



PO Box 310
Huntington, Utah 84528

October 27, 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

File In C 0150018 Incoming
Date: 10/27/05, Refer to:

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NOV 15 2005

DIV. OF OIL, GAS & MINING

Subject: **Amendment to Deer Creek Mine Permit Volume 11, 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 11 of the Deer Creek Mine permit. Volume 11 Rilda Canyon Portal Facilities was approved by the Division on July 27, 2005. Pursuant to our telephone conference call on August 22, 2005⁽¹⁾ and October 27⁽²⁾, 2005, in which the governmental agencies involved in the Rilda Canyon permitting process discussed alternatives to alleviate ventilation concerns at the Deer Creek Mine, the Bureau of Land Management (BLM) recommended that Energy West submit an R₂P₂ request (for each portal breakout) to allow the continuation of the Rilda Canyon fan/intake portal rock slope development to intercept the outcrop in Rilda Canyon. Approving the development of a portal from within the mine to the surface is consistent with the stipulations outlined in the Federal Lease U-06039 (Special Stipulation #14). In emails received by the BLM for each portal breakout, the Manti LaSal Forest Supervisor agreed to allow Energy West to develop the fan and intake portal breakouts as long as no equipment is used on the surface and the public is protected from potential harm, no permanent structures will be constructed until Energy West receives approval from the Assistant Secretary of Land and Minerals at the Department of Interior. During the phone conference, OSM personnel indicated the proposed action is not considered mine plan modification. The fan portal breakout was completed on August 25, 2005. Energy West requests amending Volume 11 to include the development of the intake portal from inside the mine. A similar action was requested and approved in August, 2005. The requested action will only be for the area affected by the intake portal development, approximately 30x40 feet (0.028 acres). As outlined in the BLM R₂P₂ request, Energy West will follow the outlined steps:

⁽¹⁾ Phone conference participants:

OSM - Pete Rutledge, Ron Singh
DOGM - Pam Grubaugh-Littig, Wayne Hedberg, Susan White,
Mark Mesch
USFS - Barry Burkhardt
BLM - Jim Kohler, Jeff McKenzie, Stan Perks
InterWest - Carl Pollastro, Scott Child
Energy West - Chuck Semborski

⁽²⁾ Phone conference participants:

OSM - Pete Rutledge, Ron Singh, Carl Johnston
DOGM - Mary Ann Wright, Pam Grubaugh-Littig, Wayne
Hedberg, Susan White, Steve Demczak
USFS - Alice Carlton, Carter Reed, Dale Harber, Jeff Alexander,
Michael Davis, Tom Lloyd
BLM - Jeff McKenzie, Steve Rigby
InterWest - Bob King, Carl Pollastro
Energy West - Doug Johnson, Chuck Semborski

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

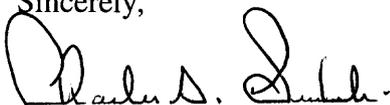
Deer Creek Mine:
(435) 687-2317
Fax (435) 687-2285

Trail Mountain Mine:
(435) 748-2140
Fax (435) 748-5125

- 1) All rock slope development will be from within the mine to the outcrop of the Star Point Sandstone.
- 2) Colluvial material encountered at the outcrop interface will be stored within the mine.
- 3) During the final breakout process, mine personnel will be stationed at the outcrop to warn/prevent unwarranted access and to monitor the area for any unsafe condition(s).
- 4) If any rocks are dislodged as a result of the portal development which impact public safety, Energy West will immediately rectify the situation.
- 5) Warning signs will be installed along Emery County Road #306 warn the public of the portal development process.
- 6) A temporary fence will be erected around the breakout area to prevent unwarranted access.
- 7) Silt fence will be erected downslope of the portal breakouts to prevent additional contribution of suspended solids to the receiving stream.
- 8) Warning signs will be installed along the exterior of the fence, including; NO SMOKING, NO UNAUTHORIZED PERSONNEL BEYOND THIS POINT, DANGER.
- 9) No equipment will be used on the surface except for hand tools to remove material to prevent unsafe conditions.
- 10) All slopes, ribs or faces of the opening or unstable areas in the surrounding area will be scaled, secured and supported before completion.
- 11) The exiting brow of the mine openings will be secured and the exit of the mine openings will be posted off with timber and fencing upon completion of the mine development.
- 12) No permanent structures will be constructed until Energy West receives approval from the Assistant Secretary of Land and Minerals at the Department of Interior.

Seven (7) redline copies Soils Section are included with this submittal along with the required C1/C2 forms. 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: C1/C2 Forms

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

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: PacifiCorp

Mine: Deer Creek Mine

Permit Number: C/015/0018

Title: Amendment to Deer Creek Mine Permit Volume 11, PacifiCorp, Deer Creek Mine, C/015/018, Emery County, Utah

Description, Include 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 checked="" 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? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <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) |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.

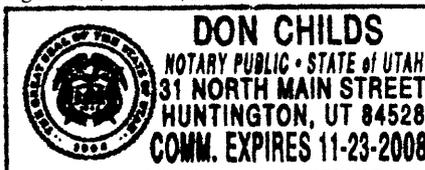
Charles A. Semborski
Print Name

Charles A. Semborski Geology/Permitting Supervisor 10-28-05
Sign Name, Position, Date

Subscribed and sworn to before me this 28th day of October, 2005

[Signature]
Notary Public

My commission Expires: 11/23, 2008)
Attest: State of UTAH) ss:
County of EMERY



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DIV. OF OIL, GAS & MINES

For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining
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Form DOGM- C1 (Revised March 12, 2002)

