State of Utah

Department of Natural Resources

MICHAEL R. STYLER
*Executive Director*

Division of Oil, Gas & Mining

JOHN R. BAZA
*Division Director*

JON M. HUNTSMAN, JR.
*Governor*

GARY R. HERBERT
*Lieutenant Governor*

# Inspection Report

| Representatives Present During the Inspection: | |
|---|---|
| Company | Dennis Oakley Environmental Engineer |
| Other | Dale Harber Forest Geologist |
| Other | Katherine Foster Hydrologist |
| Federal | Tom Lloyd Ferron-Price District Geologist |
| OGM | Pete Hess Environmental Scientist III |

| | |
|---|---|
| Permit Number: | **C0150017** |
| Inspection Type: | COMPLETE |
| Inspection Date: | Thursday, April 13, 2006 |
| Start Date/Time: | 4/13/2006 9:00:00 AM |
| End Date/Time: | 4/13/2006 1:00:00 PM |
| Last Inspection: | Monday, March 06, 2006 |

Inspector: Pete Hess, Environmental Scientist III

Weather: Sunny, warm; 50's-60's F.

InspectionID Report Number: 925

Accepted by: whedberg
5/3/2006

Permitee: **PACIFICORP**
Operator: **ENERGY WEST MINING CO**
Site: **DES BEE DOVE MINE**
Address: **PO BOX 310, HUNTINGTON UT 84528**
County: **EMERY**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **RECLAIMED**

**Current Acreages**

| | |
|---|---|
| 154.86 | **Total Permitted** |
| 23.88 | **Total Disturbed** |
| | **Phase I** |
| | **Phase II** |
| | **Phase III** |

**Mineral Ownership**

- [x] **Federal**
- [ ] **State**
- [ ] **County**
- [x] **Fee**
- [ ] **Other**

**Types of Operations**

- [x] **Underground**
- [ ] **Surface**
- [ ] **Loadout**
- [ ] **Processing**
- [ ] **Reprocessing**

**Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:**

The Des-Bee-Dove Mine disturbed areas have been reclaimed, with final reclamation activities being completed at the end of January, 2006. The Permittee has submitted a Phase 1 bond release application for the Mine site area. The Division has reviewed same, generating several deficiencies which are currently being addressed.

The Division intends to conduct a pre-bond release inspection sometime during May.

The first part of today's inspection involved a meeting and inspection of the area which is being proposed for a gas well by XTO. Representatives of the USFS, Talon Resources, XTO, the Emery County Cattlemen's Association and the DOGM were present. The proposed well (17-7-25-14) is approximately 325 feet NW of the end of the pavement at the Des-Bee-Dove turn around area.

**Inspector's Signature:** /S/ **Date** Thursday, April 13, 2006

Pete Hess, Environmental Scientist III
Inspector ID Number: 46

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

***REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS***

*1. Substantiate the elements on this inspection by checking the appropriate performance standard.*
*a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.*
*b. For PARTIAL inspections check only the elements evaluated.*
*2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.*
*3. Reference any narratives written in conjunction with this inspection at the appropriate performace standard listed below.*
*4. Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.*

| | Evaluated | Not Applicable | Comment | Enforcement |
|---|---|---|---|---|
| 1. Permits, Change, Transfer, Renewal, Sale | ☑ | ☐ | ☐ | ☐ |
| 2. Signs and Markers | ☑ | ☐ | ☐ | ☐ |
| 3. Topsoil | ☑ | ☐ | ☑ | ☐ |
| 4.a Hydrologic Balance: Diversions | ☑ | ☐ | ☑ | ☐ |
| 4.b Hydrologic Balance: Sediment Ponds and Impoundments | ☑ | ☐ | ☑ | ☐ |
| 4.c Hydrologic Balance: Other Sediment Control Measures | ☑ | ☐ | ☐ | ☐ |
| 4.d Hydrologic Balance: Water Monitoring | ☑ | ☐ | ☐ | ☐ |
| 4.e Hydrologic Balance: Effluent Limitations | ☑ | ☐ | ☐ | ☐ |
| 5. Explosives | ☑ | ☐ | ☐ | ☐ |
| 6. Disposal of Excess Spoil, Fills, Benches | ☑ | ☐ | ☐ | ☐ |
| 7. Coal Mine Waste, Refuse Piles, Impoundments | ☑ | ☐ | ☐ | ☐ |
| 8. Noncoal Waste | ☑ | ☐ | ☐ | ☐ |
| 9. Protection of Fish, Wildlife and Related Environmental Issues | ☑ | ☐ | ☐ | ☐ |
| 10. Slides and Other Damage | ☑ | ☐ | ☐ | ☐ |
| 11. Contemporaneous Reclamation | ☑ | ☐ | ☐ | ☐ |
| 12. Backfilling And Grading | ☑ | ☐ | ☐ | ☐ |
| 13. Revegetation | ☑ | ☐ | ☐ | ☐ |
| 14. Subsidence Control | ☑ | ☐ | ☐ | ☐ |
| 15. Cessation of Operations | ☑ | ☐ | ☐ | ☐ |
| 16.a Roads: Construction, Maintenance, Surfacing | ☑ | ☐ | ☐ | ☐ |
| 16.b Roads: Drainage Controls | ☑ | ☐ | ☐ | ☐ |
| 17. Other Transportation Facilities | ☑ | ☐ | ☐ | ☐ |
| 18. Support Facilities, Utility Installations | ☑ | ☐ | ☐ | ☐ |
| 19. AVS Check | ☑ | ☐ | ☐ | ☐ |
| 20. Air Quality Permit | ☑ | ☐ | ☐ | ☐ |
| 21. Bonding and Insurance | ☑ | ☐ | ☐ | ☐ |
| 22. Other | ☐ | ☐ | ☐ | ☐ |

**3. Topsoil**

Topsoil recovery and storage was extensively discussed by today's group looking at the area which will be impacted by the development of XTO well #17-7-25-14. EW representativies indicated that the in-place soil depths were in the range of twelve to fifteen inches. At present, the access to the proposed well is heavily gouged, and seeded. Some growth is evident. Many of the planted evergreen seedlings appear to have expired. The FS stated that future top soil storage should implement furrowed storage techniques having pile depths not exceeding 3-4 feet. This is based upon recommendations documented in "The Practical Guide to Reclamation in Utah". It is Mr. Allen Childs' (Talon Resources) intent to permit the topsoil storage area with these recommendations.

**4.a Hydrologic Balance: Diversions**

Ms. Katherine Foster, Hydrologist with the USFS, recommended that the proposed well location be moved further away from the small drainage located adjacent to the proposed well location. Talon Resources agreed to do this.

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

The inspection of the reclaimed sediment pond area did not reveal any material slumps.