

#3

PERMIT AMENDMENT APPROVAL

| | |
|---|-----------------------------------|
| Title: <u>IRC - 42.97 Acres 4866391</u> | PERMIT NUMBER: <u>ACT/015/018</u> |
| Description: | PERMIT CHANGE #: <u>95 B</u> |
| | MINE: <u>Beer Creek</u> |
| | PERMITTEE: <u>Pacificorp</u> |

| WRITTEN FINDINGS FOR PERMIT APPLICATION APPROVAL | | YES, NO or N/A |
|---|--|----------------|
| 1. The application is complete and accurate and the applicant has complied with all the requirements of the State Program. | | Yes |
| 2. The proposed permit area is not within an area under study or administrative proceedings under a petition, filed pursuant to R645-103-400 or 30 CFR 769, to have an area designated as unsuitable for coal mining and reclamation operations, unless: | | Yes |
| A. The applicant has demonstrated that before January 4, 1977, substantial legal and financial commitments were made in relation to the operation covered by the permit application, or | | Yes |
| B. The applicant has demonstrated that the proposed permit area is not within an area designated as unsuitable for mining pursuant to R645-103-300 and R645-103-400 or 30 CFR 769 or subject to the prohibitions or limitations of R645-103-230. | | Yes |
| 3. For coal mining and reclamation operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Division the documentation required under R645-301-114.200. | | Yes |
| 4. The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area. | | Yes |
| 5. The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.). | | Yes |
| 6. The Division has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places. This finding may be supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Division has determined that no additional protection measures are necessary. | | Yes |
| 7. The Applicant has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application. | | Yes |
| 8. The Applicant has demonstrated that any existing structure will comply with the applicable performance standards of R645-301 and R645-302. | | Yes |
| 9. The Applicant has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870. | | Yes |
| 10. The Applicant has satisfied the applicable requirements of R645-302. | | NA |
| 11. The Applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural postmining land use, in accordance with the requirements of R645-301-353.400. | | NA |

| SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT AMENDMENT APPROVAL | | YES | NO |
|---|--|-----|----|
| 1. Are there any variances associated with this permit amendment approval? If yes, attach. | | | X |
| 2. Are there any special conditions associated with this permit amendment approval? If yes, attach. | | X | |
| 3. Are there any stipulations associated with this permit amendment approval? If yes, attach. | | | X |

The Division hereby grants approval for Permit Amendment to the Existing Permit by incorporation of the proposed changes described herein and effective the date signed below. All other terms and conditions of the Existing Permit shall be maintained and in effect except as superseded by this Permit Amendment.

Signed Dawn A. Haddock
 _____, Division of Oil, Gas and Mining

6/12/95
 EFFECTIVE DATE

Copy Aaron

PERMIT CHANGE TRACKING FORM

| | | | |
|--------------------|--|-----------------|--------------------|
| DATE RECEIVED | <i>5/26/95</i> | PERMIT NUMBER | <i>ACT/015/018</i> |
| Title of Proposal: | <i>IBC - 42.97 (R/V-06039)</i> | PERMIT CHANGE # | <i>95 B</i> |
| Description: | <i>Modification of Federal Lease (Per Rich Helbrook - NOT)</i> | PERMITTEE | <i>Pacific</i> |
| | | MINE NAME | <i>Beer Creek</i> |

| | | | | |
|--|----------|-----------|--|-----------------------------------|
| <p><i>Significant - NO MPA needed.</i></p> <input type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION | DATE DUE | DATE DONE | RESULT | |
| | | | <input type="checkbox"/> ACCEPTED | <input type="checkbox"/> REJECTED |
| <input type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee. | | | Permit Change Classification | |
| <input type="checkbox"/> Request additional review copies prior to Division/Other Agency review. | | | <input type="checkbox"/> Significant Permit Revision | |
| <input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.) | | | <input type="checkbox"/> Permit Amendment | |
| <input type="checkbox"/> Notice of request to modify proposed permit change prior to approval. | | | <input type="checkbox"/> Incidental Boundary Change | |

| REVIEW TRACKING | INITIAL REVIEW | | MODIFIED REVIEW | | FINAL REVIEW AND FINDINGS | |
|---|----------------|------|-----------------|------|---------------------------|------|
| DOGM REVIEWER | DUE | DONE | DUE | DONE | DUE | DONE |
| <input type="checkbox"/> Administrative | | | | | | |
| <input type="checkbox"/> Biology | | | | | | |
| <input type="checkbox"/> Engineering | | | | | | |
| <input type="checkbox"/> Geology | | | | | | |
| <input type="checkbox"/> Soils | | | | | | |
| <input type="checkbox"/> Hydrology | | | | | | |
| <input type="checkbox"/> Bonding | | | | | | |
| <input type="checkbox"/> AVS Check | | | | | | |

| COORDINATED REVIEWS | DUE | DONE | DUE | DONE | DUE | DONE |
|---|-----|------|-----|------|-----|------|
| <input checked="" type="checkbox"/> OSMRE | | | | | | |
| <input type="checkbox"/> US Forest Service | | | | | | |
| <input type="checkbox"/> Bureau of Land Management | | | | | | |
| <input type="checkbox"/> US Fish and Wildlife Service | | | | | | |
| <input type="checkbox"/> US National Parks Service | | | | | | |
| <input type="checkbox"/> UT Environmental Quality | | | | | | |
| <input type="checkbox"/> UT Water Resources | | | | | | |
| <input type="checkbox"/> UT Water Rights | | | | | | |
| <input type="checkbox"/> UT Wildlife Resources | | | | | | |
| <input type="checkbox"/> UT State History | | | | | | |
| <input type="checkbox"/> Other | | | | | | |

| | |
|---|--|
| <input type="checkbox"/> Public Notice/Comment/Hearing Complete (If the permit change is a Significant Revision) | <input type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied. |
| <input type="checkbox"/> Copies of permit change marked and ready for MRP. | <input type="checkbox"/> Notice of <input type="checkbox"/> Approval <input type="checkbox"/> Denial to Permittee. |
| <input type="checkbox"/> Special Conditions/Stipulations written for approval. | <input type="checkbox"/> Copy of Approved Permit Change to File. |
| <input type="checkbox"/> TA and CHIA modified as required. | <input type="checkbox"/> Copy of Approved Permit Change to Permittee. |
| <input type="checkbox"/> Permit Change Approval Form ready for approval | <input type="checkbox"/> |

Copy Daron

PERMIT CHANGE TRACKING FORM

| | | | |
|--------------------|--|-----------------|-------------|
| DATE RECEIVED | 5/26/95 | PERMIT NUMBER | ACT/015/018 |
| Title of Proposal: | IBC - 42.97 R/V-06.0391 | PERMIT CHANGE # | 95 B |
| Description: | Modification of Federal Lease Per Rick Halbrook - NOT | PERMITTEE | Preditor |
| | | MINE NAME | Acier Creek |

Significant - NO MPA needed.

| | | | |
|--|----------|-----------|---|
| <input type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION | DATE DUE | DATE DONE | RESULT |
| <input type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee.. | | | <input type="checkbox"/> ACCEPTED <input type="checkbox"/> REJECTED |
| <input type="checkbox"/> Request additional review copies prior to Division/Other Agency review. | | | Permit Change Classification |
| <input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.) | | | <input type="checkbox"/> Significant Permit Revision |
| <input type="checkbox"/> Notice of request to modify proposed permit change prior to approval. | | | <input type="checkbox"/> Permit Amendment |
| | | | <input type="checkbox"/> Incidental Boundary Change |

| REVIEW TRACKING | INITIAL REVIEW | | MODIFIED REVIEW | | FINAL REVIEW AND FINDINGS | |
|---|----------------|------|-----------------|------|---------------------------|------|
| DOGM REVIEWER | DUE | DONE | DUE | DONE | DUE | DONE |
| <input checked="" type="checkbox"/> Administrative <i>Daron</i> | 6/16 | | | | | |
| <input type="checkbox"/> Biology | | | | | | |
| <input checked="" type="checkbox"/> Engineering <i>Jess</i> | 6/16 | | | | | |
| <input type="checkbox"/> Geology | | | | | | |
| <input type="checkbox"/> Soils | | | | | | |
| <input checked="" type="checkbox"/> Hydrology <i>Ken</i> | 6/16 | | | | | |
| <input checked="" type="checkbox"/> Bonding <i>Jess</i> | 6/16 | | | | | |
| <input checked="" type="checkbox"/> AVS Check <i>pam</i> | 6/16 | | | | | |
| COORDINATED REVIEWS | DUE | DONE | DUE | DONE | DUE | DONE |
| <input checked="" type="checkbox"/> OSMRE <i>sent 5/30</i> | | | | | | |
| <input type="checkbox"/> US Forest Service | 11 | | | | | |
| <input type="checkbox"/> Bureau of Land Management | 11 | | | | | |
| <input type="checkbox"/> US Fish and Wildlife Service | 11 | | | | | |
| <input type="checkbox"/> US National Parks Service | | | | | | |
| <input type="checkbox"/> UT Environmental Quality | 11 | | | | | |
| <input type="checkbox"/> UT Water Resources | | | | | | |
| <input type="checkbox"/> UT Water Rights | 11 | | | | | |
| <input type="checkbox"/> UT Wildlife Resources | 11 | | | | | |
| <input type="checkbox"/> UT State History | 11 | | | | | |
| <input type="checkbox"/> Other | | | | | | |

| | |
|---|--|
| <input type="checkbox"/> Public Notice/Comment/Hearing Complete (If the permit change is a Significant Revision) | <input type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied. |
| <input type="checkbox"/> Copies of permit change marked and ready for MRP. | <input type="checkbox"/> Notice of <input type="checkbox"/> Approval <input type="checkbox"/> Denial to Permittee. |
| <input type="checkbox"/> Special Conditions/Stipulations written for approval. | <input type="checkbox"/> Copy of Approved Permit Change to File. |
| <input type="checkbox"/> TA and CHIA modified as required. | <input type="checkbox"/> Copy of Approved Permit Change to Permittee. |

United States
Department of
Agriculture

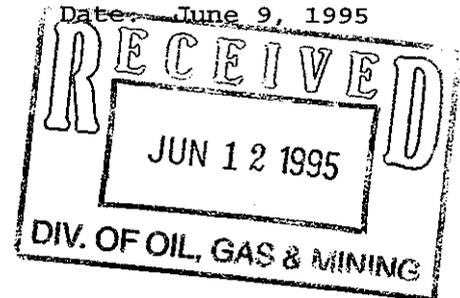
Forest
Service

Manti-La Sal
National Forest

599 West Price River Dr.
Price, Utah 84501

Reply to: 2820

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
Attention: Pamela Grubaugh-Littig



RF: Application for Permit Change - Incidental Boundary Change, PacifiCorp,
Deer Creek Mine, ACT/015/018, Emery County, Utah

Dear Ms. Littig:

ACT/015/018-95B #3
Copy PAM
Person already
Copied

I hereby consent to the proposed Incidental Boundary Change (IBC) with the provision that no mining be conducted that would cause subsidence of the land surface. This decision is consistent with lease terms and the Forest Supervisor's consent to modification of Federal Coal Lease U-06039 last April. The modification added a tract of land, coincident to the IBC area, to the already existing lease area. Forest Service consent to surface disturbing activities, including surface subsidence, within the IBC area would require an additional environmental analysis.

Enclosed for information is a copy of the Forest Supervisor's letter to BLM, dated April 5, 1995, documenting Forest Service consent to modification of Federal Coal Lease U-06039. As stated in the letter, the modification qualified as a categorical exclusion from documentation in an environmental assessment or environmental impact statement because the proposed mining scenario would not cause surface disturbance or subsidence. A copy of BLM's letter to the Forest Supervisor, dated March 13, 1995, stating that the proposed mining scenario would not cause subsidence is also enclosed.

If you have any questions or need additional information, contact us at the Forest Supervisor's Office in Price, Utah.

Sincerely,

A handwritten signature in cursive script that reads "Janette S. Kaiser".

FOR
JANETTE S. KAISER
Forest Supervisor

cc:
D-2/3
George Tetrault, BLM - Price Coal Office

Enclosures

United States
Department of
Agriculture

Post
Service

Manti-La Sal
National Forest

West Price River Dr.
Price, Utah 84501
(801) 637-2817

File Code: 2820-4

Date: April 5, 1995

Mr. Mat Millenbach, State Director
Bureau of Land Management
Utah State Office
324 S. State St.
Salt Lake City, Utah 84111-2303

Dear Mr. Millenbach:

We have reviewed PacifiCorp's request to modify Federal Coal Lease U-06039 to include an additional 42.97 acres, as described in their February 15 submittal. We consulted George Tetrault at the Price office, and received Mark Bailey's letter of March 13, stating that mining within this proposed lease boundary extension will have no surface disturbance, including subsidence.

A legal notice was published in the Sun Advocate and no comments were received.

This action is categorically excluded from documentation in an EA or an EIS in the categories established by the Chief in the Forest Service Handbook 1909.15 31.1b (7); sale or exchange of land or interest in land and resources where resulting land use remains essentially the same.

It is understood that the lease stipulations already in place on Federal Coal Lease U-06039 will be applicable to this modification.

Sincerely,

/s/ Aaron Howe
AARON HOWE
Acting Forest Supervisor

J.DeFreest:jdf

File 2820-4



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District

Price River Resource Area

900 North 700 East

Price, Utah 84501

| |
|-----------------------|
| Mr. MANTI-LASALAN |
| FOREST SUPERVISOR |
| EMERSON |
| COOPER |
| REC/LANDS/ATL 3482 |
| U-06039 |
| ADM. OFFICER (UT-066) |
| MAR 13 1995 |
| PLANNER |
| DISTRICT RANGER |

C. Reed
cc: D-2/D-3

Aaron Howe
Acting Forest Supervisor
Manti-LaSal National Forest
599 Price River Drive
Price, Utah 84501

Re: Federal Coal Lease U-06039 - Lease Modification

Dear Mr. Howe:

PacifiCorp has submitted a lease modification for a lease boundary extension (LBE). PacifiCorp, as the current lessee of record for Federal coal lease U-06039, seeks to include the mineral interest (unleased Federal coal) of 42.97 acres to Federal coal lease U-06039, originally issued on May 1, 1953, consisting of 1360 acres. This lease modification is necessary to maximize coal recovery between the existing lease boundary and the Mill Fork Canyon Fault. If this coal is not leased it will be by-passed.

We have analyzed the potential for surface impacts from the proposed mining within the LBE area. With the exception of a 50' x 350' section of the 9th West longwall panel, all mining within the LBE area will be first mining. Approximately 100,000 tons of coal will be removed from the LBE area. Based upon the available data, our analysis indicates that there will be no surface disturbance (including subsidence) that will impact the LBE area.

If you have any questions, please contact George Tetreault at (801) 637-8454.

Sincerely,

Mark E. Bailey
Area Manager

cc: UT-921, SD, Utah



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

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

June 7, 1995

TO: File

FROM: Pamela Grubaugh-Littig, Permit Supervisor *pgl*

RE: Fish and Wildlife Comments on IBC (Modification to Federal Lease U-06039), Deer Creek Mine, PacifiCorp, ACT/015/018-95B, Folder #2, and #3
Emery County, Utah

I spoke with Susan Linner, USFWS, on June 7, 1995 about the above-noted incidental boundary change (IBC). She said that personnel at USFWS would not have time to review this IBC for several months due to lack of technical staff, but the past USFWS comments in regard to the federal lease addition and IBCs would apply, i.e. significant impacts to raptors, threatened and endangered species, and surface and groundwater.

Surface water does not exist in the area above where the incidental boundary change is proposed and no significant groundwater sources were encountered during entry development mining in adjacent areas. The area was surveyed for raptors and threatened and endangered species and none were identified or are known to inhabit the area. (See IBC and EA/FONSI for Rilda Canyon Lease Extension).

In light of this information, with the concurrence of Ms. Linner, no significant impacts to wildlife resources would be expected based on the above-noted facts.

cc: Daron Haddock



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

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

May 30, 1995

Chief of Federal Programs
Office of Surface Mining
1999 Broadway, Suite 3320
Denver, CO 80202-5733

Re: Incidental Boundary Change (IBC) - Addition of 42.97 Acres to Federal Lease U-06039, Deer Creek Mine, PacifiCorp, ACT/015/018-95B, Folder #2, Emery County, Utah

Enclosed please find the application from PacifiCorp for an Incidental Boundary Change to add 42.97 acres of Forest Service land to the Deer Creek Mine permit area. Addition of this area will facilitate mining a small portion of federal coal which is isolated between the current Deer Creek Mine permit boundary and a major fault and would otherwise be bypassed if it is not mined from the Deer Creek Mine.

Underground mining proposed in the IBC is in the Blind Canyon Seam only. Drawings enclosed in this proposal include the reconfigured longwall panels, gateroads and main entries, as approved by the Bureau of Land Management (BLM) and depicted in the modified Resource Recovery and Protection Plan (R2P2).

Please review this proposal and notify the Division by June 20, 1995 if you have any concerns. If you have any questions, please call me.

Sincerely,

Pamela Grubaugh-Littig
Permit Supervisor

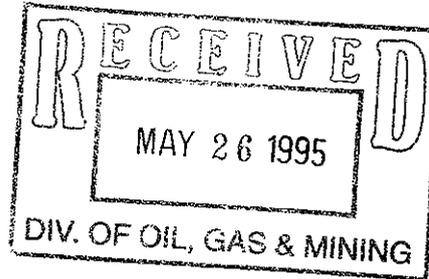
Enclosure

cc: Mark Bailey, BLM, Price
Janette Kaiser, Manti La Sal Forest Service
Robert Williams, USFWS
Brent Bradford, DEQ
Robert Valentine, DWR
Robert Morgan, State Engineer
Max Evans, State History
Scott Hirschi, State School and Institutional Trust Land Administration (letter only)





May 24, 1995



Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Attention: Pamela Grubaugh-Littig

95B
Copy Daron PAM
#2

**RE: APPLICATION FOR PERMIT CHANGE - INCIDENTAL BOUNDARY CHANGE,
PACIFICORP, DEER CREEK MINE, ACT/015/018, EMERY COUNTY, UTAH**

Pursuant to R645-303-220, PacifiCorp respectfully submits this application to amend the Deer Creek Mine permit. The amendment involves an Incidental Boundary Change (IBC) to add 42.97 acres of US Forest Service land to the Deer Creek Mine permit area.

Addition of the area will facilitate mining a small portion of Federal coal which is isolated between the current Deer Creek Mine permit boundary and a major fault. This area will be bypassed if it is not mined from the Deer Creek Mine. There is no other viable or potential operation that could logically mine this area.

Underground mining will occur in the IBC area only in the Blind Canyon Seam (see Drawings CM-10894-DR and CM-10895-DR). These drawings depict the modified Resource Recovery and Protection Plan (R2P2), including reconfigured longwall panels, gateroads and main entries, as approved by the Bureau of Land Management (BLM). Information regarding the R2P2 modification is found in Exhibits 8 and 11. Following the decision of the Division, regarding the IBC, updated drawings will be submitted for inclusion as Plates 3-6 and 3-7 of the Deer Creek Mining and Reclamation Plan (MRP).

The land associated with the IBC is comprised of the following parcels:

T. 16 S., R. 6 E. SLM

Section 25 E1/2SE1/4SE1/4 20.00 acres

T. 16 S., R. 7 E. SLM

Section 30 Lot 4 22.97 acres

Total acreage 42.97 acres

The surface owner of record of the subject property is (see Drawing CM-10521-DR):

United States of America
Department of Agriculture
US Forest Service
Manti-LaSal National Forest
599 Price River Drive
Price, Utah 84501

The parcels are included in Federal Coal Lease U-06039 as modified May 16, 1995 (see Exhibit 13). Lease U-06039 was assigned to Utah Power and Light Company effective January 1, 1980 (see Exhibit 1).

Surface owners of record of lands adjacent to the IBC area are United States of America and State of Utah (see Drawing CM-10521-DR).

Coal Leases adjacent to the IBC area are (see Drawing CM-10522-DR):

Federal Lease U-7653
State Lease ML-22509

Both leases are held by the applicant.

Regulations R645-303-222 through R645-303-224 allow for Incidental Boundary Changes as permit amendments if the area meets the following criteria:

1. The IBC area is less than 15% of the surface or subsurface disturbed area under the approved permit (R645-303-224.100);
2. The IBC area is in the cumulative impact area as defined in the Cumulative Hydrologic Impact Assessment (R645-303-224.200);
3. The IBC area is in the same hydrologic basin as operations authorized in the approved permit (R645-303-224.300);

As previously stated, underground mining will occur in the IBC area, only in the Blind Canyon Seam of the Deer Creek Mine. Approximately 100,000 tons of coal will be recovered from both entry development and longwall extraction. The associated subsurface disturbance will be approximately seven (7) acres. Approximately six (6) acres will be associated with entry development and approximately one (1) acre will be associated with longwall extraction. The current subsurface disturbed area at the Deer Creek Mine exceeds 4,000 acres; therefore, the total IBC area of 42.97 acres equates to approximately 1% of the subsurface disturbed area. The estimated seven acres of subsurface disturbed area in the IBC equates to approximately 0.18% of the current subsurface disturbed area. No surface disturbance is expected within the IBC area. Therefore, criterion number 1 is met.

The IBC is within the area covered by the Cumulative Hydrologic Impact Assessment prepared for the Deer Creek Mine and mining within the IBC is within the hydrologic basin for which operations are authorized in the approved permit. Additionally, the IBC area is included in the

current PacifiCorp hydrologic monitoring program conducted at the Deer creek Mine. Therefore, criteria 2 and 3 are met.

Mining in the IBC area will help to maximize recovery of the coal resource by avoiding the creation of a bypass situation. Additionally, information about the Mill Fork Canyon Fault may be gained from this area.

Enclosed are twelve (12) copies of the following drawings:

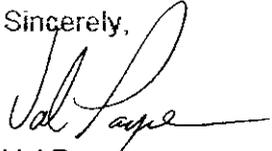
| <u>DRAWING NO.</u> | <u>TITLE</u> |
|--------------------|---|
| CM-10522-DR | Coal Ownership Map of the Deer Creek Mine Permit Area |
| CM-10521-DR | Surface Ownership Map of the Deer Creek Mine Permit Area |
| CM-10367-DR | Deer Creek Mine Permit Area Map |
| CM-10894-DR | Deer Creek Mine Life of Mine Plan, Blind Canyon Coal Seam |
| CM-10895-DR | Deer Creek Mine Life of Mine Plan, Hiawatha Coal Seam |

Additionally, the following Exhibits are provided to assist in the Division's review of the application.

| <u>EXHIBIT NO.</u> | <u>SUBJECT</u> |
|--------------------|--|
| 1 | Assignment of Coal Lease U-06039 12/13/79 |
| 2 | USFS Decision Notice / FONSI / Consent to Readjustment of Lease U-06039 5/21/92 |
| 3 | Readjustment of Lease U-06039, Effective 5/1/93 |
| 4 | USFS Decision Notice / FONSI / Environmental Assessment for Deer Creek Mine Rilda Canyon Lease Extension 9/27/94 |
| 5 | BLM Approval of Rilda Canyon Lease Extension and mining under escarpment 12/6/94 |
| 6 | DOGM Permit ACT/015/018 Deer Creek Mine to Include Rilda Canyon Lease Extension 10/27/94 |
| 7 | DOI/OSM Deer Creek Mining Plan Approval for Rilda Canyon Lease Extension 12/22/94 |
| 8 | Deer Creek Mine R2P2 Modification Request 12/5/94 |
| 9 | Information to USFS, R2P2 Modification Request and Ground Stability Analysis for the Area West of Deer Creek Mine Third North "B" Mains 12/12/94 |
| 10 | BLM Approval of R2P2 Modification Request 1/24/95 |
| 11 | PacifiCorp's Application to Modify Federal Coal Lease U-06039 2/15/95 |
| 12 | USFS Legal Notice to modify Lease U-06039 to include 42.97 additional acres 3/28/95 |
| 13 | BLM Approval of Modification of Lease U-06039 5/16/95 |
| 14 | Archeological Report for Rilda Lease Tract - AERC Paper No. 46, October 1990 |
| 15 | Archeological Report for Rilda Canyon Escarpment - AERC Project 1444, August 5, 1994 |

The Division's immediate attention to this application is greatly appreciated. If additional information is required, please call me at (801)687-4722.

Sincerely,

A handwritten signature in black ink, appearing to read "Val Payne", written in a cursive style.

Val Payne

Sr. Environmental Engineer

cc: S. Child w/ enclosure
M. Moon w/o enclosure
B. Webster w/ enclosure
File

APPLICATION FOR PERMIT CHANGE

| | |
|---|------------------------------------|
| Title of Change: <i>INCIDENTAL BOUNDARY CHANGE</i> | Permit Number: <i>ACT1 C151018</i> |
| | Mine: <i>DEER CREEK</i> |
| | Permittee: <i>PACIFICORP</i> |

Description, include reason for change and timing required to implement:
ADD 42.97 ACRES TO DEER CREEK PERMIT AREA TO FACILITATE MINING IN AREA BETWEEN PERMIT BOUNDARY & MILL FORK CANYON FAULT. MAXIMIZE RESOURCE RECOVERY, AVOID BYPASSING COAL RESOURCE & GAIN INFO. ON NATURE OF FAULT.

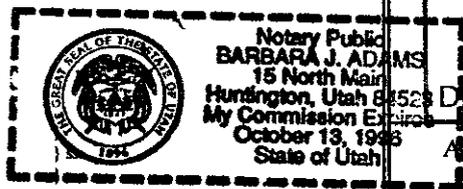
| | | |
|---|--|--|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 1. Change in the size of the Permit Area? <u>42.97</u> acres <input checked="" type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Change in the size of the Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 3. Will permit change include operations outside the Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Will permit change include operations in hydrologic basins other than currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 6. Does permit change require or include public notice publication? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 7. Permit change as a result of a Violation? Violation # _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 8. Permit change as a result of a Division Order? D.O.# _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 9. Permit change as a result of other laws or regulations? Explain: _____ |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 10. Does permit change require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 11. Does the permit change affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 12. Does permit change require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 14. Does permit change require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 15. Does permit change require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 16. Does permit change require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 17. Does permit change require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 18. Does permit change require or include certified designs, maps, or calculations? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 19. Does permit change require or include underground design or mine sequence and timing? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 20. Does permit change require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area? |

Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

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.

Val E Payne
 Signed - Name - Position - Date
Val E Payne SR. ENVIRONMENTAL ENGINEER 5/25/95

Subscribed and sworn to before me this 25 day of May, 19 95.
Barbara J Adams
 Notary Public
 My Commission Expires: Oct 13, 19 96
 Attest: STATE OF Utah
 COUNTY OF Emery



Received by Oil, Gas & Mining

RECEIVED

MAY 26 1995

DIV. OF OIL, GAS & MINING

ASSIGNED PERMIT CHANGE NUMBER



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

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

February 17, 1995

Mr. Richard E. Dawes, Chief
Division of Federal Programs
Office of Surface Mining
Reclamation & Enforcement
1999 Broadway, Ste. 3320
Denver, CO 80202-5733

Re: Modification to Federal Coal Lease U-06039, Deer Creek Mine, PacifiCorp,
ACT/015/018-95B, Folder #2, Emery County, Utah

Dear Mr. Dawes:

Enclosed please find a modification to federal coal lease U-06039 that increases the acreage by 42.97 acres for the Deer Creek Mine. This modification area is a small amount of unleased federal coal isolated between existing lease boundaries and a major fault. This area would most likely be bypassed, unless it is mined from the Deer Creek Mine. Current mining projections from PacifiCorp anticipate encountering this lease boundary at the end of March 1995.

If you have any questions, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pamela Grubaugh-Littig'.

Pamela Grubaugh-Littig
Permit Coordinator

Enclosure

cc: Daron Haddock

