

0009



PO Box 310  
Huntington, Utah 84528

January 28, 2005

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

*Incopying  
C/015/0018*

**Subject: Amendment to Update Deer Creek Mine Permit Volume 1 Part 1 Legal & Financial, Compliance, PacifiCorp, Deer Creek Mine, C/015/018, Emery County, Utah**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits an amendment to Volume 1 Part 1 Legal & Financial Compliance section of the Deer Creek Mine permit. On May 12, 2003, Energy West submitted a supplemental volume entitled "Supplemental Volume, Legal and Financial Information" to the Division. This new volume included legal, financial, ownership, and control information for PacifiCorp's four coal mines in Emery County, Utah. This volume was approved by the Division May 20, 2003. Prior to the approval of this volume, legal, financial, ownership, and control information was contained in each of the four permits. Much of the information (i.e. control information) is repeated in each permit. Combining this information into one volume will make updates easier and less confusing to process for both the Division and the permittee.

As documented on the C1/C2 forms (see attachment) of the May 12, 2003 amendment to include the Supplemental Volume, Energy West requested that the Division remove Volume Part 1 in entirety, including the appendicies. Energy West neglected to include reference sheet to be inserted in Part 1 to indicate the revised location of the approved legal & financial information. To correct this situation, Energy West has included a reference sheet to be inserted in Volume 1 Part 1.

RECEIVED

FEB 03 2005

DIV. OF OIL, GAS & MINING

Huntington Office:  
(435) 687-9821  
Fax (435) 687-2695  
Purchasing Fax (435) 687-9092

Deer Creek Mine:  
(435) 687-2317  
Fax (435) 687-2285

Deer Creek Mine Amendment: Part 1  
January 28, 2005  
Page Two

Seven (7) copies of this reference sheet are included with this submittal along with the required C1/C2 forms. Please return one (1) stamped copy for incorporation in our permit. 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  
Manager Geology/Permitting

Enclosure: Attachment: May 12, 2003 Letter with C1/C2 forms  
Volume 1 Part 1 Legal & Financial Information reference sheet  
C1/C2 Forms

Cc: Doug Johnson (EWMC, w/o encl.)  
File

J:\Environmental\PERMITS\DeerCreekMine\AMENDMNT\2005\Part 1\CoverLetterJan282005.wpd

# 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:** Update Deer Creek Mine Permit Volume 1 Part 1 Legal & Financial Information

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

Remove outdated Legal & Financial Information and insert reference sheet

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

- Yes  No 1. Change in the size of the Permit Area? Acres: \_\_\_\_\_ Disturbed Area: \_\_\_\_\_  increase  decrease.
- Yes  No 2. Is the application submitted as a result of a Division Order? DO# \_\_\_\_\_
- Yes  No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes  No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes  No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes  No 6. Does the application require or include public notice publication?
- Yes  No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes  No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes  No 9. Is the application submitted as a result of a Violation? NOV # \_\_\_\_\_
- Yes  No 10. Is the application submitted as a result of other laws or regulations or policies?

*Explain:* \_\_\_\_\_

- Yes  No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes  No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes  No 13. Does the application require or include collection and reporting of any baseline information?
- Yes  No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes  No 15. Does the application require or include soil removal, storage or placement?
- Yes  No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes  No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes  No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes  No 19. Does the application require or include certified designs, maps or calculation?
- Yes  No 20. Does the application require or include subsidence control or monitoring?
- Yes  No 21. Have reclamation costs for bonding been provided?
- Yes  No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes  No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

**Please attach 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.

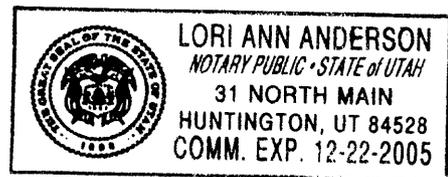
Charles A. Semborski  
Print Name

Charles D. Smith Geology/Permitting Supervisor 1-31-05  
Sign Name, Position, Date

Subscribed and sworn to before me this 31<sup>st</sup> day of January, 2005

Lori Ann Anderson  
Notary Public

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



<b>For Office Use Only:</b>    	<b>Assigned Tracking Number:</b>  	<b>Received by Oil, Gas &amp; Mining</b>  <div style="text-align: center; font-size: 1.2em; font-weight: bold;">RECEIVED</div> <div style="text-align: center; font-size: 1.2em; font-weight: bold;">FEB 03 2005</div> <div style="text-align: center; font-weight: bold;">DIV. OF OIL, GAS &amp; MINING</div>
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**DEER CREEK MINE  
C/015/018**

**ATTACHMENT**

**Letter Dated May 12, 2003**

**Amendment to Include Supplemental Volume, Legal and  
Financial Information**

**Approved on May 20, 2003**



May 12, 2003

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

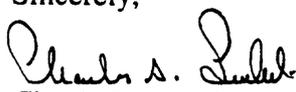
**Re: Amendment to Include Supplemental Volume, Legal and Financial Information, for the Cottonwood/Wilberg Mine, C/015/019, Deer Creek Mine, C/015/018, and Des Bee Dove Mine C/015/017, and Trail Mountain Mine C/015/009, Emery County, Utah.**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits a supplemental volume entitled "Supplemental Volume, Legal and Financial Information" for Division review. This new volume will include legal, financial, ownership, and control information for PacifiCorp's four coal mines in Emery County, Utah.

Legal, financial, ownership, and control information is presently contained in each of the four permit. Much of the information (i.e. control information) is repeated in each permit. Combining this information into one volume will make updates easier and less confusing to process for both the Division and the permittee.

Updates have been completed to reflect the current status of each mine. These updates include, but not limited to, ownership and control information, NOV reporting, certificates of liability insurance, underground right of entry information, etc. Seven (7) complete copies are included for Division review. If there are any questions or concerns regarding the submitted information, please feel free to contact myself at (435) 687-4720 or Dennis Oakley at (435) 687-4825.

Sincerely,

  
Chuck Semborski  
Geology/Permitting Supervisor

cc Carl Pollastro (EWMC)  
Scott Child (IMC)  
File

Huntington Office:  
(801) 687-9821  
Fax (801) 687-2695  
Purchasing Fax (801) 687-9092

Deer Creek Mine:  
(801) 381-2317  
Fax (801) 381-2285

Cottonwood Mine:  
(801) 748-2319  
Fax (801) 748-2380

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DIV. OF OIL, GAS & MINING

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change  New Permit  Renewal  Exploration  Bond Release  Transfer

Permittee: PacifiCorp

Mine: Cottonwood (C/015/019), Deer Creek (C/015/018), Des Bee Dove (C/015/017), Trail Mountain (C/015/009) Permit Number: See left

Title: Amendment to Include Supplemental Volume, Legal and Financial Information for [all mines]

Description, Incl. de reason for application and timing required to implement:

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

- |   |   |
|---|---|
| <input type="checkbox"/> Yes <input type="checkbox"/> No            | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input 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?                                     |
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| <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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)                                |
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**Please attach 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  
Print Name

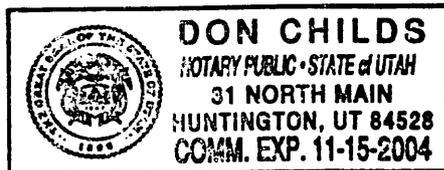
Don Childs Geology/Permitting Supervisor 4/29/03  
Sign Name, Position, Date

Subscribed and sworn to before me this 29th day of April, 2003

[Signature]  
Notary Public

My commission Expires: May 15, 2004

Attest: State of UTAH ) ss:  
County of EMERY



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FEB 03 2005

DIV. OF OIL, GAS & MINING



**DEER CREEK MINE  
C/015/018**

**VOLUME 1 PART 1**

**INSERT LEGAL AND FINANCIAL INFORMATION  
REFERENCE SHEET**

**CLEAN COPIES (7)**

**January 28, 2005**

***Deer Creek Mine***

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**PacifiCorp  
Energy West Mining Company  
DEER CREEK MINE  
Legal and Financial Information**

This application for a mining and/or reclamation permit is submitted to the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining, in accordance with the Utah Coal Mining and Reclamation Act, Title 40, Chapter 10, U.C.A., 1953 (as amended); the applicable rules and regulations adopted thereunder; the Surface Mining Control & Reclamation Act of 1977, and applicable regulations adopted thereunder (30 CFR 770, et seq.), the Cooperative Agreement between the State of Utah and the United States Secretary of Interior, and other applicable laws and regulations.

**R645-301-100      GENERAL CONTENTS**

All Legal and Financial Information pertaining to the Deer Creek Mine is located in the Supplemental Volume entitled:

**PacifiCorp Legal and Financial Volume**

**Cottonwood Mine C/015/19**

**Deer Creek Mine C/015/18**

**Des-Bee-Dove Mine C/015/017**

**Trail Mountain Mine C/015/009**