



ACT/015/017 #2

**FAX TRANSMITTAL MEMO**

Date 8-4-98

Copy Done  
PAUL

PLEASE DELIVER TELECOPY TO: PAM LURBAUGH-LITTLE

LOCATION: DOGM-SLC

FROM: CHUCK SEMBORSKI

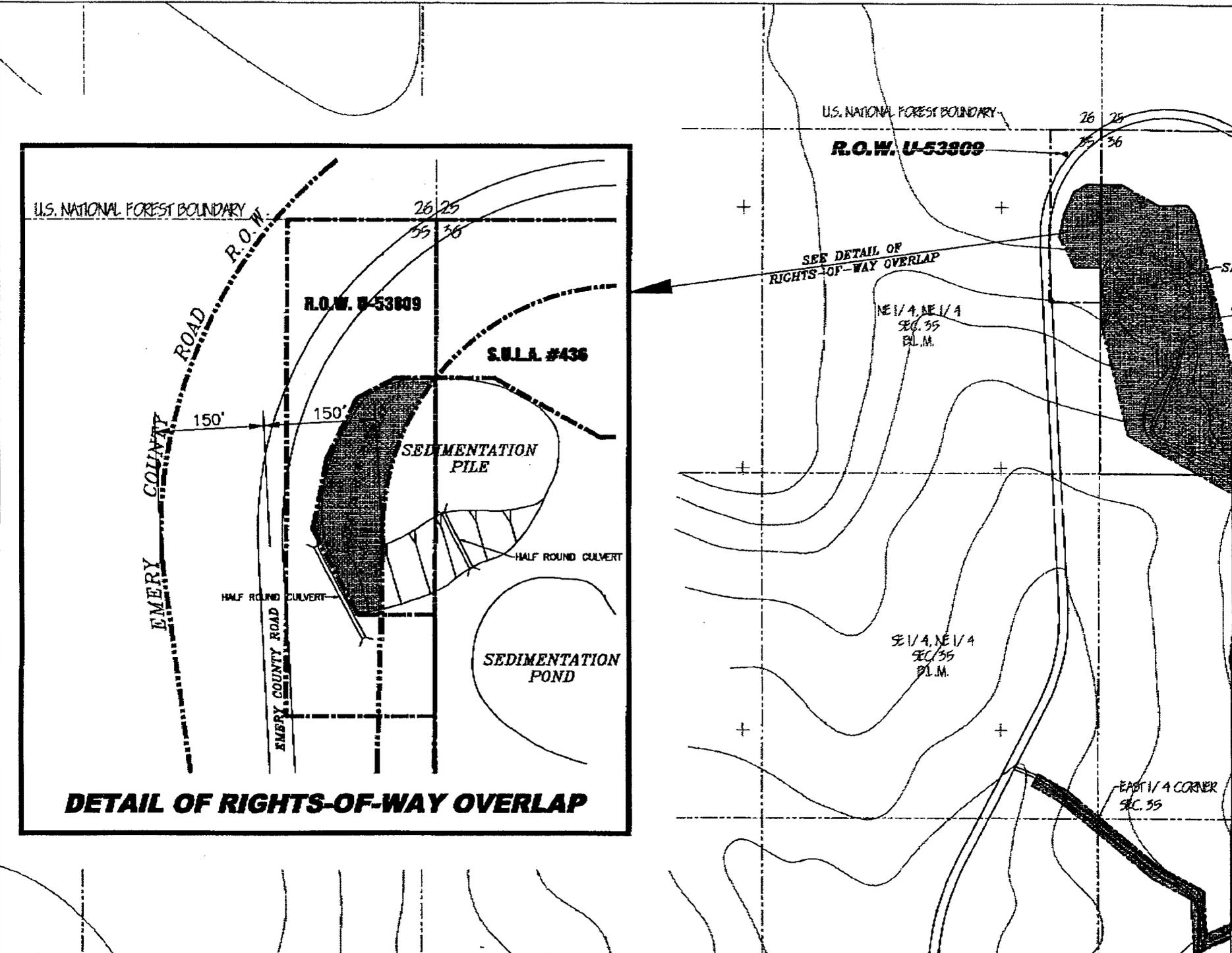
NUMBER OF PAGES, INCLUDING THIS PAGE: 2

COMMENTS: PLEASE REVIEW WITH PAUL  
CALL WITH COMMENTS

Huntington Office:  
(801) 887-9821  
Fax # (801) 887-2893

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

Cottonwood Mine:  
(801) 748-2318  
Fax # (801) 748-2390



U.S. NATIONAL FOREST BOUNDARY

U.S. NATIONAL FOREST BOUNDARY

**R.O.W. U-53809**

**R.O.W. U-53809**

**S.U.L.A. #436**

SEDIMENTATION PILE

HALF ROUND CULVERT

HALF ROUND CULVERT

SEDIMENTATION POND

SEE DETAIL OF RIGHTS-OF-WAY OVERLAP

NE 1/4, NE 1/4  
SEC. 35  
B.L.M.

SE 1/4, NE 1/4  
SEC. 35  
B.L.M.

EAST 1/4 CORNER  
SEC. 35

**DETAIL OF RIGHTS-OF-WAY OVERLAP**

EMERY COUNTY ROAD

EMERY COUNTY ROAD

150'

150'

26 25  
35 36

26 25  
35 36



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

1594 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801  
801-538-5340  
801-359-3940 (Fax)  
801-538-7223 (TDD)

Michael O. Leavitt  
Governor  
Lowell P. Braxton  
Division Director

July 15, 1998

TO: *Pam*  
File

THRU: Daron Haddock, Permit Supervisor *DAR H*

FROM: Paul Baker, Reclamation Biologist *PB*

RE: Haul Road Bond Release, PacifiCorp, Des Bee Dove Mine, ACT/015/017-BR98, Folder #2, Emery County, Utah

**SUMMARY:**

PacifiCorp has submitted a proposal to delete the Des Bee Dove haul road from the permit area. Numerous maps have been revised to accommodate this deletion, and much of the text has also been changed. Some of the text changes are not directly associated with the haul road; many simply update the plan to show current conditions at the site. A few are substantive, however.

This review does not consider every change made to the plan, and some problems may be found when the Division and operator begin to insert this proposal into the mining and reclamation plan.

**TECHNICAL ANALYSIS:**

**ADMINISTRATIVE INFORMATION**

**RIGHT OF ENTRY**

Regulatory Reference: R645-301-114

**Analysis:**

Right of entry information has been updated and now includes metes and bounds descriptions for the sediment pond access road area. Portions of the road right of way would still be in the permit area near the sediment pond.

It appears the applicant has taken the necessary steps to transfer and modify

rights of way, and the application contains letters to this effect from the Bureau of Land Management, the School and Institutional Trust Lands Administration, and the Forest Service. However, the application text does not mention right of way U-53809 except in a table on page 1-14 showing other permits. The application needs to show what rights are given by this right of way and how this relates to the road right of way which would overlap with the disturbed area boundary. Because of this overlap, there is a potential for conflict between the applicant and road users or the county.

**Findings:**

Information provided in the application is not considered adequate to comply with the requirements of this section of the regulations. Prior to approval, the applicant must provide the following in accordance with:

**R645-301-114**, The applicant needs to clarify its right of entry on right of way U-53809 and include this in the text. The disturbed area would overlap with the road right of way in this area, and there is a potential for conflict between the applicant and road users or the county.

## **RECLAMATION PLAN**

### **REVEGETATION**

Regulatory Reference: R645-301-341

**Analysis:**

The applicant proposes to delete the haul road vegetation study currently contained in Appendix XVI. For this study, the test plots were established in 1992 near the haul road, and they have been monitored a few times since then. Several different methods were used on these -plots, and there is valuable information in the history.

Appendix XVI should be retained in the plan, and the applicant needs to provide a concluding summary report about the plots. The most recent report in the Division's files is from 1995, only three years after the plots were established. The applicant should take quantitative data from the plots, analyze this data, and make conclusions about what treatments have been most successful.

The application includes other changes to the reclamation plan. Primarily, tree and shrub seedlings are being deleted from both interim and final revegetation planting mixes, and shrubs would be established from seed. No methods for establishing trees are included in the plan, but they are not needed. The proposed changes are acceptable.



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

1594 West North Temple, Suite 1210

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Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

Michael O. Leavitt  
Governor

Lowell P. Braxton  
Division Director

July 31, 1998

Janette S. Kaiser, Forest Supervisor  
U.S. Forest Service  
599 West Price River Road  
Price, Utah 84501

Richard Manus, Area Manager  
Bureau of Land Management  
125 East 600 West  
Price, Utah 84501

Ranvir Singh  
Office of Surface Mining  
1999 Broadway, Suite 3320  
Denver, Colorado 80202

David Terry, Director  
School & Institutional Trust Lands Administration  
675 East 500 South  
Salt Lake City, Utah 84102

Re: Des-Bee-Dove Haul Road, Bond Release, Des-Bee-Dove Mine, PacifiCorp,  
ACT/015/017, Folder #2, Emery County, Utah

Dear Ms. Kaiser and Messrs. Manus, Singh, and Terry:

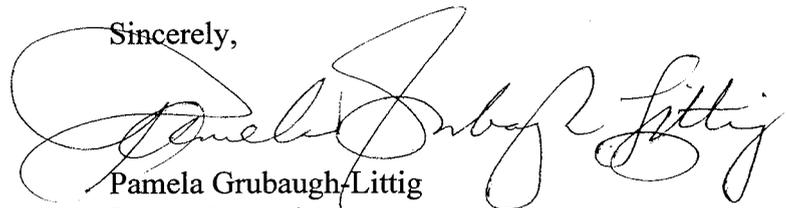
Enclosed please find the application for the final bond release of the Des-Bee-Dove haul road. A Decision Memo and Public Road Easement Deed were prepared for the Forest Supervisor's signature and signed on January 30, 1998. Once the deed is transmitted to Emery County and recorded, the change in jurisdiction will be complete, per letter dated April 15, 1998 to Lowell Braxton from Janette Kaiser, Forest Supervisor. The Bureau of Land Management (BLM) by letter dated March 26, 1998 stated that the BLM had no objection to the transfer of right-of way and the proposed postmining land use change from a coal road to an Emery County road is acceptable to BLM. The BLM will recognize the transfer when Emery County assigns the right-of way.

Page 2  
Des-Bee-Dove Bond Release  
ACT/015/017-98BR  
July 31, 1998

The State Institutional Trust Lands Administration (SITLA) found the postmining land use change as well as the "Right-of-Way Transfer Agreement" concurred with the transfer of ownership from Emery County, by letter dated March 24, 1998.

All of the agencies were invited by letter dated July 6, 1998 to the final bond release inspection for this haul road which will remove this road from the permit area. Due to the fact that the BLM, FS, and SITLA have no objection to the change in the alternative postmining land use, the final bond release is moving forward. If you have any comments or questions, please call me.

Sincerely,



Pamela Grubaugh-Littig  
Permit Supervisor

tam  
Enclosure  
O:\015017.DBD\FINAL\TRNSREL.WPD

ACT/012/017 #2 (2-sided)  
Copy Duran, Joe, Susan,  
Paul, Bill, Pam  
Priscilla, Bob

SAMPLE RESULTS FOR  
THE DES-BEE-DOVE  
REVEGETATION TEST PLOTS

1994-1997

Executive Summary



*Prepared by*

**MT. NEBO SCIENTIFIC, INC.**  
330 East 400 South, Suite 6  
Springville, Utah 84663  
(801) 489-6937

Patrick D. Collins, Ph.D.

*for*

**ENERGY WEST MINING COMPANY**  
P.O. Box 310  
Huntington, Utah 84528

July 27, 1998

## INTRODUCTION

Revegetation test plots were constructed on Mancos Shale soils near the Des-Bee-Dove mine site. Because it is often difficult to reclaim, the primary goal of the test plots were to compare reclamation treatments that may enhance revegetation of the Mancos Shale soils in this area. The plot area was disturbed in 1991. The test plots were constructed, treated and seeded in the Fall of 1992. Vegetation monitoring of the plots have been conducted since that time.

## PLOT SIZE & NUMBER

There were a total of 8 treatments compared at the Des-Bee-Dove test plots (Table 1). Each treatment was replicated 3 times, therefore, the total number of plots was 24. Each plot was 10 ft by 14 ft in size or had an area of 140 ft<sup>2</sup>. Each treatment had three subplots that were randomly placed over the disturbed area (Fig. 1).

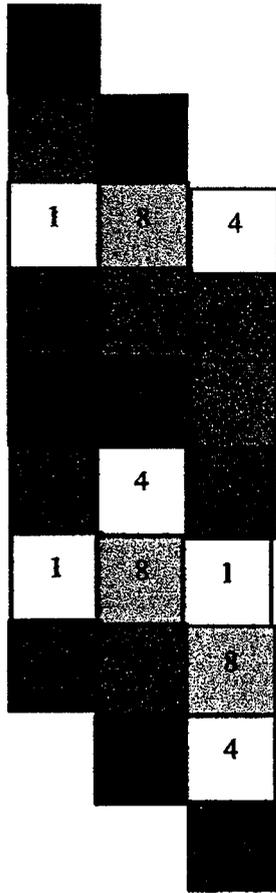
## PLOT TREATMENTS

Table 1: Plot treatments and descriptions of the DBD test plots.

| PLOT/<br>TREATMENT<br>NUMBER | TREATMENT*                | DESCRIPTION  |
|------------------------------|---------------------------|--|
| 1                            | Rocky Soil                | This was native soil borrowed from another area. It was placed at a depth of 2" over the disturbed Mancos Shale soils.   |
| 2                            | Coal Waste                | Coal refuse was placed over the Mancos Shale at a depth less than 2".  |
| 3                            | Live Earth                | A soil amendment called "Live Earth" was supplied by K. Littlefield and was applied at a rate of 1200 lbs/acre in dry form.  |
| 4                            | Rocky Soil/<br>Live Earth | A combination of Rocky Soil and Live Earth was applied at a rate of 1 cubic yard and 800 lbs/acre, respectively.   |
| 5                            | Coal Waste/<br>Live Earth | A combination of 2" of coal refuse and 800 lbs/acre of Live Earth was applied to these subplots.   |
| 6(8)                         | Sewage Sludge             | An application of sewage sludge was planned, but because approval was not secured before plot construction, this treatment was substituted for an application of nursery stock seed. |
| 7                            | Native Seed               | Native plant seed was collected from the adjacent areas and applied as a treatment (see Table 2).  |
| 8                            | Nursery Seed              | Seed from a commercial nursery was planted for this treatment (see Table 3).   |

\* Surface of all plots were gouged and mulched. No fertilizers were used.

Figure 1  
 DES-BEE-DOVE  
 REVEGETATION TEST PLOT  
 LAYOUT & TREATMENTS



Test Plot Treatments

1. Rocky Soil
2. Coal Waste
3. Live Earth
4. Rocky Soil &  
Live Earth
5. Coal Waste &  
Live Earth
6. Sewage Sludge
7. Native Seed
8. Nursery Seed

## SEED LISTS

Nursery stock seed and native plant seed collected from adjacent areas were used for the test plots. The nursery stock seed was planted on all plots with the exception of the plot called "Native Seed" as a treatment. The seed mixtures are shown on Tables 2 and 3.

Table 2: Native seed list collected from adjacent areas for the DBD test plots.

| COMMON NAME        | SCIENTIFIC NAME                       |
|--------------------|---------------------------------------|
| <b>Shrubs</b>      |                                       |
| Four-wing saltbush | <i>Atriplex canescens</i>             |
| Shadscale          | <i>Atriplex confertifolia</i>         |
| Cuneate saltbush   | <i>Atriplex gardneri var. cuneata</i> |
| Greasewood         | <i>Sarcobatus vermiculatus</i>        |
| Mormon tea         | <i>Ephedra viridis</i>                |
| Rabbitbrush        | <i>Chrysothamnus nauseosus</i>        |
| <b>Forbs</b>       |                                       |
| Fathen saltplant   | <i>Atriplex patula</i>                |
| Corymbed Buckwheat | <i>Eriogonum corymbosum</i>           |
| Rock goldenrod     | <i>Petradoria pumila</i>              |
| Prince's plume     | <i>Stanleya pinnata</i>               |
| <b>Grasses</b>     |                                       |
| Salina wildrye     | <i>Elymus salinus</i>                 |
| Squirreltail       | <i>Elymus elymoides</i>               |
| Indian ricegrass   | <i>Stipa hymenoides</i>               |

\* Because wild seed availability can vary from year to year, it is not known by the author the exact seed mix planted.

Table 3: Seed list of nursery seed stock obtained for the DBD test plots.

| COMMON NAME           | SCIENTIFIC NAME                    |
|-----------------------|------------------------------------|
| <b>Shrubs</b>         |                                    |
| Four-wing saltbush    | <i>Atriplex canescens</i>          |
| Shadscale             | <i>Atriplex confertifolia</i>      |
| Mat saltbush          | <i>Atriplex corrugata</i>          |
| Winterfat             | <i>Ceratoides lanata</i>           |
| Prostrate kochia      | <i>Kochia prostrata</i>            |
| <b>Forbs</b>          |                                    |
| Yellow sweetclover    | <i>Melilotus officinalis</i>       |
| Lewis flax            | <i>Linum lewisii</i>               |
| Globemallow           | <i>Sphaeralcea grossularifolia</i> |
| <b>Grasses</b>        |                                    |
| Thickspike wheatgrass | <i>Elymus lanceolatus</i>          |
| Western wheatgrass    | <i>Elymus smithii</i>              |
| Gt. Basin wildrye     | <i>Elymus cinereus</i>             |
| Alkali saccaton       | <i>Sporobolus airoides</i>         |
| Indian ricegrass      | <i>Stipa hymenoides</i>            |

\* Because nursery seed stock availability can vary from year to year, it is not known by the author the exact seed mix planted.

## SOIL TESTING

Soil testing was conducted prior to placing treatment. The parameters analyzed are shown on Table 4. Sample results can be obtained from Energy West Mining Company.

Table 4: Soil parameters before plot treatments

| Parameter               | Unit               |
|-------------------------|--------------------|
| Texture                 | % sand, silt, clay |
| Sodium Adsorption Ratio | meq/l              |
| Electrical Conductivity | mmhos/cm           |
| Saturation              | %                  |
| Organic Carbon          | %                  |

|                           |       |
|---------------------------|-------|
| Total Nitrogen            | %     |
| Available Phosphorus      | mg/kg |
| Available Potassium       | mg/kg |
| Water Extraction Boron    | mg/kg |
| Water Extraction Selenium | mg/kg |
| Acid Base Potential       | -     |
| Available Water           | %     |
| Soluble Ca, Mg, Na        | meg/l |

## PLOT SAMPLING

The test plot was sampled annually beginning with qualitative sampling in 1993. In the years 1994 through 1997, quantitative sampling was conducted. These data sets were submitted in Energy West's annual reports to the State of Utah, Division of Oil, Gas & Mining (DOG M). All sampling methodologies were consistent from year to year in an attempt to make data comparisons more meaningful. The exact sampling methods were described in the aforementioned annual reports.

## RESULTS

### Cover

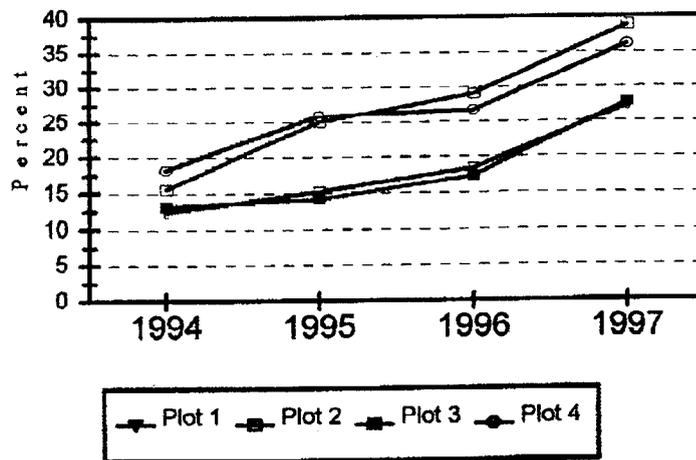
The average living plant cover for each treatment is given in Table 5. These totals *exclude* "weedy" species showing only "desirable" plant cover. Figures 2 and 3 illustrate the trends on a graph.

Table 5: Average cover for each treatment of the Des-Bee-Dove test plots

|      | Plot 1 | Plot 2 | Plot 3 | Plot 4 | Plot 5 | Plot 6(8) | Plot 7 | Plot 8 |
|------|--------|--------|--------|--------|--------|-----------|--------|--------|
| 1994 | 12.34  | 15.56  | 13.12  | 18.24  | 21.34  | 8.23      | 3.89   | 8.34   |
| 1995 | 15.23  | 25.02  | 14.22  | 25.9   | 26.99  | 13.56     | 9.23   | 13.12  |
| 1996 | 18.46  | 29.12  | 17.33  | 26.88  | 26.11  | 16.01     | 10.56  | 16.66  |
| 1997 | 27.22  | 38.89  | 27.78  | 36.11  | 35     | 22        | 18.88  | 26.44  |

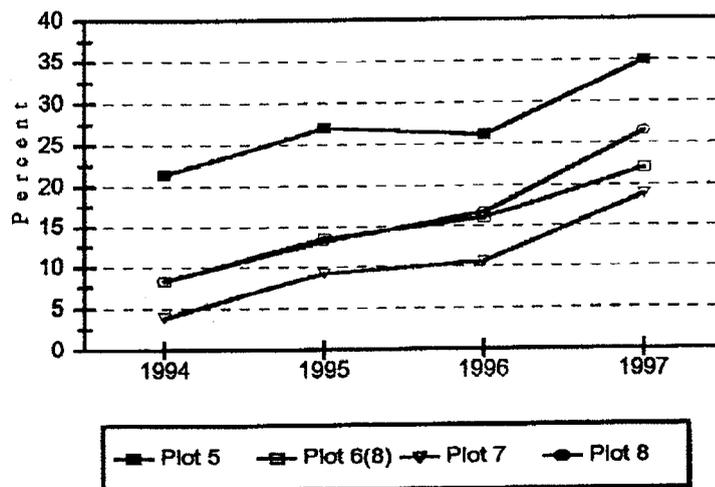
**Fig. 2 - DBD Test Plots: Cover**

Plots 1-4



**Fig. 3 - DBD Test Plots: Cover**

Plots 5-8



*Density*

The average woody species density for each treatment is shown in Table 6, whereas, the data are show graphically on Figures 4 and 5.

**Fig. 4 - DBD Test Plots: Density**  
Plots 1-4

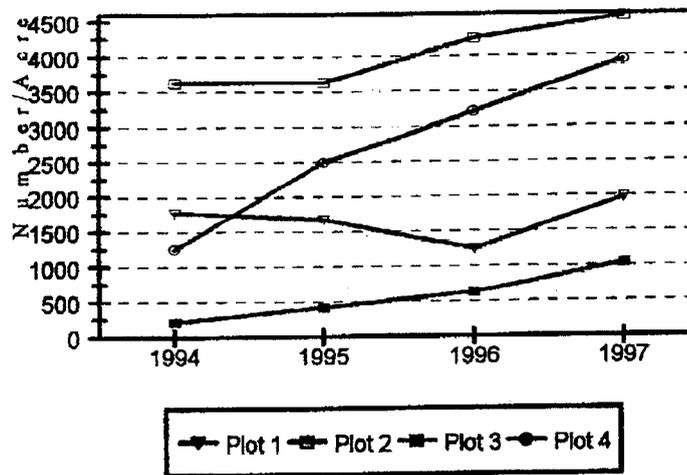
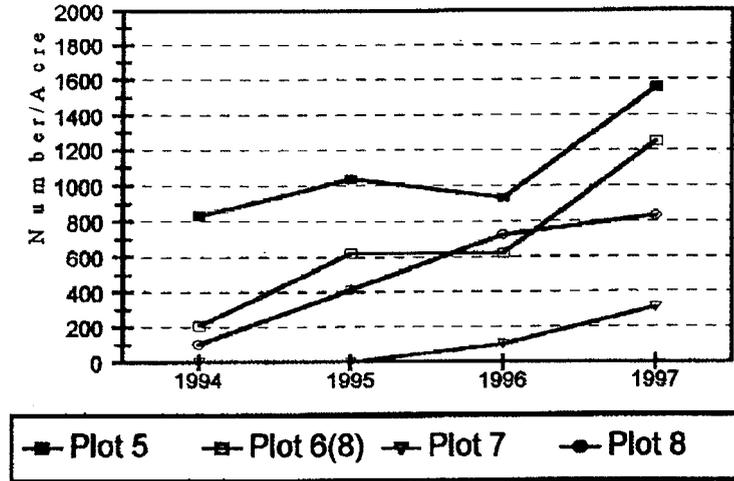


Table 6: Average woody species density for each treatment of the Des-Bee-Dove test plots

|      | Plot 1 | Plot 2 | Plot 3 | Plot 4 | Plot 5 | Plot 6(8) | Plot 7 | Plot 8 |
|------|--------|--------|--------|--------|--------|-----------|--------|--------|
| 1994 | 1764   | 3630   | 207    | 1245   | 830    | 207       | 0      | 104    |
| 1995 | 1659   | 3630   | 415    | 2489   | 1037   | 622       | 0      | 415    |
| 1996 | 1245   | 4252   | 622    | 3215   | 933    | 622       | 104    | 726    |
| 1997 | 1971   | 4563   | 1037   | 3941   | 1556   | 1245      | 311    | 830    |

**Fig. 5 - DBD Test Plots: Density**

Plots 5-8



## DISCUSSION

Vegetation sampling suggested that most plots did better each growing year following seeding. The data and graphs presented indicate that the plots that were treated with coal refuse performed better than the other plots for cover of desirable plant species. The plots that were treated with only coal refuse (Plot 2) out-performed all other plots. The plots that were treated with Rocky Soil & Live Earth (Plot 4) also performed quite well with respect to cover, as did the plots treated with both Live Earth and Coal Waste (Plot 5).

The positive results between coal waste and woody species density were even stronger, however, the plots that were treated with Rocky Soil & Live Earth (Plot 4) also had very good density numbers.

Vegetation sampling clearly suggest that coal refuse can increase plant cover and woody species densities on Mancos Shale. The addition of a good borrow material is also another viable option for reclamation of these areas. The plots that had "Live Earth" added to them also did fairly well, but these plots had additional treatments that may have contributed to the success of the plots because when Live Earth *only* (Plot 3) was used as a treatment, the plots performed much less favorably for cover and density.

ing bids from vendors on the following

n 11 processor, Industry  
ietary components). 32 mb  
m board. 3.2 gb, 10ms, 5400  
PCI local bus, 4mb minimum.  
r compatible soundcard,  
seT ready. BIOS; plug and  
stalled, 15 inch .28 pitch  
labor, 3 year, 1st year on-  
g to supply minimal spare  
d, tested, and "burned-in."

ents; brand name only. All parts must be  
st be Novell Certified and vendor must be  
and UL Certified. System must be year  
must ship with a single CDROM which  
-free technical support from the original  
nent with freight paid both ways. Vendor  
ave at least 500 systems installed.

Coordinator  
District  
th

48.  
1998  
ay 19 and 26, 1998.

**CE**

oard of Education of the Emery County  
is canceled.  
ne 17, 1998, at 7:00 p.m. and will be held  
Utah.

Ross C. Huntington  
Business Administrator  
y 26 and June 2, 1998.

**CE**

398-99 budget and is available for public  
normal business hours. A public hearing  
Clawson Town hall before final adoption  
at the same time to re-open the 1997-98  
d to attend.

/s/ Marie Norton  
Clerk/Recorder  
y 26, 1998.

**CE**

99, 1998 at the Emery Town Hall at 7:00  
to adopt the 1998-99 proposed budget.  
a meeting.

/s/ Judy Mortensen  
Clerk  
y 26 and June 2, 1998.

**RBIDS**

ons, July 31, 1998 and August 1, 1998.  
ector, @687-2403.  
, P.O. Box F, Huntington, Utah 84528  
ay 26, 1998.

**BIDS**

Emery County Fair July 30 1998 through  
up will consist of cleaning the City Park  
wn in front of City Hall, Fire Station, and  
ntact Emery County Fair Director Kathy

. P.O. Box F, Huntington, UT 84528.  
ay 26, 1998.

**BIDS**

ng for sale, by sealed bid, the following

| LICENSE | APPROX. MILEAGE | MINIMUM BID |
|---------|-----------------|-------------|
| 01184ex | 160000          | \$ 300      |
| 42791ex | 190000          | \$ 150      |
| 35019ex | 135000          | \$ 300      |
| 36442ex | 136000          | \$ 800      |
| 02161ex | 190000          | \$ 500      |
| 37264ex | 226000          | \$1,000     |
| 42699ex | 136000          | \$ 150      |
| 45832ex | 189000          | \$ 100      |

at the Bus Garage, 175 West 855 North,  
4:00 p.m., daily from May 26th through

3 VIN# and or description of the vehicle  
ngton, Utah 84528  
une 6, 1998.

Wednesday, June 10th at 9:00 a.m.  
e until June 17th to pay, by cash, cashiers

nt to reject any or all bids.  
ay 26, 1998.

Cleveland Town  
PO Box 325  
Cleveland, Ut 84518  
Jamie Jensen  
Clerk

Published in the Emery County Progress May 19, 26, and June 2, 1998.

**INVITATION FOR BIDS  
NOTICE TO CONTRACTORS**

Bids will be received by Emery County Special Service District #1 for the Lawrence  
Streets and Lawrence Cemetery Road Improvement Project.

Bids will be in accordance with the specifications prepared by Johansen & Tuttle  
Engineering, Inc., 90 South 100 East, Castle Dale.

Bids will be received by Emery County Special Service District #1 until 2:00 p.m., June  
8, 1998, at the office of the Engineer. Bids will be opened and read aloud at 2:00 p.m. A bid bond  
in the amount of five percent (5%) of the bid, made payable to the Owner, shall accompany the  
Bid.

Major items of work include:

1. Roadway Excavation 2,700 C.Y.
2. Untreated Base Course 2,900 C.Y.
3. Asphalt Concrete Mix (AC-10) 2,400 TON
4. Right of Way Fence 1,700 L.F.

Prospective bidders shall assemble at the office of the Engineer on June 2, 1998, at  
10:00 a.m. for the group showing.

Site showing attendance is mandatory for submittal of bid.

The owner reserves the right to reject any or all bids or to waive any formality or  
technicality in any bid in the interest of the District.

Emery County Special Service District #1  
Castle Dale, Utah 84513  
Merrill Swasey  
Chairman  
May 15, 1998

Published in the Emery County Progress May 19, 26 and June 2, 1998.

**Application for Postmining Land Use  
Change and Bond Release  
PacifiCorp, Des-Bee-Dove Mine  
ACT/015/017  
Energy West Mining Company  
P.O. Box 310  
Huntington, Utah 84528**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Com-  
pany ("Energy West") as mine operator, is filing with the Division of Oil, Gas and Mining an  
application for Postmining Land Use change and Bond Release for the Des-Bee-Dove Mine,  
specifically, the presently designated Des-Bee-Dove Haul Road, from Highway 57 to an area close  
to the County Road referred to as Danish Bench. The Construction of this portion of haul road was  
designated by roadway stationing, starting at 96+00 center of road, located a few hundred feet  
above the Danish Bench connection in the direction of the mine site, and ending at Highway 57,  
stationing 243+18 center of roads.

PacifiCorp, filed notification to reclaim the Des-Bee-Dove Mine and associated Rights-  
of-Ways (R/W) as permitted (February 26, 1997). Since that time the County has expressed  
interest in acquiring the Haul Road and incorporating the road into the county road system.

Negotiations for land Rights-of-Way transfer between PacifiCorp, the County and  
those government agencies as listed below have been completed. This means that the haul road  
and associated Rights-of-Way would remain in place and become part of the "County Road  
System". The State Division of Oil, Gas and Mining would no longer have permitting control within  
these areas as listed.

The road and associated Rights-of-Way, wherein the road lies is listed below within the  
closest 1/4 section.

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

- State of Utah-The NE 1/4 NE 1/4 Section 2, T18S, R7E, SLM.
- State of Utah-The NW 1/4 NE 1/4 Section 2, T18S, R7E, SLM.
- State of Utah-The SW 1/4 NE 1/4 Section 2, T18S, R7E, SLM.
- State of Utah-The NW 1/4 SE 1/4 Section 2, T18S, R7E, SLM.
- State of Utah-The NE 1/4 SW 1/4 Section 2, T18S, R7E, SLM.
- State of Utah-The NE 1/4 NW 1/4 Section 36, T17S, R7E, SLM.
- State of Utah-The SE 1/4 NW 1/4 Section 36, T17S, R7E, SLM.
- State of Utah-The NW 1/4 NW 1/4 Section 36, T17S, R7E, SLM.

BLM Right-of-Way Grant U:50148 (28.29 acres) utilized for the location of the Junc-  
tion Haul Road within the E 1/2 E 1/2 Section 35, T17S, R7E, SLM.

- BLM-The NE 1/4 NE 1/4 Section 35, T17S, R7E, SLM.
- BLM-The SE 1/4 NE 1/4 Section 35, T17S, R7E, SLM.
- BLM-The NE 1/4 SE 1/4 Section 35, T17S, R7E, SLM.
- BLM-The SE 1/4 SE 1/4 Section 35, T17S, R7E, SLM.

United States Forest & Special Use Permit utilized for the location of the Junction  
Haul Road located within the SW 1/4 SW 1/4 Section 25, SE 1/4 SW 1/4 Section 25 and the SE  
1/4 SE 1/4 Section 26, T17S, R7E, SLM.

**POSTMINING LAND USE**

The current Des-Bee-Dove permit states that the postmining land use for the area of  
the mine will be for grazing and wildlife. The postmining land use would be expanded to reflect  
current public uses of the area which include the following land use categories:

- Access for Industrial/Commercial (coal bed methane extraction)
- Recreation.

A Surety Bond is posted with the Division in the amount of \$1,837,712.00, payable to  
the State of Utah, Division of Oil Gas and Mining (DOG M) and the Office of Surface Mining  
Reclamation and Enforcement (OSM).

This notice is being published to comply with the Surface Mining Control and Reclama-  
tion Act of 1997 and the State and Federal regulations promulgated pursuant to said Act. The  
application for Postmining Land Use Change is on file at the Castle Dale, County Court House in  
the Public Records Office and at the State Department of Natural Resources as listed below.

Written comments may be submitted to: State of Utah, Department of Natural Re-  
sources, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt  
Lake City, Utah 84114-5801. Comments must be in within 30 days from the date of last publication  
of this notice.

Published in the Emery County Progress on May 12, 19, 26 and June 2, 1998.

**4. Right of Way Fencing**

2,320 L.F.

Prospective bidders shall assemble at the office of the Engineer on June 2, 1998, at  
10:00 a.m. for the group showing.

Site showing attendance is mandatory for submittal of bid.

The owner reserves the right to reject any or all bids or to waive any formality or  
technicality in any bid in the interest of the District.

Emery County Special Service District #1  
Castle Dale, Utah 84513  
Merrill Swasey  
Chairman  
May 15, 1998

Published in the Emery County Progress May 19, 26 and June 2, 1998.

**INVITATION FOR BIDS**

Project Name: Green River Utah Medical Center

Project Location: Approximately 450 West Main Street, Green River, Utah

General Contractor bid to Owner June 9th 1998 @ 2:00 p.m., office of the Owner, 240  
East Main Street, Green River, Utah.

Owner: City of Green River Utah, 240 East Main Street, Green River Utah.

Architect: Wells Associates Architects, P.C., 1060 South Main Street, Suite #1, St.  
George, Utah 84770. Phone (435) 673-48-- Fax (435) 673-4801

City Engineer, Sunrise Engineering, 25 East 500 North, Fillmore, Utah 84631. Phone  
(435) 743-6151. Fax (435) 743-7900.

All bidding questions to be directed to the Architect.

Project Description: New Medical Clinic, 3,810 s.f. with exam rooms, administrative  
offices, lab, meeting room, pharmacy, restrooms and x-ray room. Owner will provide x-ray  
equipment and some specialty items. Building is wood frame construction on caissons and grade  
beams.

Project will include: Asphalt, Concrete curb & gutter. Foundation - concrete caissons  
& grade beam. Wood floor. Wood Frame interior and exterior walls, Wood Trussed Roof construction.  
Stucco exterior. Windows operable, aluminum or vinyl. Roof covering asphalt shingles. Interior finish  
5/8" drywall painted. Floor finish carpet, resilient flooring. Interior wood doors, exterior store front  
doors and flush metal doors. Interior jamb hollow metal. Electric HVAC heating and air conditioning.  
EPDM crawl space vapor barrier and perimeter drain. Entire to roof to have rain gutter.

Plans are available from Sunrise Engineering 25 East 500 North, Fillmore Utah after  
5/20/98. \$75.00 per set refundable plan deposit. 5% Bid Bond and 100% Performance bond required.  
Mandatory prebid meeting June 4th 1998 @ 2:00 p.m. at the office of the Owner, 240 East Main  
Street, Green River, Utah.

Published in the Emery County Progress May 19, 26, June 2 and 9, 1998.

**NOTICE OF TAX SALE**

Notice is hereby given that on the 28<sup>th</sup> day of May, 1998, at 10:00 a.m., at the front door  
of the county courthouse in Emery County, Utah, I will offer for sale at public auction and sell to  
the highest bidder for cash, under the provisions of Section 59-2-135.1, the following described real  
property located in the county and now delinquent and subject to tax sale. A bid for less than the  
total amount of taxes, interest, penalty, and administrative costs which are a charge upon the real  
estate will not be accepted.

**Bowerman, Von R & Cindy M**, Box 88, Green River, UT 84525.

Serial #05-0125-004, DIST 019, BEG 900.4 FT S, NE COR, NE/4 SW/4, SEC 29, TWP 20, SR  
16 E; S 41 20' W 169' FT; S 30 W 261.1 FT; 42 10' W 85 FT; E 301.2 FT; N 419.6 FT TO BEG. ALSO,  
BEG NE COR, SE/4 SW/4, SEC 29; W 316 FT TO CENTER LINE OF GREEN RIVER CANAL;  
TH DOWN CENTER LINE OF CANAL S 48 W 408 FT; S 35

**Christensen, Bert, Kirkwood David E**, 82 N 200 W, Price, UT 84501.

Serial #01-0176-0002, DIST 007, BEG AT SW COR, NW 1/4 NE 1/4, SEC 19, TWP 17 S, R 9 E;  
THS 385 FT; E 635 FT; NE 1/4 TO PT 850 FT E FROM PT OF BEG; W 147 FT; N 165 FT; NW 1/4  
TO PT 285 FT N FROM BEG; S 285 FT TO BEG. 14.45 AC

**Davis, Steven R**, 525 Beverly Avenue, Paso Flores, CA 93446-1227.

Serial #03-0097-0009, DIST 009, N/2 NE/4 SE/4, SEC 16, TWP 17 S, R 10 E.

**Myerhoff, Bruce & Loyette**, Box 582, Huntington, UT 84528.

Serial #01-0193-0025, DIST 007, BEG SE COR, LOT 1, BLOCK 23, HUNTINGTON TOWNSITE  
SURVEY; N 136.125 FT; W 86.12 FT; S 136.125 FT, E 86.12 FT TO BEG. 0.27 ACRES.

IN WITNESS WHEREOF I have hereunto set my hand and official seal this 24<sup>th</sup> day  
of April, 1998.

Bruce C. Funk  
Emery County Clerk/Auditor  
Published in the Emery County Progress May 5, 12, 19, and 26, 1998.

**FERRON CITY PUBLIC NOTICE**

Notice is hereby given that Ferron City has received and accepted a petition for  
annexation submitted by Lynn Bjarnson on March 20, 1998. The petition was reviewed by the  
Planning & Zoning Committee on April 21, 1998 and certified and approved on May 12, 1998. This  
parcel of land belonging to Lynn Bjarnson location in Ferron City, more specifically described as  
follows:

**BOUNDARY DESCRIPTION:** Beginning at the Southeast corner of the Northwest  
quarter of Section 3, T. 20 S., R. 7 E., SLM.; thence N 0 degrees 24'30" W, 757.04 feet along the  
East boundary of said quarter to a point in-line with an existing fence line; Thence N 87 degrees  
04'30" W, 756.83 feet along said fence line to the East right of way line of Utah Highway 10; Thence  
S 21 degrees 44'48" W, 870.52 feet to the South boundary of said quarter; Thence N 89 degrees  
19'20" E, 1083.79 feet to the point of beginning. Containing 16.576 acres-m/l.

The complete annexation petition is available for inspection and copying at the office  
of the Ferron City Recorder.

Ferron City may grant the petition and annex the area described in the petition unless  
a written protest to the annexation is filed with the Emery County Commissioners at the Emery  
County Court House, 75 East Main, P.O. Box 629, Castle Dale, Utah, 84513; and a copy of the  
protest delivered to the Ferron City Recorder by June 30, 1998 at 14 East Main Street, P.O. Box  
820, Ferron City, Utah 84532.

A protest to the annexation petition may be filed as noted in UCA 10-2-407 by property  
owners of private real property that: 1) is located in the unincorporated area within 1/2 mile of the  
area proposed for annexations; 2) covers at least 25% of the private land area located in the  
unincorporated area with 1/2 mile of the area proposed for annexation; and 3) is equal in value to  
at least 15% of all real property located in the unincorporated area with 1/2 mile of the area proposed  
for annexation.

I the undersigned duly acting and appointed Recorder of Ferron City hereby certify that  
the foregoing notice was posted in three public places on May 15th, 1998 and provided to the Emery  
County Progress for publication in the next three scheduled circulations.

/s/ Paula Kunze  
Ferron City Recorder  
Published in the Emery County Progress May 19, 26 and June 2, 1998.



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

Michael O. Leavitt  
Governor

Lowell P. Braxton  
Division Director

July 31, 1998

Janette S. Kaiser, Forest Supervisor  
U.S. Forest Service  
599 West Price River Road  
Price, Utah 84501

Richard Manus, Area Manager  
Bureau of Land Management  
125 East 600 West  
Price, Utah 84501

Ranvir Singh  
Office of Surface Mining  
1999 Broadway, Suite 3320  
Denver, Colorado 80202

David Terry, Director  
School & Institutional Trust Lands Administration  
675 East 500 South  
Salt Lake City, Utah 84102

Re: Des-Bee-Dove Haul Road, Bond Release, Des-Bee-Dove Mine, PacifiCorp,  
ACT/015/017, Folder #2, Emery County, Utah

Dear Ms. Kaiser and Messrs. Manus, Singh, and Terry:

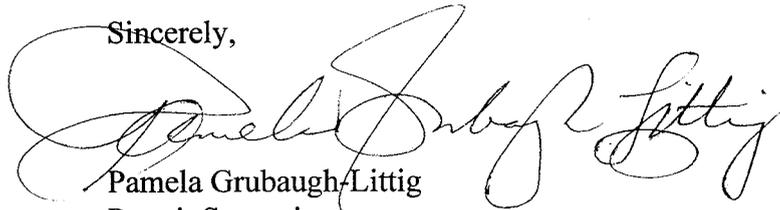
Enclosed please find the application for the final bond release of the Des-Bee-Dove haul road. A Decision Memo and Public Road Easement Deed were prepared for the Forest Supervisor's signature and signed on January 30, 1998. Once the deed is transmitted to Emery County and recorded, the change in jurisdiction will be complete, per letter dated April 15, 1998 to Lowell Braxton from Janette Kaiser, Forest Supervisor. The Bureau of Land Management (BLM) by letter dated March 26, 1998 stated that the BLM had no objection to the transfer of right-of way and the proposed postmining land use change from a coal road to an Emery County road is acceptable to BLM. The BLM will recognize the transfer when Emery County assigns the right-of way.

Page 2  
Des-Bee-Dove Bond Release  
ACT/015/017-98BR  
July 31, 1998

The State Institutional Trust Lands Administration (SITLA) found the postmining land use change as well as the "Right-of-Way Transfer Agreement" concurred with the transfer of ownership from Emery County, by letter dated March 24, 1998.

All of the agencies were invited by letter dated July 6, 1998 to the final bond release inspection for this haul road which will remove this road from the permit area. Due to the fact that the BLM, FS, and SITLA have no objection to the change in the alternative postmining land use, the final bond release is moving forward. If you have any comments or questions, please call me.

Sincerely,



Pamela Grubaugh-Littig  
Permit Supervisor

tam  
Enclosure  
O:\015017.DBD\FINAL\TRNSREL.WPD



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

1594 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801  
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801-538-7223 (TDD)

Michael O. Leavitt  
Governor  
Lowell P. Braxton  
Division Director

July 15, 1998

TO: File

THRU: Daron Haddock, Permit Supervisor

FROM: Paul Baker, Reclamation Biologist

RE: Haul Road Bond Release, PacifiCorp, Des Bee Dove Mine, ACT/015/017-BR98, Folder #2, Emery County, Utah

**SUMMARY:**

PacifiCorp has submitted a proposal to delete the Des Bee Dove haul road from the permit area. Numerous maps have been revised to accommodate this deletion, and much of the text has also been changed. Some of the text changes are not directly associated with the haul road; many simply update the plan to show current conditions at the site. A few are substantive, however.

This review does not consider every change made to the plan, and some problems may be found when the Division and operator begin to insert this proposal into the mining and reclamation plan.

**TECHNICAL ANALYSIS:**

**ADMINISTRATIVE INFORMATION**

**RIGHT OF ENTRY**

Regulatory Reference: R645-301-114

**Analysis:**

Right of entry information has been updated and now includes metes and bounds descriptions for the sediment pond access road area. Portions of the road right of way would still be in the permit area near the sediment pond.

It appears the applicant has taken the necessary steps to transfer and modify

rights of way, and the application contains letters to this effect from the Bureau of Land Management, the School and Institutional Trust Lands Administration, and the Forest Service. However, the application text does not mention right of way U-53809 except in a table on page 1-14 showing other permits. The application needs to show what rights are given by this right of way and how this relates to the road right of way which would overlap with the disturbed area boundary. Because of this overlap, there is a potential for conflict between the applicant and road users or the county.

**Findings:**

Information provided in the application is not considered adequate to comply with the requirements of this section of the regulations. Prior to approval, the applicant must provide the following in accordance with:

**R645-301-114**, The applicant needs to clarify its right of entry on right of way U-53809 and include this in the text. The disturbed area would overlap with the road right of way in this area, and there is a potential for conflict between the applicant and road users or the county.

## **RECLAMATION PLAN**

### **REVEGETATION**

Regulatory Reference: R645-301-341

**Analysis:**

The applicant proposes to delete the haul road vegetation study currently contained in Appendix XVI. For this study, the test plots were established in 1992 near the haul road, and they have been monitored a few times since then. Several different methods were used on these -plots, and there is valuable information in the history.

Appendix XVI should be retained in the plan, and the applicant needs to provide a concluding summary report about the plots. The most recent report in the Division's files is from 1995, only three years after the plots were established. The applicant should take quantitative data from the plots, analyze this data, and make conclusions about what treatments have been most successful.

The application includes other changes to the reclamation plan. Primarily, tree and shrub seedlings are being deleted from both interim and final revegetation planting mixes, and shrubs would be established from seed. No methods for establishing trees are included in the plan, but they are not needed. The proposed changes are acceptable.



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

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

Lowell P. Braxton  
Division Director

1594 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801  
801-538-5340  
801-359-3940 (Fax)  
801-538-7223 (TDD)

July 21, 1998

TO: File

THRU: Daron Haddock, Permit Supervisor *DORH*

FROM: Wayne H. Western, Senior Reclamation Specialist *WHW*

RE: Bond Release, PacifiCorp, Des-Bee-Dove Mine, INA/015/017-98BR, File #2, Emery County, Utah

**SUMMARY:**

On July 20, 1998, representatives from the Division, the Office of Surface Mining, Emery County and Energy West meet at the Des-Bee-Dove mine. They conduct the final inspection for bond release for the mine road. All parties agreed that the Permittee meets the minimum requirements for final bond release for section of mine road.

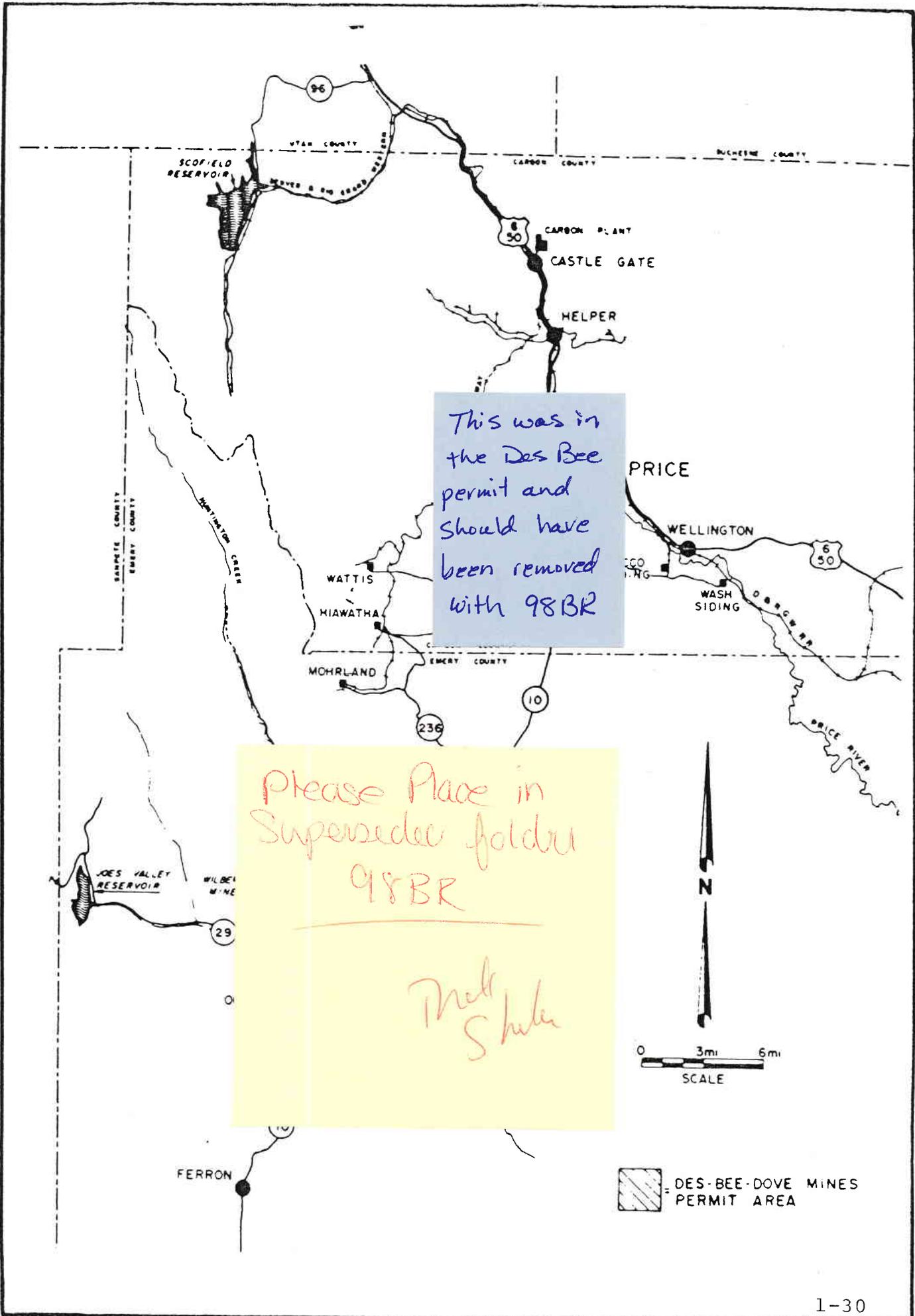
**Analysis:**

Except for the bond amount all engineering issue had been approved before the July 20, 1998 meeting. The Division determined that the Permittee meets the minimum requirements for final bond release. As part of the final bond release the Permittee gave the Division revised reclamation cost estimates. The Permittee removed the costs for reclaiming the mine road from the reclamation cost estimate. The Division reviewed the revised reclamation cost estimate and determined that the removal of the cost to reclaim the road was justified.

The Permittee did not request that the bond amount be reduced. Therefore, the Division will not make a bond reduction at this time. The Division will review the bond amount during the permit renewal and make any adjustments at that time.

**Findings:**

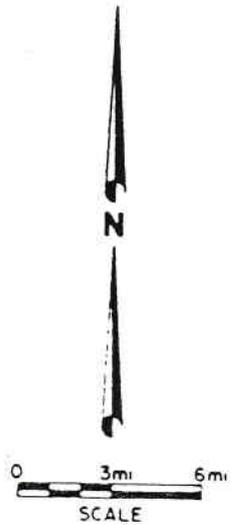
The Permittee meets the minimum requirements for final bond release on the mine road at the Des-Bee-Dove mine. The Division will not reduce the bond at this time. The Division will revise the bond amount during the permit renewal.



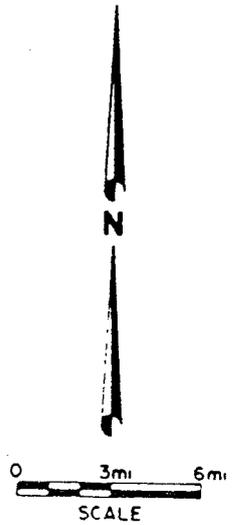
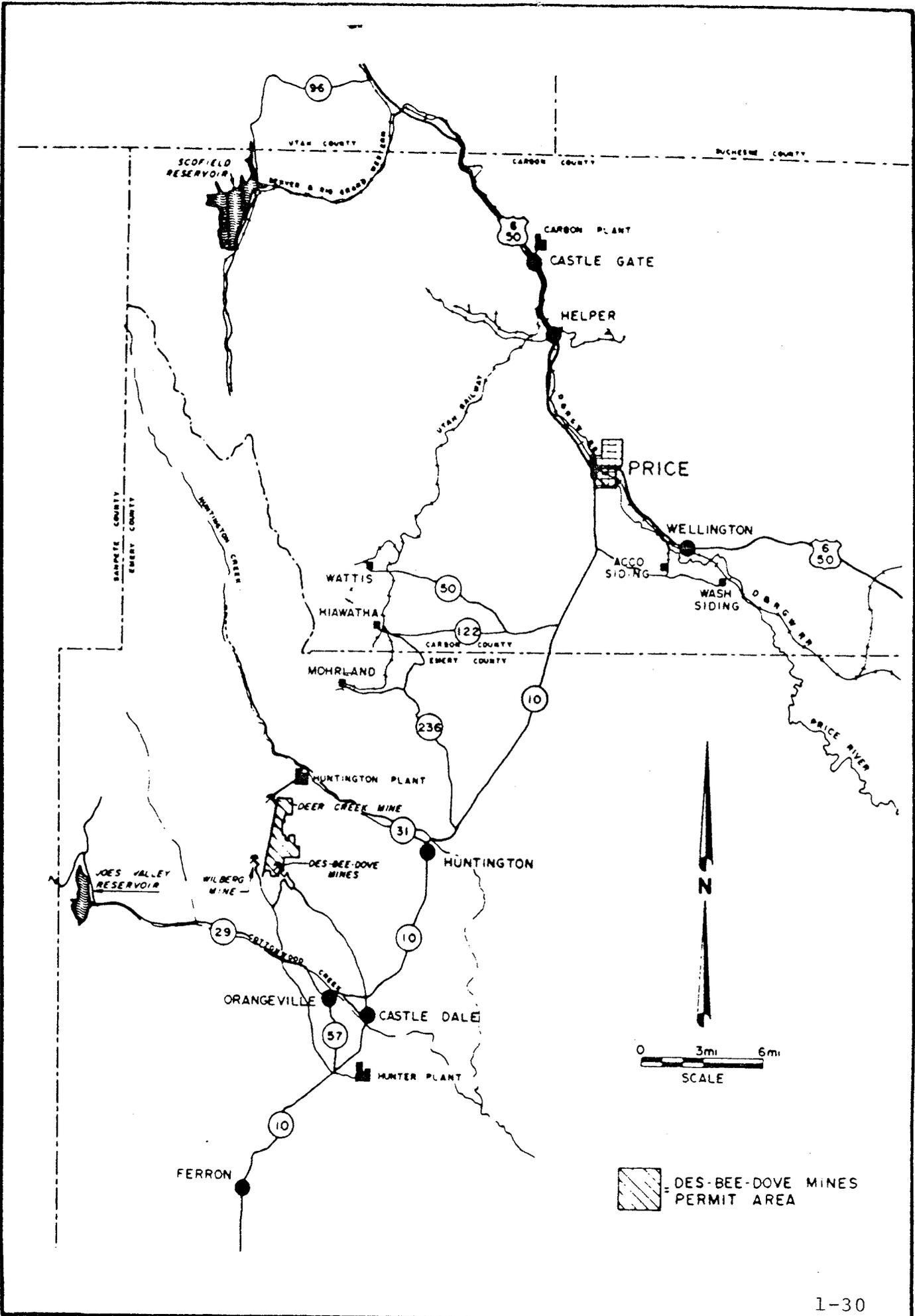
This was in the Des Bee permit and should have been removed with 98BR

Please Place in Superseded folder 98BR

Mick Shuler



DES-BEE-DOVE MINES PERMIT AREA



 = DES-BEE-DOVE MINES PERMIT AREA

**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 11th day of July, 1995 and that the last publication of such notice was in the issue of such newspaper dated the 1st day of August, 1995.



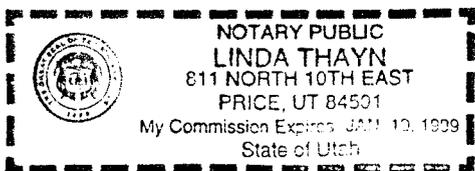
Kevin Ashby - Publisher

Subscribed and sworn to before me this 1st day of August, 1995.



Notary Public My commission expires January 10, 1999 Residing at Price, Utah

Publication fee, \$704.00



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

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

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

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

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

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

Lease No. U-02664

Issued to Corporation of the Presiding Bishop of the LDS Church 1/1/57

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

and Section 14 SW1/4NE1/4, W1/2SE1/4, SE1/4SE1/4 Added by Modification 10/31/79

Township 17 South, Range 7 East, SLM Utah, containing 920 acres Lease No. SL-050133

Issued to Bertha Christensen 8/1/33

Section 24 W1/2SE1/4

Township 17 South, Range 7 East, SLM Utah, containing 80 acres Lease No. SL-066116

Issued to Samuel K. Howard 6/1/55

Section 11 E1/2

Section 14 N1/2NE1/4

Section 12 W1/2NW1/4, NW1/4SW1/4

Township 17 South, Range 7 East, SLM Utah, containing 520 acres OWNERS OF COAL TO BE MINED OTHER THAN THE UNITED STATES

STATES

Description of Land:

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

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

Section 23 NW1/4, SE1/4, NW1/4NE1/4, S1/2NE1/4

Section 26 NE1/4, NW1/4SE1/4

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

Owner:

PacifiCorp

One Utah Center

201 South Main, Suite 2100

Salt Lake City, Utah 84140-0021

Description of Land:

Section 14 W1/2NW1/4

Section 11 W1/2SW1/4

That part lying East of the Deer Creek Fault

Township 17 South, Range 7 East, SLM Utah

Owner:

The Malcolm McKinnon Estate

Zions First National Bank Trustee

Salt Lake City, Utah 84111

SURFACE OWNERS OF RECORD WITHIN THE PERMIT AREA

Description of Land:

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

Section 14 SW1/4

Section 23 NW1/4, SE1/4, NW1/4NE1/4, S1/2NE1/4

Section 26 NE1/4, NW1/4SE1/4

Township 17 South, Range 7 East, SLM Utah

Owner:

PacifiCorp

One Utah Center

201 South Main, Suite 2100

Salt Lake City, Utah 84140-0021

Description of Land:

Section 14 That portion lying East of the Deer Creek Fault in the NW1/4

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

Township 17 South, Range 7 East, SLM Utah

1-31

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

AMENDMENT TO  
~~APPROVED~~ Mining & Reclamation Plan  
 Approved, Division of Oil, Gas & Mining

by SW 92B date 8-27-92

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

**AMENDMENT TO**  
**APPROVED Mining & Reclamation Plan**  
Approved, Division of Oil, Gas & Mining

by SW 92B date 8-27-92

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

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

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MSEA # and  
Date of  
Issuance

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

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

### AMENDMENT 10

**APPROVED** Mining & Reclamation Plan  
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RIGHT OF ENTRY (R614-301-114)

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

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

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

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

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

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

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

None of these documents are subjects of pending litigation.

AREAS DESIGNATED UNSUITABLE FOR MINING (R614-103)

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

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adjacent to the permit area have been identified as qualifying under R614-103-400 as areas unsuitable for surface effects of underground coal mining activities.

References:

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

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

Mr. Sam Rowley  
Bureau of Land Management  
Price, Utah

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

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

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

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

PERMIT TERM (R614-300-153)

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

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

PERSONAL INJURY AND PROPERTY DAMAGE INSURANCE (R614-301-890)

The liability insurance coverage required by R614-301-890.100 is provided by a policy issued to applicant. Applicant will insure that such insurance coverage is maintained in full force and effect during the life of the permit and through completion of reclamation, or will provide evidence that the self-insurance requirements of R614-301-890.100 have been satisfied by it.

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**CERTIFICATE OF INSURANCE**

02/19/92

**PRODUCER**  
**MARSH & McLENNAN, INC.**  
 900 S. W. FIFTH, SUITE 1100  
 PORTLAND, OR  
 97204-  
 ONE503-226-9500

THIS CERTIFICATE IS ISSUED AS **WR** OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**COMPANIES AFFORDING COVERAGE**

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

**INSURED**

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

> **COVERAGES** <-----

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

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

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS**

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

> **CERTIFICATE HOLDER** <-----> **CANCELLATION** <----->  
 STATE OF UTAH, DEPT OF NATURAL RESOURCES, DIV. OF OIL & GAS  
 155 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 SEND BY MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, UNLESS THE POLICY OR POLICIES ARE CANCELLED BY THE COMPANY OR ITS AGENTS OR REPRESENTATIVES.

ACORD 25-S (3/88)

**APPROVED** *Andrew J. Johnson*  
 Approved, Division of Oil, Gas & Mining

by SW 926 date 8-27-92

Certificate Number: **No. 22304**

**ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED**  
Hamilton, Bermuda

**CERTIFICATE OF INSURANCE**

~~XXXX~~  
(Excess Liability)  
Primary

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

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

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

NAME OF INSURED: PacifiCorp, PacifiCorp dba PacifiCorp Electric Operations

PRINCIPAL ADDRESS: 920 SW Sixth  
Portland, Oregon 97204

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

RETROACTIVE DATE: 12-24-86

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

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

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

DES/BEE/DOVE      ACT 015/017  
and (ii) with respect to the following operations:

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

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

DATE: 2-24-92

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

("Certificate Holder")

AEGIS INSURANCE SERVICES, INC.

BY: Sandra D. Johnson

At Jersey City, New Jersey

LICENSES, PERMITS AND APPROVALS OBTAINED BY APPLICANT TO CONDUCT  
MINING ACTIVITIES (R614-301-112.400)

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

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Bureau of Land Management  
(cont)

Road R/W (Pond Access) U-57134.37  
.37 Acres 4/1/86

Waste Rock Disposal Site UTU-65027  
6/8/90

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

Special Use Lease SULA-436  
Agreement - 40 acres 11/22/78  
Sedimentation Pond

Road R/W (Haul Road) No. 2470  
49.34 Acres 12/21/82

Road R/W (Pond Access) No. 3137  
4/2/86

LOCATION OF PUBLIC OFFICE FOR FILING OF APPLICATION (R614-300-121.130)

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

Emery County Recorder  
Emery County Courthouse  
Castle Dale, Utah 84513

NEWSPAPER ADVERTISEMENT AND PROOF OF PUBLICATION (R614-300-121)

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

Notice

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

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

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

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

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

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

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

|            |                                      |
|------------|--------------------------------------|
| Section 13 | SE1/4SW1/4                           |
| Section 23 | NE1/4NE1/4, SW1/4                    |
| Section 24 | W1/2                                 |
| Section 26 | NW1/4, NE1/4SW1/4                    |
| and        |                                      |
| Section 14 | SW1/4NE1/4, W1/2SE1/4,<br>SE1/4SE1/4 |

Added by Modification 10/31/79

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

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

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

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

Lease No. SL-066116      AMENDMENT TO

APPROVED Mining & Reclamation Plan  
Approved, Division of Oil, Gas & Mining

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by EW 92B date 8-27-92

Issued to Samuel K. Howard 6/1/55

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

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

OWNERS OF COAL TO BE MINED OTHER THAN THE UNITED STATES

Description of Land:

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

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

Owner:

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

Description of Land:

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

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

Owner:

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

SURFACE OWNERS OF RECORD WITHIN THE PERMIT AREA

Description of Land:

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

Township 17 South, Range 7 East, SLM Utah

**AMENDMENT TO**

**APPROVED** Mining & Reclamation Plan  
Approved, Division of Oil, Gas & Mining

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Owner:

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

Description of Land:

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

Township 17 South, Range 7 East, SLM Utah

Owner:

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

The remaining surface is controlled by:

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

ADDITIONAL LANDS TO BE AFFECTED BY MINING

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

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

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

BLM Right-of-Way Grant U37642 utilized for waste rock

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

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

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

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

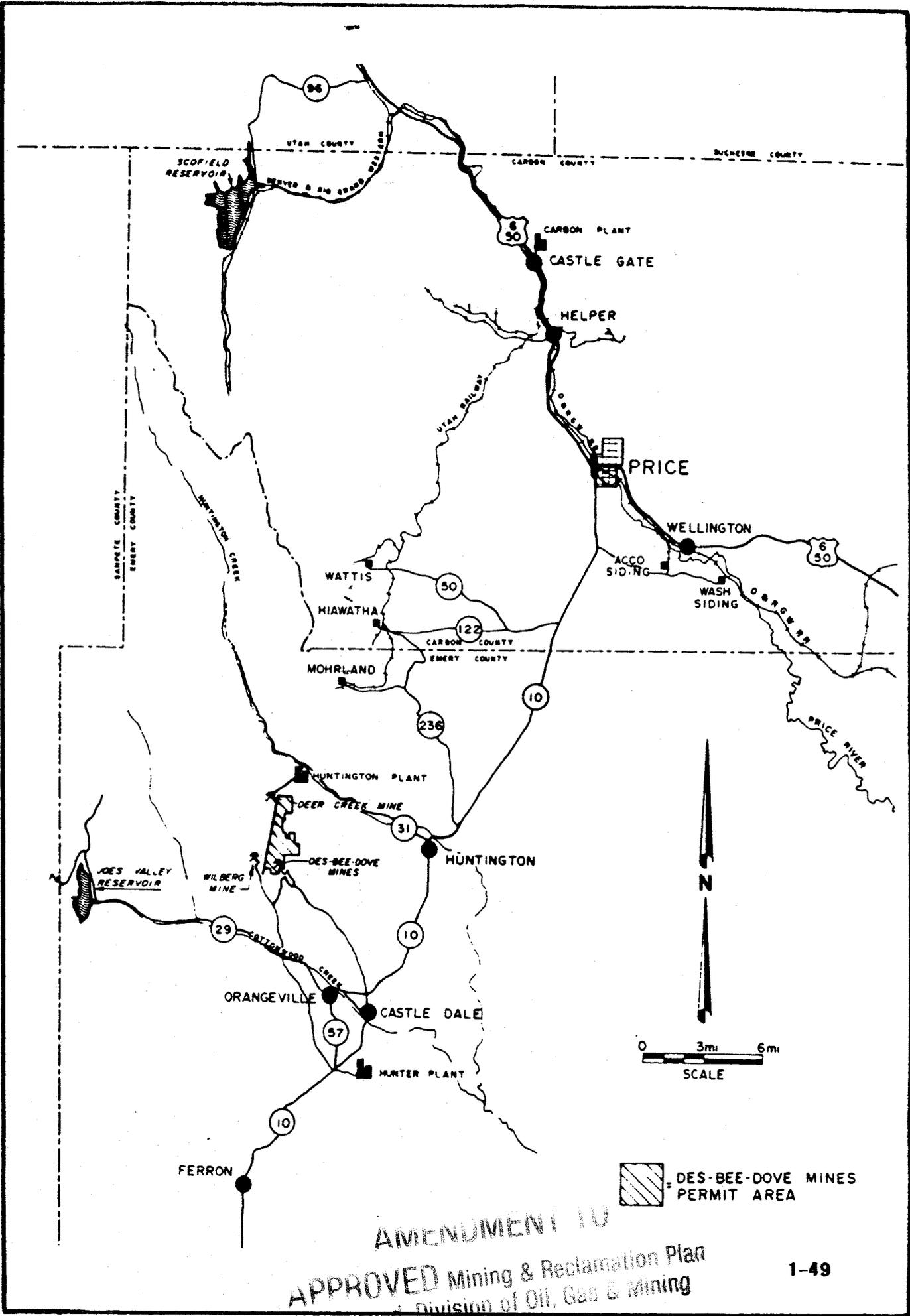
United States Forest Service Special Use Permit for surface facilities, 100 acres located in Section 25 and 26, T17S, R7E, SLM.

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

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AMENDMENT 10

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