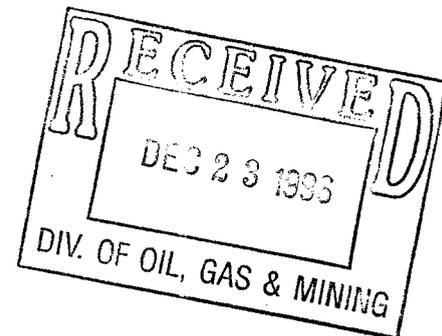




December 19, 1996

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801



Attention: Mr. Paul Baker

#2

Re: 15" CMP CULVERT INSTALLATION, DES-BEE-DOVE HAUL ROAD AMENDMENT, PACIFICORP, DES-BEE-DOVE MINE, ACT/015/017, EMERY COUNTY, UTAH.

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, submit an amendment to the plan, wherein a 15 inch CMP Culvert is required by the Texaco Corp., to be installed parallel to the haul road and in the drainage ditch. This culvert will allow the construction of an access road to be built into an additional gas well drill hole site. Although the culvert is not necessary for mining purposes it is needed to protect and maintain the integrity of the drainage system along the haul road. There may be other options as to how this culvert installation should be addressed, but at this time an amendment through PacifiCorp appears to be the quickest means by which to resolve the need.

The need for the culvert and access road was mentioned during the meeting that you attended on Friday, December 6, 1996. Ron Worth of Texaco informed us at that time there would be a need for two additional access crossings off the Des-Bee-Haul Road in the future. PacifiCorp, was informed on December 16, 1996 that the first access road will be required within the next few weeks, the other some time in the spring.

Although not much notice was given as to the exact date or location that these culverts would be required, the fact remains a previous knowledge of the need was known. The following information is provided to assist in accomplishing the approval of this amendment.

Note: Reminder, the haul road where the culvert is to be installed lies within a area covered by State Trust Lands, a R/W grant provided to Texaco and a previously granted and DOGM permitted PacifiCorp area.

Texaco will be responsible to install the culvert and access road approach off the haul road.

Huntington Office:

(801) 687-9821

Fax (801) 687-2695

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Deer Creek Mine:

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Cottonwood Mine:

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Construction installation will be monitored by PacifiCorp, and proper installation methods will be met. The project involves placing a 50' x 15" diameter CMP Culvert in an existing approved drainage ditch, which is within a DOGM permitted primary road area. The culvert is consistent with the runoff/flow calculations as covered in the prior approved ditch design. Several 15" diameter sized culverts along the drainage system have been in place since the original construction of the roadway. In addition, within the last year, two culverts within the same drainage system have been approved by DOGM and are now in place. (Same Size Culverts 15") The location of the culvert to now be placed is identified from the haul road stationing provided on drawing Number CM-10584-DS, sheet 11 of 38 of the permit. Roadway stationing for the culvert centerline is 219+71. The drawing sheet 10 of 38 is included for your information, depicting the location and sizing of other culverts as mentioned above.

Reclamation costs: Some concerns are raised at this point, as to responsibility of customer, Texaco still requiring the access and PacifiCorp required to carry out regulated terms of permit, Texaco being the recipient of needs and use for the addition, yet PacifiCorp being obligated by regulation through DOGM to comply to permit agreements if and when reclamation is required. These issues need to be addressed and in the near future. State and Federal agencies need to correlate use of R/W grants etc. and resolve in legal fashion the consequences and obligations associated with the land use permitting scheme. It is felt at this time the reclamation issue needs to be waived and settled through the State Agencies, after the fact, with all parties involved included.

Please find enclosed 3 copies of the drawing CM-10584-DS, sht. 11 of 38 for your review, also 3 copies of drawing 10 of 38 for general assistance in the overall review. The culvert location depicts at this time a proposed 15" CMP, after approval is granted this will be changed and reflect an in place culvert. After construction is completed, seven copies of the As-Built drawing CM-10584-DS, sheet 11 of 38 will be sent for your stamped approval date. Please return a copy for our files at that time.

We appreciate your help and assistance in the above matter. If you have any questions or concerns please call Richard Northrup at 687-4822.

Sincerely,



Richard Northrup
Env. Eng.

cc: Chuck Semborski
To File: Barbara Adams