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DIV OF OIL, GAS & MINING

April 9, 2003

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

*c/1015/018
Incoming
Revised NOE*

RE: NOTICE OF INTENTION TO CONDUCT MINOR COAL EXPLORATION - UTAH STATE COAL LEASE ML-48258; PACIFICORP, ENERGY WEST MINING CO., EMERY COUNTY, UTAH

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits three (3) copies of the revised Notice of Intention to Conduct Minor Coal Exploration - Utah State Coal Lease ML-48258. Revisions were necessary to address deficiencies listed in the Technical Analysis dated February 21, 2003.

Attached are three (3) highlighted copies of pages 6-8. Also included are three (3) clean copies of these pages, (one (1) copy has been sent to PFO). If you have any questions concerning these revisions, please contact myself at (435) 687-4720.

If you require any additional information please call me at (435) 687-4720.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Charles A. Semborski'.

Charles A. Semborski
Geology/Permitting Supervisor

Enclosures (3 copies)

cc: Steve Demczak, (DOGM-Price Office)
John Blake, (SITLA)
Chris Colt, (DWR)
Don Stephens (BLM)
File

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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

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
MODIFICATION TO 2002 DRILLING PERMIT
UTAH STATE COAL LEASE ML-48258**

REDLINE COPIES (3)

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<i>MILL FORK AREA Raptor Locations and Status - 2002 Survey Data</i>				
Nest #	Location	Specie	Status	Potential Conflict
1207	Mill Fork	Red Tail Hawk	Active	* Mill Fork staging area outside ½ mile buffer * Not in direct line of sight
80	Mill Fork	Golden Eagle	Active	* Mill Fork staging area outside ½ mile buffer * Not in direct line of sight * Flight path adjusted to reduce potential conflict
81	Mill Fork	Golden Eagle	Inactive	None
79	Mill Fork	Golden Eagle	Tended	None
963	Mill Fork	Golden Eagle	Tended	None
78	Mill Fork	Golden Eagle	Tended	None
1210	Crandall Canyon	Golden Eagle	Active	* Drill Hole EM-186 and EM-187 within ½ mile buffer, drilling scheduled after July 15, 2001 * Commitment to Special Raptor Monitoring protocol estimated in 2002 * Flight paths adjusted to reduce potential conflicts
1211	Crandall Canyon	Golden Eagle	Inactive	None
1208	Little Bear	Golden Eagle	Inactive	None * Activity outside ½ mile buffer
1206	Rilda Canyon	Red Tail Hawk	Inactive	None * Activity outside ½ mile buffer

Raptor activity in Mill Fork Area will be evaluated during the 2003 survey scheduled for May 2003 (information related to the 2003 raptor survey/nest monitoring activity will be transmitted to the Division of Oil, Gas and Mining, United States Forest Service and Division of Wildlife Resources). PacifiCorp proposes to commence drilling operations on July 15, 2002 (request pending to initiate the exploration program on May 15, 2003 due to the continuing drought). Scheduling of the drilling activities will be arranged to reduce potential raptor impacts. If special monitoring is deemed necessary, PacifiCorp will adhere to the special raptor monitoring protocol established during 2002 for the proposed Mill Fork Canyon/Crandall Canyon locations:

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Special Monitoring:

- ❖ PacifiCorp will establish ground monitoring point(s) 3 days prior to drilling near the nest(s) determined to be active during the annual raptor flight or verified in consultation with the Division of Wildlife Resources biologist to observe raptor activity (refer to attached raptor monitoring map).
- ❖ Data from the advanced monitoring will serve as baseline for raptor activity.
- ❖ Monitoring will be conducted by PacifiCorp qualified staff biologist (Guy Davis - U.S.F.S. approved in 2002). Biologist will be positioned to the monitoring location prior to initiation of daily drilling activity.
- ❖ Observe active nest(s) #1210 during drilling activities on Drill Holes EM-180, EM-181, EM-186 and EM-187. (all observations will be performed by Energy West staff biologist).
- ❖ All helicopter flights associated with drill holes EM-180, EM-181, EM-186 and EM-187 will be conducted in a manner to minimize potential disturbance (see attached helicopter flight path map).
- ❖ All non-essential helicopter flights will be least 1000 feet above ground elevation and exceed 30 miles/hour (USFW Guidelines).
- ❖ Energy West will monitor raptor activity during the drilling of exploration holes within ½ mile buffer zone of active nest based on raptor monitoring data EM-186 for a minimum of three days. If no apparent impacts are observed, special raptor monitoring activities may be terminated based on consultation with USFS biologist.
 - ❖ Apparent impacts include but not limited to; alteration to daily nest activity, feeding routines and general chick behavior.
 - ❖ If apparent impacts are identified, PacifiCorp will mitigate impacts by altering flight paths, timing of flights not to disrupt feeding schedules and minimize the number of flights
- ❖ All raptor monitoring information will be reported to USFS, DOGM and DWR. To further reduce potential raptor impacts, all non-essential flights will be conducted at 1000 feet above ground level.

234. **Diversions of Overland Flows.** Diversions of overland flows and ephemeral, perennial, or intermittent streams will be made in accordance with R-645-301-742.3.

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Pacificorp has requested that the Temporary Exchange approved for 2002 be extended through the 2003 field season.

Water for drilling will be pumped directly from Crandall Creek or its tributaries for drill holes EM-187. Water will be pumped directly from Mill Fork Creek or its tributaries for drill hole EM-186. A gasoline/diesel powered water pump will be stationed near the creek and water will be pumped to water tanks located at each drill site.

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