



January 6, 2005

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

Hand Delivered

McDermott
1/6/05

Subject: Permit Update for the Relinquishment of BLM ROW UTU-53809, PacifiCorp, Des Bee Dove Mine, C015/018

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits an amendment to update the Des Bee Dove MRP and Supplemental Legal and Financial Volume.

On August 22, 2004, Right of Way (UTU-53809) reached to the end of a 20 year term. This necessitated a decision to renew or relinquish this permit. The area historically was used for the emergency storage of pond sediment from a major storm event in 1983. In discussions with the BLM, it was decided that the right of way should be relinquished for two reasons; 1) the area is not included in the Des Bee Dove disturbed area, and 2) there are overlapping rights of way with the Emery County road and UTU-53809. Therefore, as recommended by the BLM, on June 1, 2004 PacifiCorp file notice to BLM to relinquish Right of Way UTU-53809 located in T17S, R7E, Sec. 35, and described as follows; E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, containing 3.05 acres. On December 23, 2004, PacifiCorp received the Decision Notice from the BLM accepting the relinquishment of Right of Way UTU-53809 effective August 22, 2004.

Enclosed with this document is a copy of the BLM Decision Notice dated December 23, 2004. Attached are the C1/C2 forms along with five (5) redlined/strike text pages from the Supplemental Legal and Financial Volume. Seven (7) clean copies of the maps from Volume 3, as well as, seven (7) clean copies of the amended text are also included with this submittal. If approved, please stamp the clean copies and return for incorporation into the MRP.

If you have any questions or concerns regarding this submittal, please contact myself at 435-687-4720 or Dennis Oakley at 435-687-4825.

Sincerely,

Charles D. Semborski

Chuck Semborski
Manager of Geology and Permitting

Encl

cc Scott Child (IMC)

RECEIVED

JAN 17 2005

DIV. OF OIL, GAS & MINING

Huntington Office:
(435) 687-9821
Fax (435) 687-2695
Purchasing Fax (435) 687-9092

Deer Creek Mine:
(435) 687-2317
Fax (435) 687-2285

Trail Mountain Mine:
(435) 748-2140
Fax (435) 748-5125



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Price Field Office
125 South 600 West
Price, Utah 84501
<http://www.blm.gov/utah/price/>

IN REPLY REFER TO:
2870
UTU-53809
(UT-070)

Certified Mail—Return Receipt Requested
Certificate No. 7003 1010 0005 2128 9427

DECISION

DEC 23 2004

PacifiCorp dba Interwest Mining Company :
Attn: Scott M. Child : Application UTU-53809
201 South Main, Suite 2100 :
Salt Lake City, Utah 84140-0021 :

Right-of-Way Relinquishment Accepted Details of Relinquishment

On June 1, 2004, PacifiCorp dba Interwest Mining Company filed a notice of relinquishment on right-of-way UTU-53809, which authorized a sediment storage area on public land in Emery County, described as follows:

Salt Lake Meridian
T. 17 S., R. 7 E., section 35, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.
Containing 3.05 acres, more or less.

A field inspection conducted June 14, 2004, has confirmed that all the conditions of the subject right-of-way have been have been complied with. Rental was paid in full for the term of the grant which expired on August 22, 2004. BLM workload and mandated priorities have prevented the staff from completing the processing of your request until now, but this in no way penalizes the holder of the grant.

Relinquishment of the above-described parcel of public land is hereby accepted, effective August 22, 2004. Authority for such action is found in the Federal Land Policy and Management Act of 1976 (90 Stat. 2776, 43 U.S.C. 1761) and in Title 43 of the Code of Federal Regulations, part 2800.

Please contact Joan Hubert at (435) 636-3630 if you have any questions regarding this action.

Fred O'Ferrall
Fred O'Ferrall
Associate Field Manager

cc: Collections (UT-070)



APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: PacifiCorp

Mine: Des Bee Dove Mine

Permit Number: C/015/017

Title: Permit Update for the Relinquishment of BLM ROW UTU-53809

Description, Include reason for application and timing required to implement:

Relinquishment of Right of Way permit

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: 0.96 Disturbed Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?

Explain: _____

- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

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

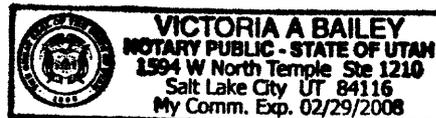
Charles A. Semborski
Print Name

Charles A. Semborski Geology/Permitting Supervisor 1/7/05
Sign Name, Position, Date

Subscribed and sworn to before me this 7th day of January, 2005

Clifford A. Beardsley
Notary Public

My commission Expires: February 29, 2008
Attest: State of Utah } ss:
County of Salt Lake



<p>For Office Use Only:</p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas & Mining</p> <p style="text-align: center; font-size: 1.2em; font-weight: bold;">RECEIVED</p> <p style="text-align: center; font-size: 1.2em; font-weight: bold;">JAN 07 2005</p> <p style="text-align: center;">DIV. OF OIL, GAS & MINING</p>
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