

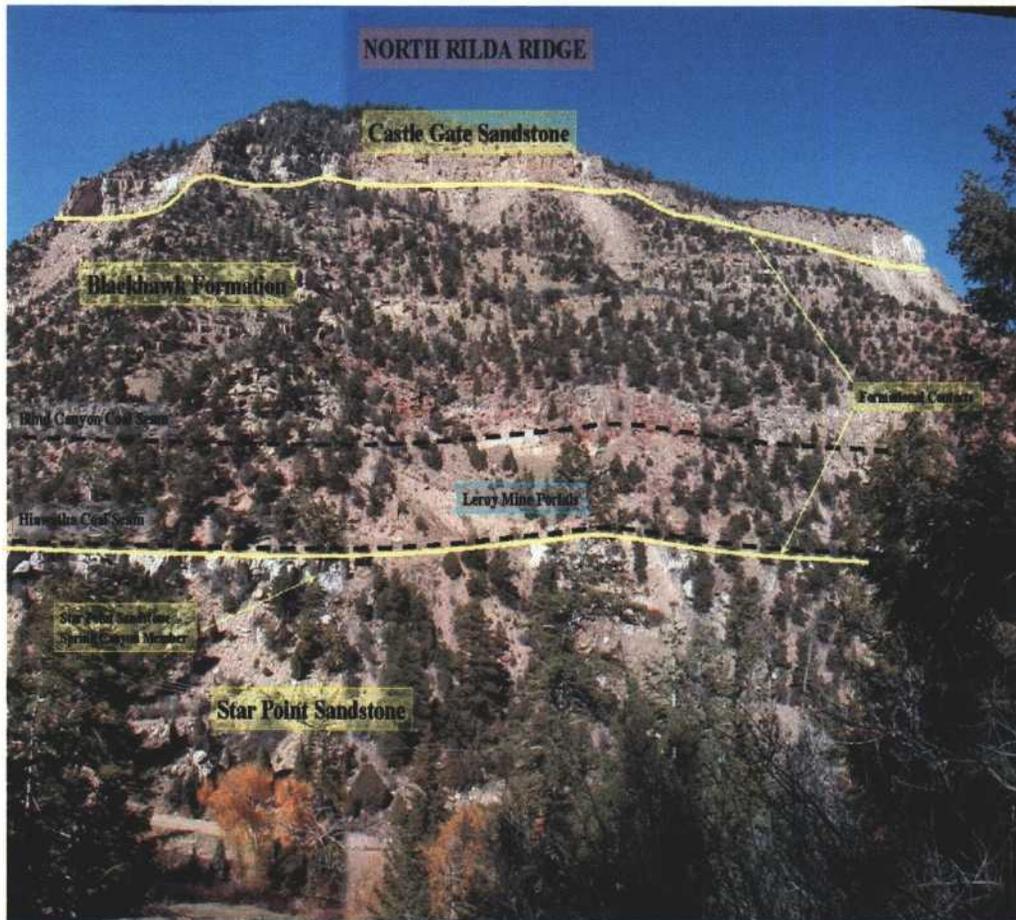
**NOTICE OF INTENTION TO CONDUCT MINOR
COAL EXPLORATION: GEOTECHNICAL INVESTIGATION
FEDERAL COAL LEASES: SL-051221 and U-2810**

DECEMBER 2003

C/O Interwest Mining Company
(Managing Agent)



Energy West Mining Company
(Mine Operator)



NORTH RILDA RIDGE September 2003

**NOTICE OF INTENTION TO CONDUCT MINOR
COAL EXPLORATION: GEOTECHNICAL INVESTIGATION
FEDERAL COAL LEASES: SL-051221 and U-2810**

DECEMBER 2003

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R645-200. Coal Exploration/Geotechnical Investigation: Introduction.

PacifiCorp proposes to dig up to a total of twenty (20) shallow test pits in Rilda Canyon within the Federal Coal Leases SL-051221 and U-2810 in the year 2003. For ease of reference, this plan follows the format of the applicable portions of the Utah Division of Oil, Gas, and Mining (hereinafter referred to as "the Division") rules (R645-200 through R645-203) regarding Coal Exploration.

R645-200-100. Scope. (Minor Coal Exploration/Geotechnical Investigation):

- 122. Minor Coal Exploration Exploration/Geotechnical Investigation.** PacifiCorp intends to dig six (6) to twenty (20) shallow (less than 20 feet deep) test pits in Rilda Canyon to evaluate geologic and geotechnical characteristics. The exploration will occur on a designated Federal Coal leases SL-051221 and U-2810. Less than 250 tons of coal will be removed. Pacificorp is hereby filing a Notice of Intention to Conduct Minor Coal Exploration under the requirements of R645-201-200.

R-645-200-200. Responsibilities.

- 210. Responsibility to Comply with Regulations.** PacifiCorp will comply with the requirements of R645-200 through R645-303.
- 220. Responsibility of the Division to Review and Reply.** The Division will receive and review this Notice of Intention to Conduct Minor Coal Exploration. The Division will review and reply within 15 days.
- 230. Responsibility of the Division to Coordinate with Other Agencies.** The Division will coordinate review of this Notice with the other appropriate government agencies (U.S.D.A. Forest Service, BLM, etc.). Pacificorp will provide enough copies of this notice to the Division for distribution to these agencies.

R645-201. Coal Exploration Exploration/Geotechnical Investigation: Requirements for Approval.

R645-201-100. Plan Review.

- 110. Coal Exploration Plan Review, Responsibility of Division.** The lands on which this exploration will be conducted, being a state coal lease issued to Pacificorp, are not subject to 43 CFR Parts 3480-3487. Therefore, exploration plan review will be the responsibility of the Division.
- 120. Requirements of 43 CFR 3480-3487. N.A.**

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130. Division Responsibility to Coordinate with Other Agencies. This Notice of Intention to Conduct Minor Coal Exploration/Geotechnical Investigation will be submitted to the Division as the lead agency for review and approval.

R645-201-200. Notices of Intention to Conduct Minor Coal Exploration/Geotechnical Investigation.

210. Division Review Requirement. Notices of Intention to Conduct Minor Coal Exploration where 250 tons or less of coal will be removed require Division review prior to conducting exploration. PacifiCorp is submitting this Notice to the Division in December 2003, allowing the Division and other agencies time to review and approve the Notice before exploration activities begin on January 15, 2004.

220. Required Applicant Information. This Notice of Intention to Conduct Minor Coal Exploration is required to include the following pertinent information.

221. Name, Address, and Telephone Number of Applicant:

APPLICANT:

PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021
(801)220-4612

OPERATOR:

Energy West Mining Company
15 North Main Street
Huntington, Utah 84528
(801)687-9821

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222. Name, Address, and Telephone Number of the Applicant's Representatives:

RESPONSIBLE REPRESENTATIVE:

Chuck Semborski or John Christensen
Energy West Mining Company
15 North Main Street
P.O. Box 301
Huntington, Utah 84528
(435)687-4720
(435)687-6630

223. Description of Exploration Area. Narrative and map describing the geotechnical investigation area and indicating where the evaluation will occur:

PROPOSED EXPLORATION AREA:

The proposed geotechnical test pits are located in Rilda Canyon within the current Federal Coal leases SL-051221 and U-2810, in Section 28, Township 16 South, Range 7 East, Salt Lake Base and Meridian. The geotechnical investigation will occur on lands in which the surface is administered by the U.S.D.A. Forest Service (USFS) and the subsurface by the Bureau of Land Management (see accompanying maps entitled Rilda Canyon Geotechnical Investigation - General Location Map, Aerial Photos, Surface Ownership Map, Coal Ownership Map).

The proposed test pits will be excavated in an area previously disturbed by historical coal mining activities. Small mining operations were located in several of the side canyons within the immediate area. A majority of the operations commenced in the early 1940's and terminated in the mid 1950's. Four abandoned mines are located in Section 28, Township 16 South, Range 7 East of the North Rilda Area, the Leroy (aka Comfort Mine), Jeppson, Rominger (aka Ferrell Mine), and Helco mines (refer to map section). All of the mines are located in the Hiawatha seam and were reclaimed by AML in 1988.

The geotechnical investigation area is located in Rilda Canyon an east-west trending canyon that is very steep and narrow with rounded narrow ridge tops. Contour elevations range from approximately 7400 feet to over 9,600 feet. Vegetative cover and species composition within this elevation range is very

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diversified. Ecosystems within this portion of East Mountain contain various habitats that are mostly influenced by the steep and broken slopes and their orientations. Distinguishable plant communities within the area are: Pinyon/Juniper, Mountain Brush, Mixed Conifer (upper elevations), and Riparian. A very narrow band of Riparian community is considered to follow along Rilda Creek below the Rilda Canyon Springs.

Archeological surveys have been conducted in the Rilda Canyon area adjacent to the investigation area. The most recent survey was done in September of 2003, by John A. Senulis (SENCO-PHENIX). This survey report is included in Deer Creek Mine permit Volume 11 R645-301-400 Appendix A. Mr. Senulis summarizes his survey with this statement, "Neither the site nor any of the isolates are recommended for nomination to the National Register of Historic Places. No other cultural resources were located and the potential for undetected remains is remote. A finding of no effect is appropriate and archeological clearance without stipulations is recommended".

224. Period of Intended Exploration:

PROJECT STARTUP DATE: January 12, 2004

PROJECT COMPLETION DATE: January 16, 2004

It is anticipated that all geotechnical investigations and necessary reclamation activities associated with this project will be completed within five (5) days following the date of implementation.

225. Method of Exploration. Method of exploration to be used, amount of coal to be removed, and practices to be used to protect the area from adverse impacts and reclaim the area in accordance with R645-202:

Excavations will be conducted using a track-mounted hoe. Test pits/trenches will be monitored and logged by an engineering geologist from *AMEC Earth & Environmental Inc.* and Energy West Mining Company. In areas of water development (Rilda Canyon spring collection and pipelines), personnel from North Emery Water Users Special Service District will be on site to monitor excavation activities. Immediately upon completion of the testing, the pits/trenches will be backfilled and compacted utilizing the bucket of the trackhoe. If for some reason

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the test pits/trenches remain open, a temporary fence will be erected around the site. Duration of the project is estimated at five (5) days.

The purpose of the study is to define the characteristics of the surface and subsurface material in the area of the new facilities. This analysis will include structure and foundation recommendations for the facilities located on the cut and fill areas of the pads. Also included in the recommendations are methods used during construction to handle foundations on areas of native soil, native fill and fill from the excavated underground access slope. The road embankments will be analyzed to maintain a minimum safety factor of 1.3.

The scope of the project is to:

1. Characterize and evaluate subsurface soil, bedrock, and groundwater conditions at the site.
2. Evaluate the site geoseismic setting.
3. Provide appropriate geotechnical recommendations for the site earthwork, design and construction of the realigned roadway, and seismic design of site structures.
4. A field geotechnical program consisting of excavating test pits across the site to depths ranging up to approximately 20 feet.
 - A. A total of 6-20 test pits/trenches
 - B. Area of investigation:
 - Fan access road
 - Fan pad area
 - Leroy Mine area
 - Between the Leroy and Rominger mines
 - South of the road (between road and Rilda Creek).

Access to the site will Emery County Road # 306. No road construction will be necessary for the proposed project. All materials, tools and equipment will be removed immediately upon completion of geotechnical testing and reclamation activities.

Amount of Coal to be Removed: As previously discussed, the scope of the project is to characterize and evaluate subsurface soil, bedrock, and groundwater conditions at the site for construction of proposed surface facilities. Testing will occur below the lowest coal seam outcrop. As a result, no coal will be removed during the project.

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Practices to Protect from Adverse Impacts and to Reclaim the Area: During excavation process, the available topsoil will be segregated separately and redistributed upon completion/compaction of each individual test pit. If spills occur, all affected materials will be removed from the site and disposed of at an approved location. The area will be recontoured and seeded with the approved seed mixture.

Fire Suppression Equipment:

All gasoline and diesel powered equipment will be equipped with effective mufflers or spark arresters which meet applicable Forest Service specifications. Fire suppression equipment will be available to all personnel working at the project site. Equipment will include at least one hand tool per crew member consisting of shovels and pulaskis and one properly rated fire extinguisher per vehicle and/or combustion engine.

Fuel and/or lubricating oil containers not stored in a truck will be placed on brattice or other acceptable ground cover at a site located away from drainage channels and surrounded by brattice, earthen berm or other acceptable containment structure. If spills occur, clean-up will be conducted as stated above.

Access by personnel associated with the geotechnical investigation will be via vehicle on Emery County Road #306 and by foot to the test site. Therefore, no additional access facilities will be constructed.

Following completion of geotechnical investigation, all associated equipment and materials will be removed. All trash and extraneous materials will be removed from the US Forest Service property and disposed of at an approved location. The sites will be reclaimed by: 1. Removing all trash, and contaminated soil. 2. Recontouring site to original contour, and 3. Re-seeding with the approved seed mix.

R645-202. Coal Exploration: Compliance Duties.

R645-202-100. Required Documents.

“Each person who conducts coal exploration which substantially disturbs the natural land surface will, while in the exploration area, have available a copy of the Notice of Intention to Conduct Minor Coal Exploration...for review by an authorized representative of the Division upon request.”

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Road Use Permits:

The Forest Service will be notified 48 hours in advance that heavy equipment will be moved onto National Forest System lands and that surface disturbing activities will commence.

All road travel will be restricted to Emery County Road #306.

Archeological Information:

Archeological surveys have been conducted in the area adjacent to the geotechnical investigation area. The most recent survey was done in September of 2003, by John A. Senulis (SENCO-PHENIX). This survey report is included in the Deer Creek Mine permit in Volume 11 R645-301-400 Appendix A. Mr. Senulis summarizes his survey with this statement, "Neither the site nor any of the isolates are recommended for nomination to the National Register of Historic Places. No other cultural resources were located and the potential for undetected remains is remote. A finding of no effect is appropriate and archeological clearance without stipulations is recommended".

R645-202-200. Performance Standards.

- 210. Requirements of the State Program.** All coal exploration and reclamation operations which substantially disturb the natural land surface...will be conducted in accordance with the coal exploration requirements of the State Program, and any conditions on approval for exploration and reclamation imposed by the Division.

Pacificorp will comply with all coal exploration requirements of the State Program, and any conditions on approval of the exploration plan.

- 220. Inspection and Enforcement.** Any person who conducts any coal exploration in violation of the State Program will be subject to the provisions of 40-10-20 of the Act and the applicable inspection and enforcement provisions of the R645 Rules.

Pacificorp will comply with all coal exploration requirements of the State Program, and any conditions on approval of the exploration plan. Pacificorp welcomes inspection of its geotechnical investigation operations at any time during project.

- 230. Operational Standards.**

- 231. Non-Disturbance of Habitats.** Habitats of unique or unusually high value for fish, wildlife, and other related environmental values and critical habitats of

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endangered or threatened species identified pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.) will not be disturbed during geotechnical investigation project.

Vegetative cover and species composition within this elevation range is very diversified. Ecosystems within this portion of East Mountain contain various habitats that are mostly influenced by the steep and broken slopes and their orientations. Distinguishable plant communities within the area are: Pinyon/Juniper, Mountain Brush, Mixed Conifer (upper elevations), and Riparian. A very narrow band of Riparian community is considered to follow along the Rilda Creek below the springs. The primary land uses associated with the area are wildlife habitat, livestock grazing and recreation. The area is presently classified for the following wildlife uses by the Utah Division of Wildlife Resources (DWR):

| | |
|-----------|--|
| Mule Deer | High Priority Summer Range |
| Elk | Critical Winter Range and High Priority Summer Range |

The proposed geotechnical investigation is not expected to have a detrimental impact on any of these species, their habitat or other land uses associated with the area.

Surveys for Threatened, Endangered and Sensitive (TES) plant and animal species have been conducted in connection with various projects in this area of Rilda Canyon (Surface Facilities, Permit Extension and Powerline) and the coal leasing process. Results of these surveys have been provided to the various regulatory agencies in the applications for the projects. No TES plants and animals have been found in the area of the proposed drill holes.

Road Construction and Use. All roads or other transportation facilities used for coal exploration will comply with the applicable provisions of R645-301-358...R645-301-762.

Pacificorp will use only existing roads for this project. No new roads will be constructed.

- 233. **Topsoil Removal and Storage.** Topsoil will be separately removed, stored, and redistributed on areas disturbed by test pit activities as necessary to assure successful revegetation or as required by the Division.
- 234. **Diversions of Overland Flows.** No diversions will necessary during the project.

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235. **Minimizing Disturbance to Hydrologic Balance.** Geotechnical investigation activities will be conducted in a manner which minimizes disturbance to the prevailing hydrologic balance in accordance with R645-301-356.300...and R645-301-763. The Division may specify additional measures which will be adopted by any person engaged in coal exploration.

During the geotechnical investigation, surface disturbance will consist only that which is necessary to develop the test pit. No impoundments to contain runoff will be necessary. Overall impact on the hydrologic balance will be minimal, if any.

236. **Acid- or Toxic Forming Materials.** Acid- or toxic-forming materials will be handled and disposed of in accordance with R645-301-731.110, 731.300, and 553.260.

No Acid- or Toxic earth materials or coal waste will be produced used, or handled during this drilling program.

240. **Reclamation Standards.**

241. **Excavations.** After excavations, artificially flat areas, or embankments are created during the test process, these areas will be returned to the approximate original contour promptly after such features are needed for evaluation. These will be promptly filled in to original contour as soon as the evaluation is complete.

242. **Re-Vegetation.** All Areas disturbed by the geotechnical evaluation activities will be revegetated in a manner that encourages prompt revegetation and recovery of a diverse, effective, and permanent vegetative cover. Revegetation will be accomplished in accordance with the following:

- 242.1 **Re-Seeding.** All areas disturbed by geotechnical evaluation activities will be seeded or planted to the same seasonal variety native to the areas disturbed. If the land use of the exploration area is intensive agriculture, planting of the crops normally grown will meet the requirements of R645-202-242.100.

All geotechnical evaluation areas will be promptly re-seeded upon completion of each hole, removal of equipment, and recontouring of

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the site, if necessary, with a seed mix approved by the surface management agency and the Division.

The following is the seed mix as specified from the Deer Creek Mine permit - Rilda Canyon Left Fork Breakouts will be used unless changes are indicated by the agencies.

Seed Mixture (Pinyon-Juniper)

Pinyon Juniper habitats are those areas that have a high exposure to sunlight. These areas are typically drier and need grass growth early on for moisture retention and soil stabilization.

| Common Name | Scientific Name | Lbs/Acre Equivalent PLS* |
|-----------------------|-------------------------------------|--------------------------|
| Grasses | | |
| Thickspike Wheatgrass | Agropyron dasystachyum var. Critana | 5 |
| Western Wheatgrass | Agropyron smithii var. Rosanna | 6 |
| Salina Wildrye | Elymus salinus | 2 |
| Indian ricegrass | Oryzopsis hymenoides var. Paloma | 4 |
| Squirreltail | Sitanion hystrix | 3 |
| Forbes | | |
| Pacific Aster | Aster chilensis | 0.2 |
| Northern Sweetvetch | Hedysarum boreale | 1 |
| Eaton Penstemon | Penstemon eatonii | 2 |
| Louisiana Sage | Artemisia ludoviciana | 2 |
| Corybed Erigoonum | Eriogonum corymbosum | 1 |
| Shrubs | | |
| Curleaf Mahogany | Cercodarus ledifolius | 2 |

Seed Mixture (Riparian)

Pinyon Juniper habitats are those areas that have a high exposure to sunlight. These areas are typically drier and need grass growth early on for moisture retention and soil stabilization.

| Common Name | Scientific Name | Lbs/Acre Equivalent PLS* |
|-------------------------|----------------------------------|--------------------------|
| Grasses | | |
| Streambank Wheatgrass | Agropyron riparium var. Sodar | 8 |
| Indian Ricegrass | Oryzopisi hymenoides var. Paloma | 8 |
| Needle and Thread Grass | Stipa comata | 8 |
| Forbs | | |
| Louisiana Sage | Artemisia ludoviciana | 2 |
| Silky Lupine | Lupinus sericeus | 10 |
| Yellow Sweetclover | Melilotus officinalis | 4 |
| Eaton Penstemon | Penstemon eatonii | 2 |

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The seed mixture will be hand broadcast and the area will be hand raked following seeding to cover the seed. Following seeding, any dead-fall that was removed from the drill site will be replaced.

242.2 Soil Surface Stability. The vegetative cover will be capable of stabilizing the soil surface from erosion.

No crops are raised in the project area. Crop replacement will not be necessary.

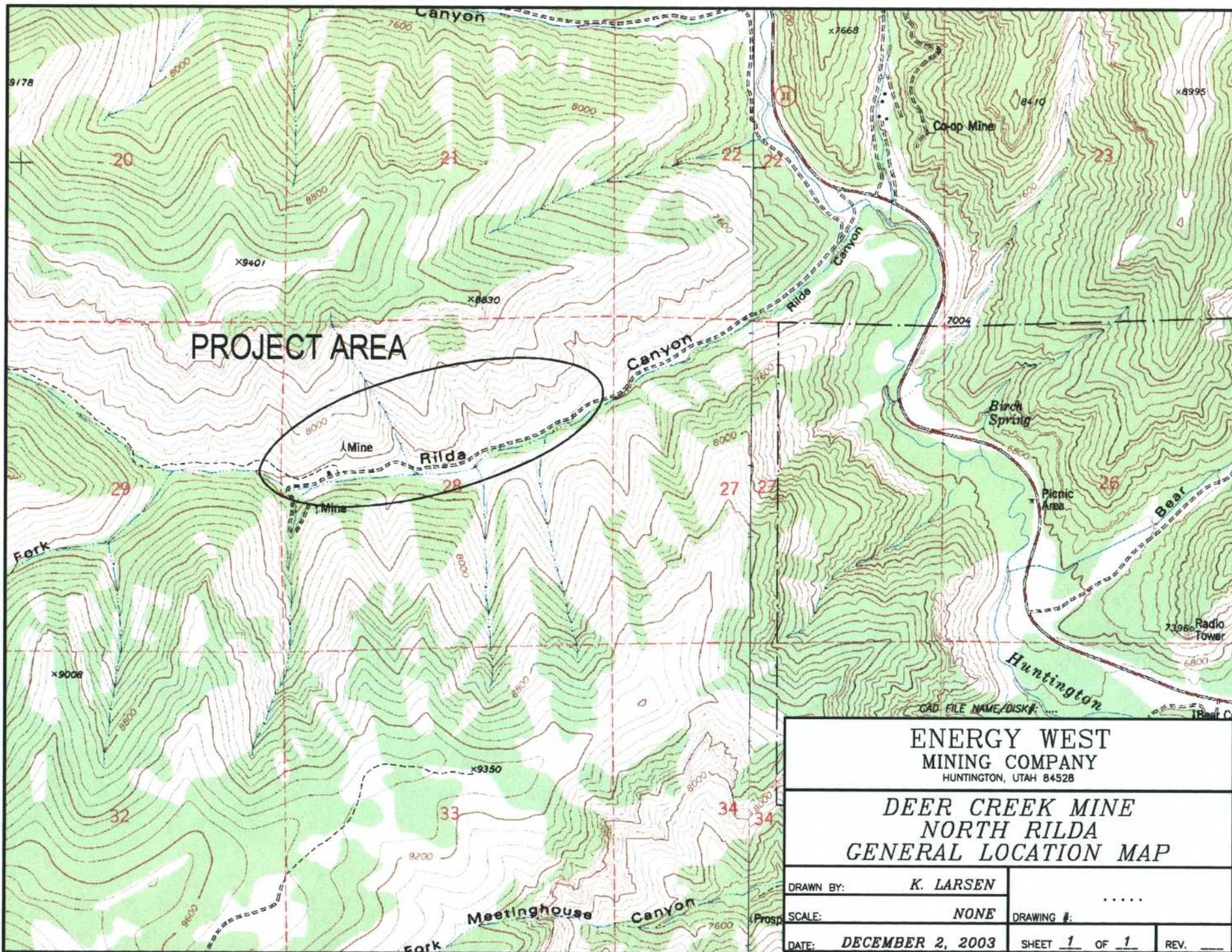
243. Reclamation of Boreholes. No drilling will occur during the geotechnical investigation.

As discussed earlier, the geotechnical evaluation will consist of excavating shallow test pits to be observed and sample the soil material to determine strength characteristics. Immediately after completing the evaluation, the test pits will be filled/compacted in lifts and the area affected area seeded as specified in **R645-202-240**.

244. Removal of Equipment. All facilities and equipment will be promptly removed from the evaluation area when they are no longer needed for geotechnical investigation.

**R645-203. Coal Exploration: Public Availability of Information.
R645-203-100. Public Records.**

Except as provided in R645-203-200, all information submitted to the Division under R645-200 will be made available for public inspection and copying at the Division.



PROJECT AREA

| | | |
|---|------------------|-------------------------|
| ENERGY WEST MINING COMPANY HUNTINGTON, UTAH 84528 | | |
| DEER CREEK MINE NORTH RILDA GENERAL LOCATION MAP | | |
| DRAWN BY: | K. LARSEN | |
| SCALE: | NONE | DRAWING #: |
| DATE: | DECEMBER 2, 2003 | SHEET 1 OF 1 REV. _____ |

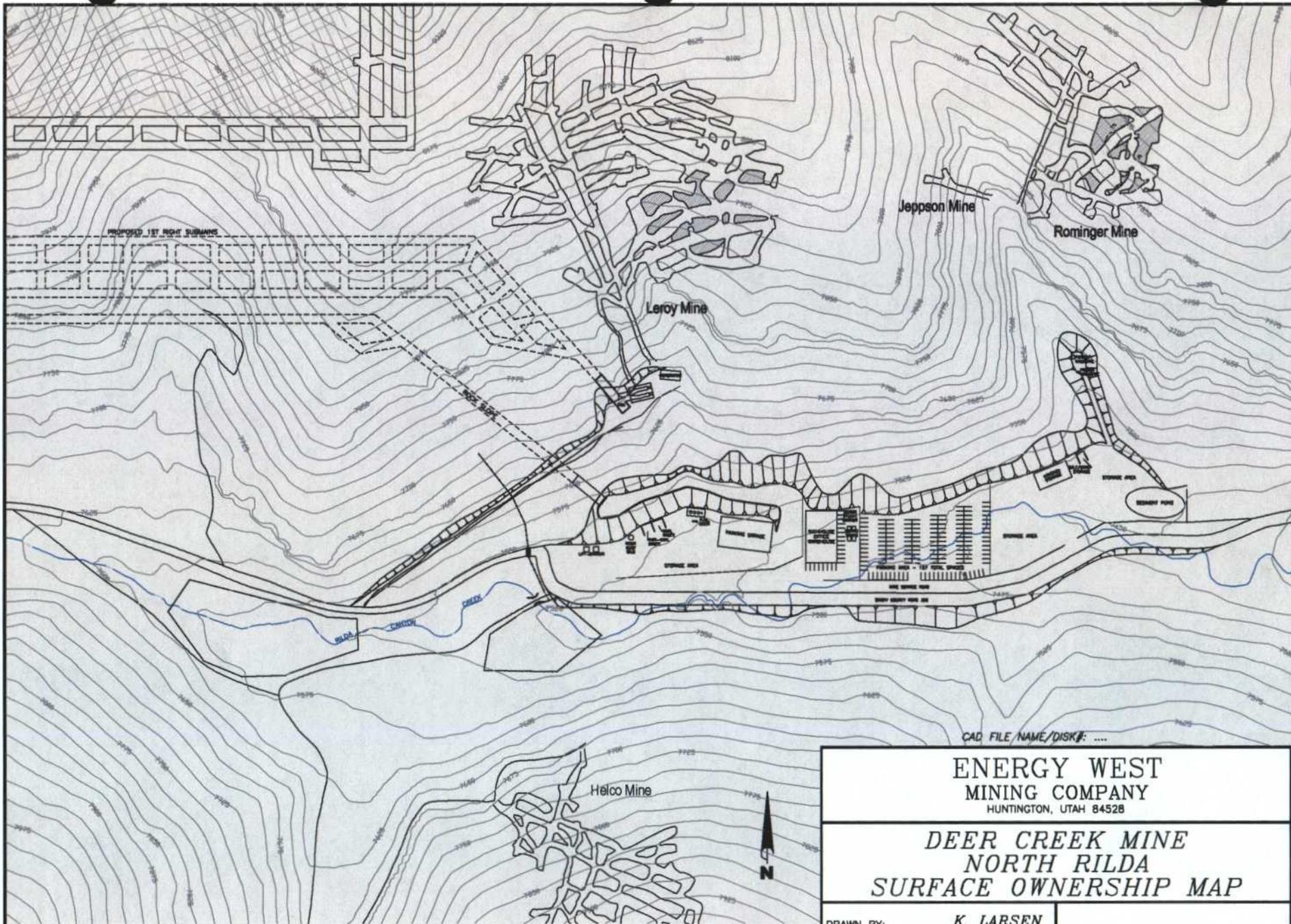
ENERGY WEST
MINING COMPANY
HUNTINGTON, UTAH 84528

DEER CREEK MINE
NORTH RILDA
AERIAL PHOTOGRAPH

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| DRAWN BY: | K. LARSEN | | |
| SCALE: | NONE | DRAWING #: | |
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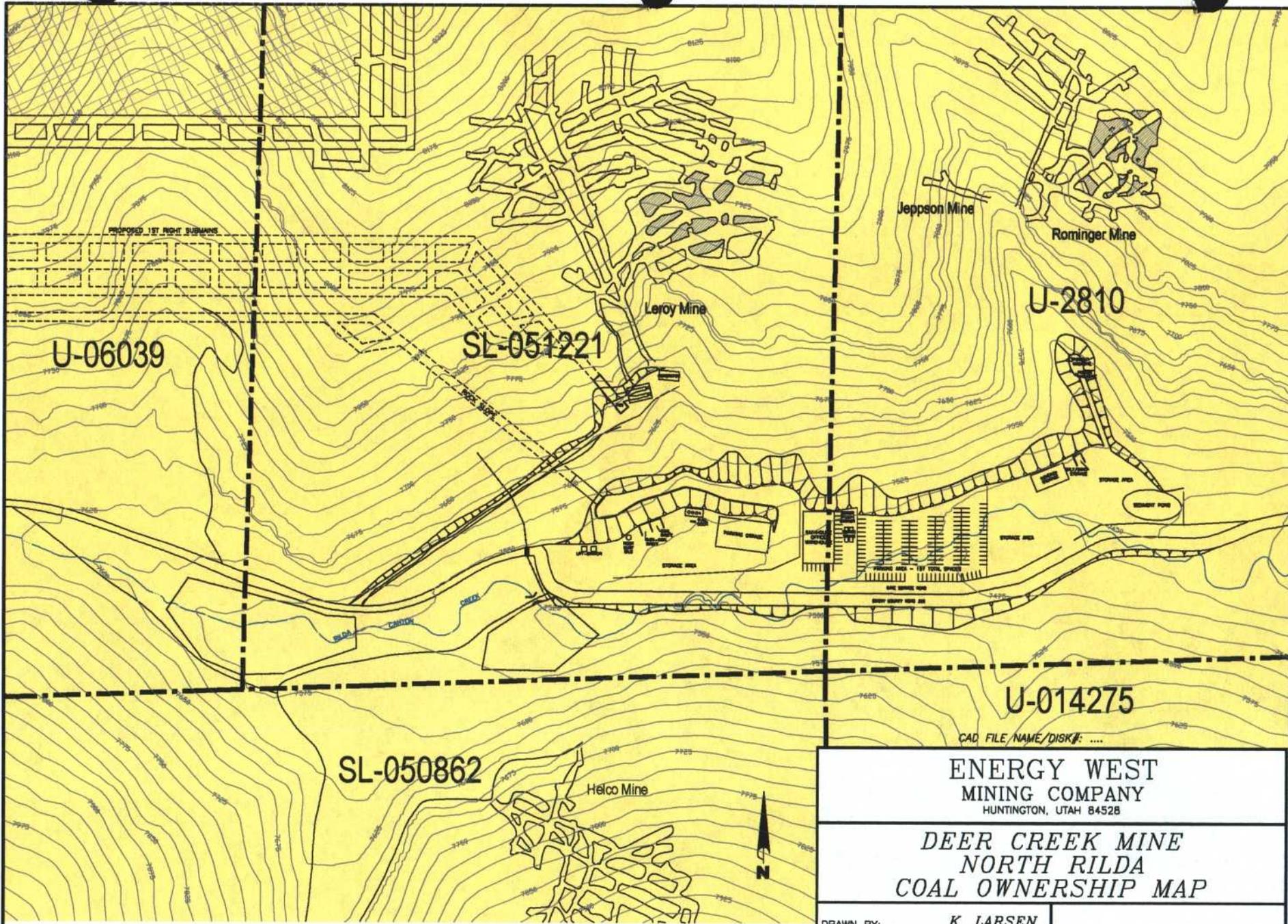
PROJECT AREA





U.S. NATIONAL FOREST

| | |
|--|----------------------------|
| ENERGY WEST MINING COMPANY HUNTINGTON, UTAH 84528 | |
| DEER CREEK MINE NORTH RILDA SURFACE OWNERSHIP MAP | |
| DRAWN BY: K. LARSEN | DRAWING #: |
| SCALE: NONE | SHEET 1 OF 1 |
| DATE: DECEMBER 2, 2003 | REV. _____ |

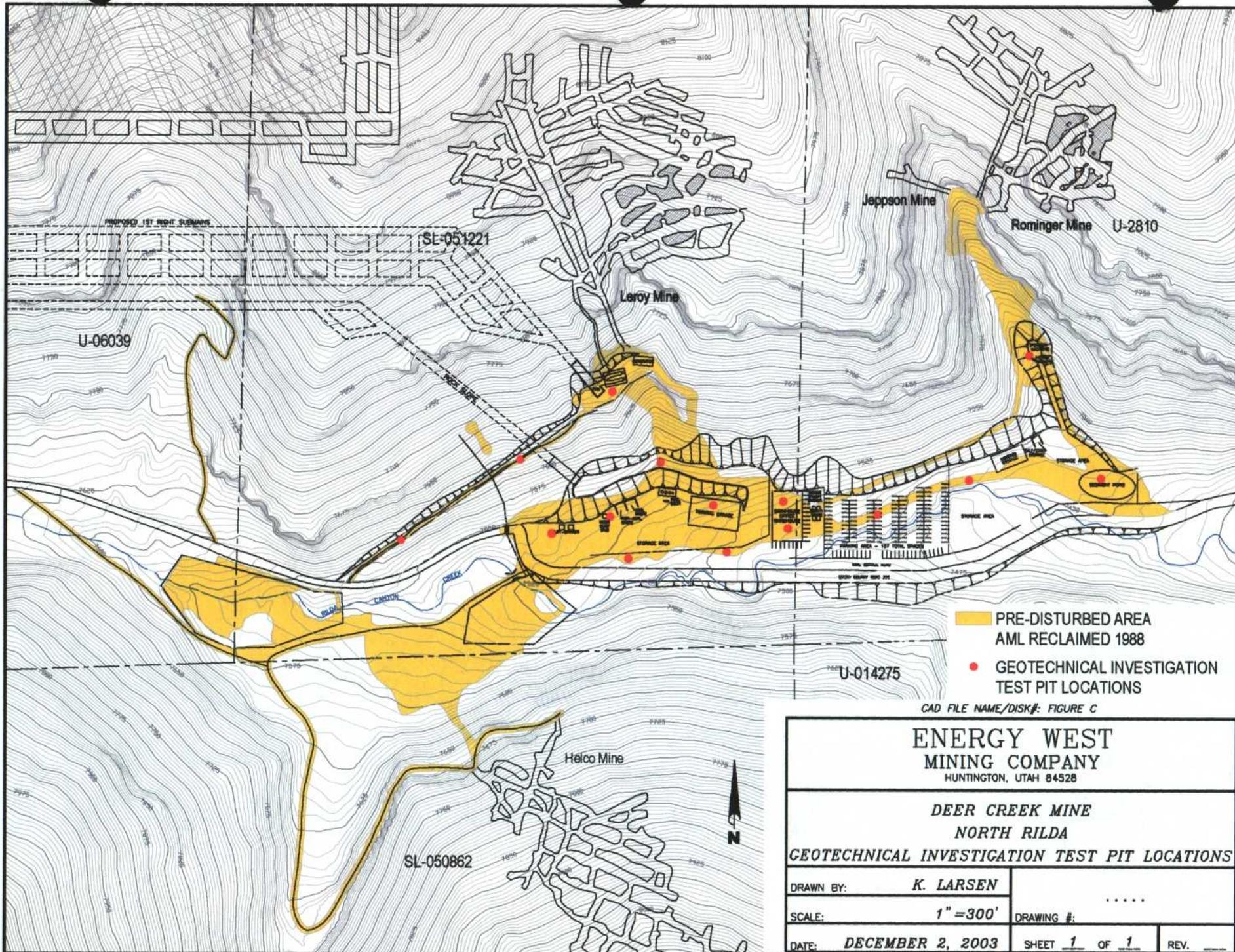


FEDERAL COAL LEASE WITHIN DEER CREEK PERMIT

**ENERGY WEST
MINING COMPANY**
HUNTINGTON, UTAH 84528

**DEER CREEK MINE
NORTH RILDA
COAL OWNERSHIP MAP**

| | | | |
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| DRAWN BY: | K. LARSEN | DRAWING #: | |
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| DATE: | DECEMBER 2, 2003 | REV. | |



- PRE-DISTURBED AREA
AML RECLAIMED 1988
- GEOLOGICAL INVESTIGATION
TEST PIT LOCATIONS

CAD FILE NAME/DISK#: FIGURE C

**ENERGY WEST
MINING COMPANY**
HUNTINGTON, UTAH 84528

**DEER CREEK MINE
NORTH RILDA
GEOLOGICAL INVESTIGATION TEST PIT LOCATIONS**

| | |
|-------------------------------|----------------------------|
| DRAWN BY: K. LARSEN | |
| SCALE: 1" = 300' | DRAWING #: |
| DATE: DECEMBER 2, 2003 | SHEET 1 OF 1 |
| | REV. _____ |