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DIV. OF OIL, GAS & MINING

February 12, 2003

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

Accounting OK
C/015/018
Copy Aaron

**RE: Response to the Deficiencies to the Mill Fork Lease Application (Round 3),
PacifiCorp, Deer Creek Mine, C/015/018-PM01I, Emery County, Utah**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits responses to the deficiencies of the Deer Creek Mine Mill Fork Lease Application (Round 3). This application was originally submitted (Mill Fork Lease Volume 12) in October, 2001. On December 21, 2001, the Division determined the application to be administratively complete and commenced their technical review of the supplied information.

For four consecutive weeks in January, 2002, PacifiCorp published the required public notice to increase the size of the Deer Creek Mine permit area. Only one comment was received. On February 7, 2002, PacifiCorp received the technical review for the Mill Fork Lease mining application with a response due by March 15, 2002. On March 7, 2002, PacifiCorp received USFS comments concerning the mining lease application. Their comments were dated February 25, 2002. PacifiCorp requested a 30 day extension to adequately respond to both the concerns of the Division, as well as, the Forest Service. PacifiCorp responded to the first round of deficiencies on April 15, 2001.

Deficiencies related to the April 15, 2002 submittal (Round 2) were received on October 17, 2002. Response to the Round 2 deficiencies were submitted to the Division on December 4, 2002. The latest round of deficiencies of the Technical Review (Round 3) was received January 31, 2003. The attached document attempts to answer those deficiencies. The Division's findings will be first listed by regulation and explanation. PacifiCorp will follow by a response in *italics*.

Accompanied with this letter are seven (7) redline/strikeout copies of the Mill Fork Lease Application for your Round Four Technical Review process. Also enclosed are the proper C1/C2 Forms. When approved, seven (7) clean copies of the Mill Fork Lease Volume 12 will be submitted to the Division.

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

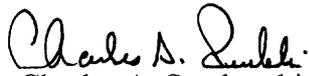
Fax (435) 748-5125

Division of Oil, Gas Mining
Mill Fork Lease Response to Deficiencies
February 12, 2003
Page Two

In addition to responding to the technical deficiencies, Energy West has revised the Deer Creek Mine Legal & Financial Section of Volume 1 and Maps 1-1 and 1-2 in Volume 4 to include the Mill Fork State Lease ML-48258. Based upon our conversation with Darron Haddock on February 11, 2003, to simplify and reduce duplication of Legal & Financial Information, Energy West agreed to revise Volume 1 and remove the duplicated information from Volume 12. Legal and Financial Information in Volume 1, approved on August 12, 2002, has been revised to include 5,562.8 acres related to the Mill Fork State Lease ML-48258.

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

Sincerely,



Charles A. Semborski
Permitting/Geology Supervisor

Enclosure: Response to Technical Analysis Deficiencies
C1/C2 Forms

Redline/Strikeout copies of the following:

- Volume 1: Legal And Financial Information including Appendices
- Volume 4: Map 1-1 and 1-2
- Volume 12: R645-301-100: General Information, Replace Text and remove appendices
- Volume 12: R645-301-200, Replace Map MFS1834B - revised powerline location
- Volume 12: R645-301-300, Replace Text Section
- Volume 12: R645-301-300, Replace Map MFS1821D - revised legend and powerline location
- Volume 12: R645-301-300, Replace Map MFS1852B - revised to include nest numbers
- Volume 12: R645-301-400, Replace Text Section
- Volume 12: R645-301-400, Replace Map MFS1835B - revised powerline location
- Volume 12: R645-301-400, Replace Map MFS1836B - revised powerline location
- Volume 12: R645-301-400, Replace Map MFS1856B - revised powerline location
- Volume 12: R645-301-500, Replace Text Section

Division of Oil, Gas Mining
Mill Fork Lease Response to Deficiencies
February 12, 2003
Page Three

- Volume 12: R645-301-500, Replace Map MFU1840D - revised Hiawatha Coal Seam mine layout
- Volume 12: R645-301-500, Replace Map MFS1839D - revised Hiawatha Coal Seam mine layout and powerline location
- Volume 12: R645-301-500, Replace Map MFS1866D - revised Hiawatha Coal Seam mine layout and powerline location
- Volume 12: R645-301-600, Replace Map MFU1829D - revised powerline location
- Volume 12: R645-301-600, Replace Map MFS1825D - revised Hiawatha Coal Seam mine layout
- Volume 12: R645-301-600, Replace Map MFU1828D - revised Hiawatha Coal Seam mine layout
- Volume 12: R645-301-700, Replace Text Pages 106-107
- Volume 12: R645-301-700, Replace Map MFS1851D - revised Hiawatha Coal Seam mine layout
- USGS Open File Report 81-539 for the Division's Library

cc: Carl Pollastro, EWMC w/o enclosures
Scott Child, IMC w/o enclosures

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: PacifiCorp

Mine: Deer Creek Mine

Permit Number: C/015/018

Title: Response to the Deficiencies to the Mill Fork Lease Application (Round 3), PacifiCorp, Deer Creek Mine, C/015/018-PM01I-2, Emery County, Utah.

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

Response to January 31, 2003 deficiencies.

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: <u>5562.82</u> Disturbed Area: _____ <input checked="" type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies? |
| <i>Explain:</i> _____ | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

Please attach ^{SEVEN (7)} ~~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)

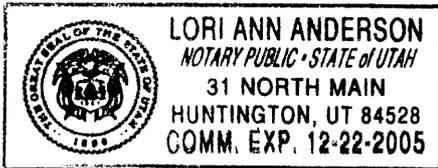
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Charles A. Semborski Charles A. Semborski Geology/Permitting Supervisor 2-12-03
 Print Name Sign Name, Position, Date

Subscribed and sworn to before me this 12th day of February, 2003

Lori Ann Anderson
 Notary Public

My commission Expires: Utah 12/22, 2005 } ss:
 Attest: State of Utah }
 County of Emery



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For Office Use Only:

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Form DOGM- C1 (Revised March 12, 2002)

APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: PacifiCorp

Mine: Deer Creek Mine

Permit Number: C/015/018

Title: Response to the Deficiencies to the Mill Fork Lease Application (Round 3), PacifiCorp, Deer Creek Mine, C/015/018-PM011-2, Emery County, Utah.

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

			DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 1, R645-301-100: General Information, Replace Entire Text with Appendices
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 4, Replace Map 1-1
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 4, Replace Map 1-2
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-100: General Information, Replace Entire Text
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Volume 12, R645-301-100: General Information, Remove Appendices
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-200: Soils, Replace Map MFS1834B
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12 R645-301-300: Biology, Replace Entire Text Section
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12 R645-301-300: Biology, Replace Map MFS1821D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12 R645-301-300: Biology, Replace Map MFS1852B
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-400: Land Use and Air Quality, Replace Entire Section
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-400: Land Use and Air Quality, Replace Map MFS1835B
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-400: Land Use and Air Quality, Replace Map MFS1836B
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-400: Land Use and Air Quality, Insert Map MFS1856B
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-500: Engineering, Replace Entire Text Section
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-500: Engineering, Replace Map MFU1840D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-500: Engineering, Replace Map MFS1839D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-500: Engineering, Insert Map MFS1866D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-600: Geology, Replace Map MFU1829D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-600: Geology, Replace Map MFS1825D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-600: Geology, Replace Map MFU1828D
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-700: Hydrology, Replace Text Section Pages 106-107
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 12, R645-301-700: Hydrology, Replace Map MFS1851D
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Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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