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# State of Utah

*School and Institutional*  
TRUST LANDS ADMINISTRATION

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Governor

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Director

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February 10, 2003

Mr. Carl Pollastro, Manager  
Technical Services & Strategic Planning  
Energy West Mining Co.  
P.O. Box 310  
Huntington, UT 84528

*Indrming*  
*2/10/03*  
*JK*

Re: ML 48258-Coal, Deer Creek Mine Plan of Operations (R2P2)

Dear Carl:

Thank you for your cooperation in discussing concerns over the November 8, 2002, Deer Creek Mine Plan of Operations (R2P2) submitted by Energy West Mining Company for the Mill Fork coal tract. It appears that the parties have come to an agreement or understanding and the Trust Lands Administration hereby approves the November 8, 2002, Deer Creek Mine Plan of Operations (R2P2).

I understand that Energy West Mining Co. will monitor mining conditions as operations proceed and may submit amendments to the approved plan of operations (R2P2) from time to time to enhance resource recovery and protection. Such future amendments will be subject to review and approval by the Lessor and by the Division of Oil, Gas & Mining.

I also understand that the U.S. Forest Service, as the surface management agency, will have opportunity to comment upon surface impacts of the proposed Deer Creek Mine Plan of Operations as it moves through the DOGM mine permitting process.

Please note that the Trust Lands Administration has no jurisdiction over the federal Oil & Gas well located near the 2<sup>nd</sup> Left longwall panel. It appears that the entire panel may be safely mined without interfering with the well, but you may wish to discuss this matter with the Bureau of Land Management and the Division of Oil, Gas & Mining.

Ownership of the Mill Fork coal tract and the leasehold (ML 48258) reverts or transfers to the federal government after 22.3 million tons of merchantable coal are severed from the property.

**Utah!**

*Where ideas connect™*

Sincerely,

A handwritten signature in cursive script, appearing to read "John T. Blake".

John T. Blake  
Mineral Resources Specialist

CC: Scott Child  
Jim Kohler  
Aaron Howe  
Pam Grubaugh-Littig ✓  
Tom Faddies  
John Andrews