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Date: 1/20/2005 12:13:08 PM
Subject: Mine Plan Determination - Deer Creek

Attached is OSM's final decision regarding the need for a Mining Plan Modification for the above subject. A signed copy will be sent to you in today's mail.

In accordance with the Federal regulations under 30 CFR 740.13(d), other Federal agencies that may have an interest in, or jurisdiction over, the above subject operation have also been notified of OSM's decision electronically.

No responses to this transmittal are necessary.

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CC: "Mitchell Rollings" <MROLLING@osmre.gov>, "Ranvir Singh" <RSINGH@osmre.gov>

UT-0016

January 20, 2005

Ms Mary Ann Wright, Acting Director
Utah Division of Oil, Gas, & Mining
Coal Regulatory Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

RE: PacifiCorp - "Deer Creek" Mine - Application for a Permit Revision, North Rilda Area
Facilities

Dear Mary Ann:

This in response to the Utah Division of Oil, Gas, & Mining's (UT-DOGM) January 7, 2005, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

As stated in my letters dated March 10, 2004 and October 22, 2004, the above subject permit change continues to meet the criteria of the Federal regulations under 30 CFR 746.18(d) and will require modification of the existing mining plan and Secretarial approval. According to the decisions conveyed in the above referenced letters, the ongoing work to prepare an environmental assessment need to continue.

Sincerely,

Peter Rutledge
Chief Program Support Division

cc: BLM - Utah State Office
BLM - Price Field Office
USFS - Manti-La Sal NF
Denver Field Division