were installed in the lower portion of Cottonwood Creek to enhance water retention and possible fish survival. This mitigation was performed in accordance with approval from DWR. Details on location and installation of these structures (as well as the culvert extension) are found in Appendix 7-13 of this MRP. All wildlife habitats will be maintained or improved if disturbed. This will be done by using native or other vegetation approved for reclamation or habitat improvement. No new actions will be undertaken that compromise wildlife or their use areas without prior approval by the appropriate management or regulatory agency.

3.4.6.3 MONITORING PROCEDURES

There are few species that will be seriously impacted by the proposed actions. There are no identified active aeries being occupied by high interest species of raptors nor any readily accessible reproductive sites for game species that are critical to perpetuation of the species. However, should raptors, moose or any threatened or endangered species subsequently move into or be found in the mine plan area, appropriate UDOGM, UDWR and USWS personnel will be notified and mutually agreed upon monitoring instituted.

The mitigation action planned is such that it will require little to no monitoring, but enforcement by company officials and management or law enforcement personnel will be necessary. An exception might be the activities planned to reduce sediment loads in the stream. This is covered by the surface water monitoring program.

3.4.7 PROTECTION OF AIR QUALITY

3.4.7.1 Projected Impacts of Mining Operation on Air Quality

The Trail Mountain mining operation has some affect on the air quality of Cottonwood Canyon. Dust production by the mining operation is the main contribution. The areas that are the highest producers of dust are coal haulage down canyon from the mine, coal handling, and surface winds over the disturbed area.

3.4.7.2 Mitigating Measures to be Employed to Control Air Quality

Several practices are incorporated in the operations of the mine to protect the air quality in the mine vicinity. Protection of the air quality is mainly accomplished by reduction of dust production by the mine operations. Practices used to reduce dust production are:

1) Periodic watering, scraping, and compaction of coal loading area, and paving of the coal haulage road.
2) Wetting of coal during handling activities.
3) Keeping the size of the disturbed area to a minimum.
4) Revegetation of disturbed areas as soon as practicable.

3.4.7.3 Air Quality Monitoring Plans

Plans to monitor the air quality in the vicinity of the Trail Mountain Mine have not been considered or incorporated in the mining and reclamation plan. The affect on air quality by the mine will be minimal due to the limited area and the mitigation measures incorporated in the operation.

3.4.8 SUBSIDENCE CONTROL PLAN

The subsidence monitoring requirements were first imposed by the 211 US Geological Survey regulations. Later with the formation of the Office of Surface Mining and the realignment of the USGS responsibilities subsidence monitoring became the authority of OSM. Chapter 12 describes in detail the Applicant's plan to ensure minimal environmental impacts from mine induced subsidence.

3.4.8.1 PROJECTED SUBSIDENCE EFFECTS

Several surveys have been conducted over the area presently controlled by PacifiCorp which may be affected by mining operations. Timber, wildlife, grazing areas, water seeps and springs are the renewable resources occurring within the permit area. There are no oil and gas wells, pipelines, utility structures or high power lines that will be affected by any surface subsidence within the permit boundary. No buildings or dwellings have been constructed on any surface that will be subject to subsidence within the mine plan area. Timber growth and wildlife should not be affected as regional subsidence is anticipated rather than cracking the surface due to the thickness of overburden. Seeps and springs within and adjacent to the mine permit area have been surveyed and are

currently being monitored (refer to Chapter 7 - Hydrology , for a description of groundwater resources and monitoring).

3.4.8.2 CONTROL MEASURES TO MITIGATE IMPACTS

Should material damage be incurred by any structure despite the planned subsidence damage prevention measures, the applicant will repair the damage caused by subsidence resulting from the applicant's activities or will compensate the owner of the structure for such damage.

Any roads, fences, stock ponds, earth dams, or water troughs which are materially damaged by subsidence will be repaired and regraded to restore them to their pre-subsidence usefulness.

Should significant subsidence impacts occur, the applicant will restore, to the extent technologically and economically feasible, those surface lands that were reduced in reasonably foreseeable use as a result of such subsidence to a condition capable of supporting reasonably foreseeable uses that such lands were capable of supporting before subsidence.

In order to restore any land affected by Applicant's mining operations to a condition capable of supporting the current and postmining land uses stated herein, the Applicant will replace water determined to have been lost or adversely affected as a result of Applicant's mining operations if such loss or adverse impact occurs prior to final bond release. The water will be replaced from an alternate source in sufficient quantity and quality to maintain the current and postmining land uses as stated herein.

During the course of regular monitoring activities required by the permit, or as the Applicant otherwise acquires knowledge, the Applicant will advise the Division of the loss or adverse occurrence discussed above, within ten working days of having determined that it has occurred. Within ten working days after the Division notifies Applicant in writing, that it has determined that the water loss is the result of the Applicant's mining operation, the Applicant will meet with the Division to determine if a plan for replacement is necessary and, if so, establish a schedule for submittal of a plan to replace the affected water. Upon acceptance of the plan by the Division, the plan shall be implemented. Applicant reserves the right to appeal the Division's water loss determinations as well as the proposed plan and schedule for water replacement as provided by Utah Code Ann. 40-10-22(3)(a).

PUBLIC NOTICE

Applicant will not mine in any areas that would allow potential subsidence effects (as indicated by the angle of draw) to affect any area outside of the lease and permit boundary until this constraint on coal recovery is resolved by the OSM and the BLM Branch of Solid Minerals or permission is granted by the adjacent surface agencies.

A mining schedule which details the area in which mining is to take place and the planned date of the mining activity will be submitted to the affected surface owners, following approval of the application and prior to mining.

3.4.8.3 SUBSIDENCE MONITORING

The subsidence monitoring at Trail Mountain Mine prior to PacifiCorp's acquisition (November 1992) was conducted using conventional surveying methods.