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ACT/015/018 #3
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UNITED STATES

DEPARTMENT OF THE INTERIOR

This mining plan approval document is issued by the United States of America to:

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

for the Deer Creek Mine mining plan for Federal leases U-7653, U-06039, U-47977, SL-050862 subject to the following conditions. PacifiCorp is hereinafter referred to as the operator.

1. Statutes and Regulations.--This mining plan approval is issued pursuant to Federal leases U-7653, U-06039, U-47977, SL-050862; the Mineral Leasing Act of 1920, as amended (30 U.S.C. 181 et seq.); and in the case of acquired lands, the Mineral Leasing Act for Acquired Lands of 1947, as amended (30 U.S.C. 351 et seq.). This mining plan approval is subject to all applicable regulations of the Secretary of the Interior which are now or hereafter in force; and all such regulations are made a part hereof. The operator shall comply with the provisions of the Water Pollution Control Act (33 U.S.C. 1151 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), and other applicable Federal laws.

2. This document approves the Deer Creek Mine mining plan for Federal leases U-7653, U-06039, U-47977, SL-050862, and authorizes coal development or mining operations on the Federal leases within the area of mining plan approval. This authorization is not valid beyond

T. 16 S., R. 7 E., Salt Lake Baseline and Meridian

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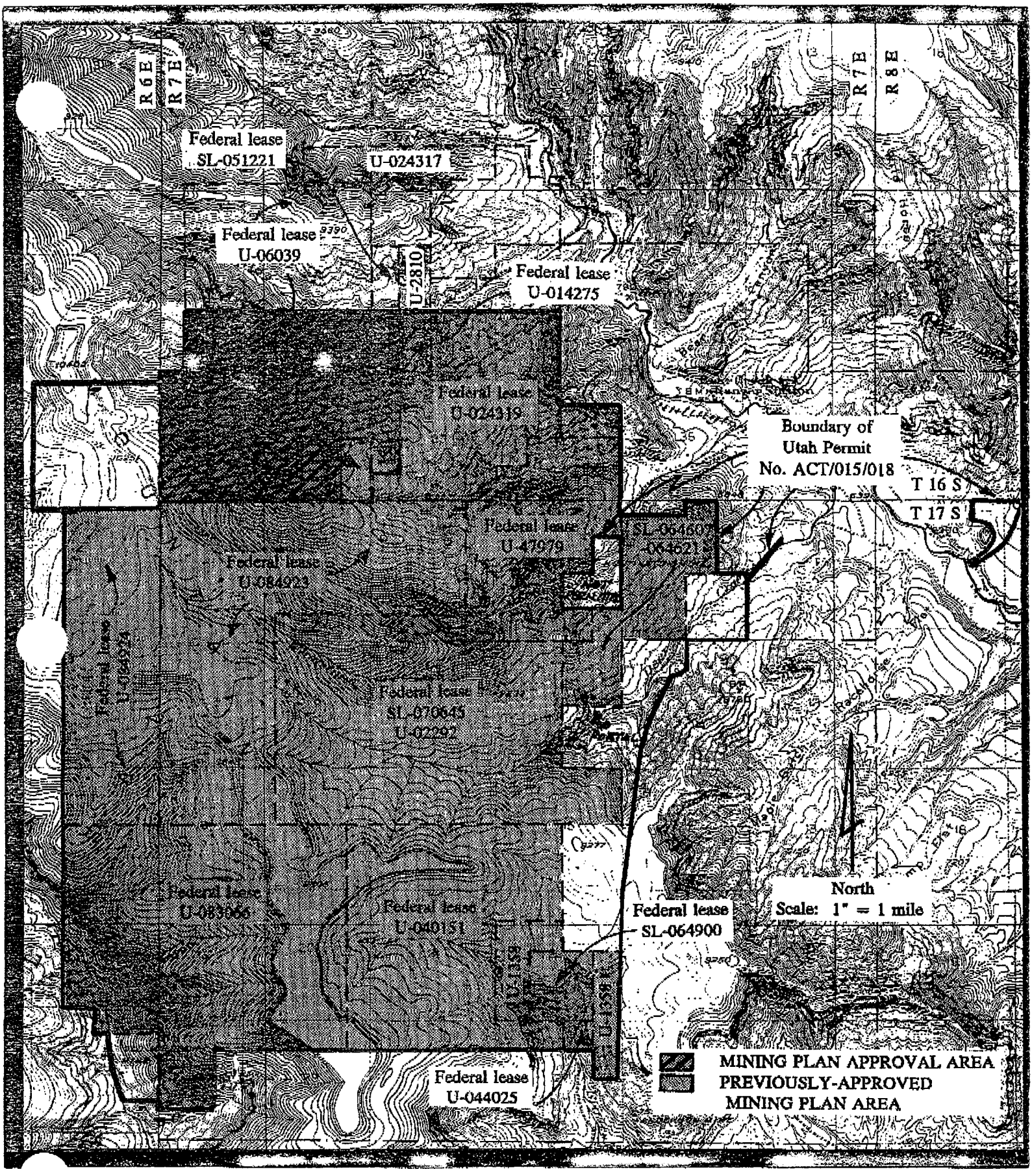
| Sec. 28 | W1/2 SW1/4 |
| Sec. 29 | E1/2 SE1/4, SW1/4, W1/2 SE1/4 |
| Sec. 30 | SE1/4 |
| Sec. 31 | All |
| Sec. 32 | All |
| Sec. 33 | W1/2 NW1/4, NW1/4 SW 1/4 |

as shown on the map appended hereto as Attachment A.

3. The operator shall conduct coal development and mining operations only as described in the complete permit application package, and approved by the Utah Division of Oil, Gas and Mining, except as otherwise directed in the conditions of this mining plan approval.




Attachment A
Mining Plan Approval Area
Deer Creek Mine

ATTACHMENT B

Special Conditions

1. In the event that rocks or other debris from the escarpment above Rilda Creek reach Rilda Creek and cause blockage or alteration of the natural flows, the operator will be required to remove the materials causing the blockage, take necessary measures to prevent sediment production, replace riparian vegetation through reclamation or other means, and re-establish the natural flow patterns. The method of conducting these required activities must be approved in advance by the regulatory authority with consent from the Forest Service.

2. Any damage to fences, roads, spring developments, or other structures caused by escarpment failures or other operations must be repaired or replaced as soon as possible. Methods for repair or replacement of such facilities must be approved in advance by the regulatory authority with consent from the Forest Service.

3. The operator must take necessary measures to prevent raptors from building and occupying nests in the escarpment area during periods that they would be at risk from subsidence. Golden eagle nest 296A must be protected from subsidence unless the operator obtains a take permit from the U.S. Fish and Wildlife Service.

4. The operator must monitor subsidence and escarpment areas to determine the extent of escarpment failures that occur and to determine when they stabilize. The operator is responsible to ensure public safety in the areas where escarpment failures are likely to occur until it is determined that subsidence is substantially complete and the escarpments have stabilized. Methods of providing for public safety and for monitoring escarpment failures, including the frequency of monitoring, must be approved in advance by the regulatory authority with consent from the Forest Service.

5. Should escarpment failures occur to an extent beyond that predicted in the Forest Service's August 1994 environmental assessment or cause functional impairment of surface resources (impacts that are not consistent with management prescriptions in the Forest Plan), additional operations that could cause escarpment failures must be suspended until subsidence effects are re-evaluated by the regulatory authority in consultation with the Forest Service.

4. The operator shall comply with the terms and conditions of the leases, this mining plan approval, the special conditions appended hereto as Attachment B, and the requirements of the Utah Permit No. ACT/015/018 issued under the Utah State program, approved pursuant to the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.).

5. This mining plan approval shall be binding on any person conducting coal development or mining operations under the approved mining plan and shall remain in effect until superseded, cancelled, or withdrawn.

6. If during mining operations unidentified prehistoric or historic resources are discovered, the operator shall ensure that the resources are not disturbed and shall notify Utah Division of Oil, Gas and Mining and the Office of Surface Mining Reclamation and Enforcement (OSM). The operator shall take such actions as are required by Utah Division of Oil, Gas and Mining in coordination with OSM.

Mary E. Hayes
ting Deputy Assistant Secretary, Land and Minerals Management

12-13-94
Date

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