



December 30, 1997

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

Attention: Mr. Daron R. Haddock

Re: Postmining Land Use for the Des-Bee-Dove Haul Road, PacifiCorp, Des-Bee-Dove Mine, ACT/015/017-DO, Folder #2, Emery County, Utah.

PacifiCorp, ("Energy West") received your letter dated December 16, 1997 which is your response to what should have been identified as our "Draft" amendment proposal concerning the Des-Bee-Dove Haul Road, Postmining Land Use etc. The original intent of that draft amendment proposal was for the Division to review the material submitted, and ascertain if the proposal information was in line with what the Division expected. This proposal should have been designated as "Draft Copy Only". We apologize for the confusion.

As outlined in your letter of December 16, 1997, the concept and approach to resolving the Des-Bee-Dove Haul Road Postmining Land Use is acceptable, but will now require an amendment to the permit that reflects all changes, revisions, additions or deletions, both in the permit text and drawings. As noted in the "Draft" letter dated December 1, 1997, on page 7, it states, that if the Division findings are that this proposal is acceptable then Energy West will expend the necessary manhours to provide the required material changes that are needed to amend the MRP. **As per your conversation with Chuck Semborski on December 19, 1997, a 90 day extension is requested to allow time to accomplish the extensive task, as outlined on the attached pages.**

As outlined in the "Draft" amendment the process of land transfer for the Rights of Way (R/W) of the Des-Bee-Dove Haul Road, is now ongoing between PacifiCorp the State of Utah School and Institutional Lands Administration, Bureau of Land Management, and the U.S.D.A. Forest Service. These R/W areas will be transferred to Emery County and become a part of the County Roadway system. It is our intent that the processes necessary to complete all phases of these transactions between each government agency will be complete within the 90 day extension period. Although it is our intent and purpose to have all transactions accomplished during this time frame, absolute control of how long each agency takes is outside of our capacity.

Therefore, PacifiCorp, "Energy West" commits to submittal of an amendment that includes the following items that were addressed in the Division correspondence dated December 16, 1997.

Huntington Office:
(801) 687-9821
Fax (801) 687-2695
Purchasing Fax (801) 687-9092

Deer Creek Mine:
(801) 381-2317
Fax (801) 381-2285

Cottonwood Mine:
(801) 748-2319
Fax (801) 748-2380

1. Proof of public notice pertaining to premining, postmining land use.
2. Statements from State Institutional Trust Lands, Bureau of Land Management, and U.S.D.A. Forest Service of their acceptance to R/W land transfer to the County, and that the proposed land use change is acceptable.
3. Document from the County stating they are willing to accept the Des-Bee-Dove Haul Road as part of there road system.
4. All amendments to the permit text and drawings.

Other issues of concern by the Division:

1. PacifiCorp continues to maintain all areas within the permitted R/W along the haul road and pond disturbance areas and will do so until the transfer of R/W lands is completed. A legal agreement and settlement with the County for the upgrading of the road has been initiated and is in process of legal consultation by County attorneys and should be signed within the allotted time extension. As stated above a document of acceptance from the County will be enclosed.
2. PacifiCorp, "Energy West" has instituted various measures to control the runoff within the steep slope area over the past several years, these methods have been monitored by the Division and found to be acceptable means of erosion control. Upon transfer of the Rights-of-Way to Emery County the County will assume the responsibility and liability of maintaining the road and associated Rights-of-Ways and runoff conveyance structures.

Any documents that have not been received from the various government agencies at the time of the amendment submittal will have an explanation as to why and when they should be expected.

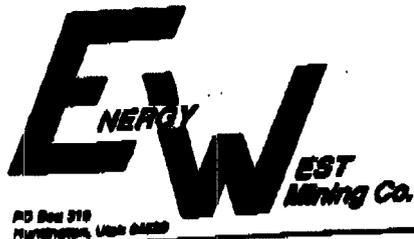
Thank you for your help and patience in providing an amendment to the Des-Bee-Dove permit, if there are any questions or further concerns please call Chuck Semborski at 687-4720 or Richard Northrup at 687-4822

Sincerely

*Richard Northrup
for Chuck*

Charles Semborski
Environmental and Geology Supervisor

cc: Charles Semborski
Blake Webster



ENERGY WEST MINING COMPANY

FAX TRANSMITTAL MEMO

Date: Dec 30, 1997

PLEASE DELIVER TELECOPY TO: Paul Baker

Location: DOG M S.L.C. FAX - 359-3940

FROM: _____

NUMBER OF PAGES, INCLUDING THIS PAGE: 3

COMMENTS: Originals are on the way -

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