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**SIGNIFICANT PERMIT REVISION**

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

**ENERGY WEST MINING COMPANY  
P.O. BOX 310  
HUNTINGTON, UTAH 84528**

**NORTH LEASE APPLICATION, CARBON  
COUNTY, UTAH**

**THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE  
ENTITLED MATTER.**

Notice is hereby given that the Division of Oil, Gas and Mining (Division) will conduct an informal conference on February 9, 2005 beginning at 10:30 a.m., at the Department of Natural Resources, Room 1040, 1594 West North Temple, Salt Lake City, Utah.

The informal conference will be conducted in accordance with the Utah Code Ann 40-10-1 (1953, as amended) and Utah Admin. R645-300-122 and R645-300-123.

Persons interested in this matter may participate pursuant to Utah Admin. R645-300-123. The application, subsequent public comments, and request for informal conference may be inspected in the office of the undersigned, 1594 West North Temple, Suite 1210, Salt Lake City, Utah.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this conference should call Vickie Southwick at 538-5304, at least three working days prior to the hearing date.

DATED this 14th day of January, 2005.

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING  
-s-Mary Ann Wright, Acting Director  
Division of Oil, Gas and Mining  
State of Utah

Published in the Emery County Progress February 1, 2005.

**AMENDED NOTICE OF TRUSTEE'S SALE**

The following described property will be sold at public auction to the highest bidder at the Main Entrance, Emery County Courthouse, 550 West 1850 North, Castle Dale, Utah, on February 23, 2005, at 12:00 p.m. of said day, for the purpose of foreclosing a trust deed originally executed on April 4, 1997 by Joseph D. Whiting and Carrie Whiting, as trustors, in favor of Equity One, Inc., covering the following real property purported to be located in Emery County at 165 West 100 North, Orangeville, UT 84537 (the undersigned disclaims liability for any error in the address), and more particularly described as:

Beginning at a point 222 feet West of the Northeast corner of Lot 3, Block 2, CARROLL'S SUBDIVISION, Orangeville Townsite Survey, thence West 98 feet; thence South 165 feet; thence East 108 feet; thence North 55 feet; thence West 10 feet; thence North 110 feet to the point of beginning.

Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

The current beneficiary of the trust deed is MorEquity, Inc. and the record owners of the property as of the recording of the notice of default are Joseph D. Whiting and Carrie Whiting.

The sale is subject to a bankruptcy filing, a payoff, a reinstatement or any other condition of which the trustee is not aware that would cause the cancellation of the sale. If any such condition exists, the sale shall be void, the successful bidder's funds returned and the trustee and current beneficiary shall not be liable to the successful bidder for any damage.

Bidders must tender to the trustee a \$5,000.00 deposit at the sale and the balance of the purchase price by 12:00 noon the day following the sale. The deposit must be in the form of a cashier's check or bank official check payable to Lindberg & Associates. The balance must be in the form of a wire transfer, cashier's check, bank official check or U.S. Postal money order payable to Lindberg & Associates. If wire transfer is used, an additional \$10.00 must be

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits an application for constructing, operating, and maintaining coal mine surface facilities for its Deer Creek Mine. The facilities include, but are not limited to, a bathhouse, warehouse, water/sewer treatment, material storage, mine ventilation fan, and parking. The facilities are proposed to be constructed in Rilda Canyon near the end of Emery County Road #306 which is located approximately 8 miles west of the town of Huntington, Utah. This location is better described as a 13.1 acre site located in the S $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 29, and S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 28, Township 16 South Range 7 East SLB&M.

Energy West is seeking a permit to mine within 100 feet of Emery County Road #306. This action will require a temporary restriction of use to approximately 1,820 feet of this road. The restriction period will remain in affect for the duration of the coal mining and reclamation activities at this site. The restricted use area begins approximately  $\frac{1}{2}$  miles west of the cattle guard on EC #306 and extends through the proposed facilities boundary.

This application includes a request for a variance to Utah Coal Regulation R645-301-232 (Topsoil and Subsoil Removal). This variance request is sought on the basis that it complies with the regulations from R645-302-210 through R645-302-218 (Experimental Practices Mining). The experimental practice is described in full detail within the application.

A copy of the application may be examined at the office of the Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801 and also at the Records Office located in the Emery County Courthouse in Castle Dale, Utah. Written comments, objections, or requests for an informal conference may be submitted to the Division of Oil, Gas, and Mining address above. Said comments must be submitted thirty (30) days from the date of the last publication of this notice. This notice is being published to comply with the Surface Mining Control and Reclamation Act of 1977, and State and Federal regulations promulgated pursuant to said Act.

Published in the Emery County Progress February 1, 8, 15 and 22, 2005.

**NOTICE OF TRUSTEE'S SALE**

The following described property will be sold at public auction to the highest bidder, payable in lawful money of the United States, at the main entrance of the Emery County Courthouse located at 75 East Main Street, Castle Dale, Utah 84513 on February 28, 2005 at 10:00 a.m. for the purpose of foreclosing a Deed of Trust executed by Mervin Lynn Miles and Laura L. Miles, dated May 18 1989 and recorded May 25, 1989 in Book 178 at Page 123, in favor of the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, a Government Agency, as Beneficiary. Said real property is located in Emery County and is described as follows:

Beginning 214.5 feet South of the Southeast corner of Lot 4, Block 24, Castle Dale Townsite Survey; thence North 80 feet; thence West 100 feet; thence South 80 feet; thence East 100 feet to the point of beginning.  
(In SE $\frac{1}{4}$  Section 33, Township 18 South, Range 8 East, SLBM)

Tax Serial #1-3B-30

The address of the property is purported to be 25 North 300 West, Castle Dale, Utah 84513. The undersigned disclaims liability for any error in the address. The Beneficial interest of said Trust Deed has not been assigned. The recorded owners of said property as of the recording of the Notice of Default is reported to be Mervin Lynn Miles aka Mervin L. Miles.