



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

MARY ANN WRIGHT
Acting Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

April 11, 2005

Chuck Semborski, Environmental Supervisor
Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

Subject: Supplemental Volume 1 - Lease Relinquishment Info, PacifiCorp, Deer Creek Mine, C/015/0018, Task # 2194, Outgoing File

Dear Mr. Semborski:

BLM lease relinquishment decision documents and a tab page are to be inserted into Supplemental Volume 1, Phase I, II, and III Lease Relinquishment Information, which is a confidential volume common to the MRPs of all three PacifiCorp's East Mountain mines. Appendix C of the Legal and Financial Volume (another volume common to the PacifiCorp mines) contains detailed coal-lease information that is affected by these lease relinquishments.

The Division prepared a TA, dated December 29, 2004, that identified several deficiencies (Division Task # 2047). The Permittee's response to that TA was received on April 1, 2005. Pages 1-1 through 1-12 of the Legal and Financial Volume have been updated. Changes to the text clarify that PacifiCorp is the Permittee and owner of the coal leases, rather than Utah Power and Light. Centralia Mining LLC is no longer listed as a PacifiCorp coal-mining interest. The response also updated Appendix A - Officer and Director Lists, Appendix E - Certificates of Liability, and Appendix G - Permit Boundary Descriptions. According to the cover letter and the C2 form, an updated Appendix D - NOV Information was to have been included but apparently was inadvertently omitted from the submittal package.

Before the Division can approve this amendment the Permittee must provide the following information in accordance with:

R645-301-113.300, NOV Information in Appendix D of the Legal and Financial Volume has not been updated since April 8, 2003. The cover letter and C2 form submitted with this amendment both indicated a new Appendix D was included, but apparently this appendix was inadvertently omitted from the package. The Permittee needs to provide updated NOV information.

Page 2
Chuck Semborski
April 11, 2005

R645-301-114, -121.200, The Permittee needs to:

- Correct the “Federal Coal Leases” Right of Entry acreage for the Cottonwood/Wilberg Mine in the table on page 1-5: it is 100 acres too large. The Federal acreage is given as 4,745.00 acres on page CTW-5 of Appendix C.
- Correct the description on page DBD-19 of the retained 20-acre parcel of Des Bee Dove Mine lease U-02664 in Section 24, T17S, R7E (from NW¹/₄NW¹/₄ to W¹/₂NW¹/₄NW¹/₄).

R645-301-112.600, -121.200, The Permittee needs to:

- Reconcile conflicting surface ownership information for parcels E¹/₂SW¹/₄, NW¹/₄SW¹/₄, and S¹/₂SW¹/₄NW¹/₄, Section 21, T17S, R7E, for both the Cottonwood/Wilberg and Deer Creek Mine. The Surface Ownership Maps (Plate 1-2) for both mines show Lavar and Phyllis Jensen are the surface owners, but the tables on pages CTW-1 and DC-9 show Karl A. Seely Co., Inc. is the surface owner. (The maps and tables both show Karl A. Seely Co., Inc. as the owner of an adjacent 160-acre tract.)
- Add Surface and Subsurface Owner information for Deer Creek Mine leases U-47979 (page DC-11) and U-024319 (page DC-12).

In order for us to continue to process your application, please respond to these deficiencies by May 8, 2005.

If you have any questions, please call me at (801) 538-5286 or Jim Smith at (801) 538-5262.

Sincerely,

Pamela Grubaugh-Littig
Permit Supervisor

an
cc: Price Field Office
O:\015018.DER\FINAL\WG2194\WG2194letter.doc