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Energy West Mining Company - Rilda Canyon

Exclusionary Period Variance Request: Prior to the mine plan modification approval (December 2005) Energy West requested and was approved for development of two separate breakouts in Rilda Canyon for ventilation purposes and future access. At the time of development, Energy West was only allowed to develop the breakouts from the inside out - no ground preparations were allowed. As stated in the Biology Section of the approved Rilda Canyon Permit, the winter exclusionary period of December 1st through April 15th would still be in effect until construction of the facilities are initiated which is scheduled to start on April 15, 2006. All access prior to April 15, 2006, to the Rilda Canyon Facilities area will be approved by the Division on a case-by-case basis. Energy West hereby requests approval to access the Rilda Canyon Portal Facilities area to stabilize at least one of the two portal breakouts for use as an emergency exit from the Deer Creek Mine before construction is initiated on April 15, 2006. Energy West proposes to tram a trackhoe from the county road to the portal sites and stabilize the sites by removing the soil material at the portal entrance. Only that work which is necessary to enable safe egress from the mine in the event of an emergency will be performed at this time. As stated in the Soils Section of the approved permit, all soil material will be stored temporarily in the mine until site development is initiated in the 2006 field season. At that time the material will be brought out of the mine for long term storage. The protective fence and sediment control will be re-established upon completion of the project. Duration of the project is estimated at one week. Startup is scheduled for February 8, 2006.

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