

0040



PO Box 310
Huntington, Utah 84528

March 21, 2006

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

John
C/015/0017
C/015/0018
C/015/0019

Re: Amendment to Supplemental Volume 1, Phase I, II, and III Lease Relinquishment Information for the Cottonwood/Wilberg Mine, C/015/019, Deer Creek Mine, C/015/018, and Des Bee Dove Mine C/015/017, Emery County, Utah.

PacifiCorp, by and through its wholly owned subsidiary, Energy West Mining Company (Energy West) hereby submits an amendment to the Supplemental Volume 1, Phase I, II, III Lease Relinquishment Information for the Cottonwood/Wilberg, Deer Creek, and Des Bee Dove mines for inclusion of Bureau of Land Management approval of Phase III.

The Bureau of Land Management (BLM) approved partial relinquishment related to Phases III on March 8, 2006 retroactive back to April 30, 1997. Of the 2,625.66 acres submitted for relinquishment on April 30, 1997, the BLM has accepted relinquishment on 2,490 acres.

To comply with the Division's amendment process, PacifiCorp has provided seven (7) clean copies as required along with the proper C1/C2 forms of the following information:

- ❖ Supplemental Volume 1 Lease Relinquishment
Revision: Insert Phase III approval documentation into tab entitled "BLM Approvals".

Please return one copy stamped for incorporation into our permit.

If you have any questions or concerns regarding this submittal please contact me at 435-687-4720 or Dennis Oakley at 435-687-4825.

Sincerely,

Charles A. Semborski
Manager Geology/Permitting

Cc: Doug Johnson
Scott Child, IMC
file

J:\Environmental\Lease Relinquishment\covlet_supvol_032120064.wpd

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

RECEIVED
APR 04 2006

DIV. OF OIL, GAS & MINING

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

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: PacifiCorp

Mine: Cottonwood/Wilberg, Deer Creek, Des Bee Dove Mines

Permit Number: C/015/019,
C/015/018,
C/015/017

Title: Amendment to Supplemental Volume 1, Phase I, II, and III Lease Relinquishment Information for the Cottonwood/Wilberg Mine, C/015/019, Deer Creek Mine, C/015/018, and Des Bee Dove Mine, C/015/017, Emery County, Utah.

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

Insert BLM Phase III approvals for partial lease relinquishments into BLM Approval Tab

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

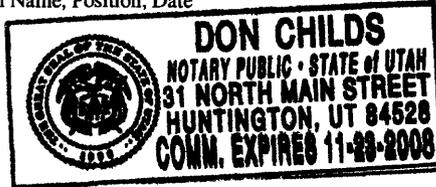
[Signature] Geology/Permitting Supervisor 3-30-06
Sign Name, Position, Date

Subscribed and sworn to before me this 30th day of March, 2006

Notary Public

My commission Expires: 11-23, 2006

Attest: State of UTAH) ss:
County of EMERY



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APR 04 2006
DIV. OF OIL, GAS & MINING

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

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

Received by Oil, Gas & Mining

PacifiCorp

Energy West Mining Company

**Supplemental Volume 1, Phase I, II, and III Lease
Relinquishment Information for the Cottonwood/Wilberg Mine,
C/015/019, Deer Creek Mine, C/015/018,
and Des Bee Dove Mine C/015/017**

**Supplemental Volume 1, Phase I, II, and III Lease
Relinquishment Information**

BLM Approval Tab

Insert BLM Phase III Approval

Seven Clean Copies Enclosed



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Utah State Office

P.O. Box 45155

Salt Lake City, UT 84145-0155

<http://www.blm.gov>

IN REPLY REFER TO:

3452

SL-070645-U-02292

UTU-084923

UTU-084924

(UT-923)

MAR 08 2006

CERTIFIED MAIL – Return Receipt Requested

DECISION

Lessee:

Zions First National Bank, Trustee
Malcolm N. McKinnon Trust
P. O. Box 30880
Salt Lake City, UT 84130-0880

Coal Lease
SL-070645-U-02292,
UTU-084923,
UTU-084924

Sublessee:

PacifiCorp
c/o Interwest Mining Company
One Utah Center
201 South Main, Suite 2000
Salt Lake City, Utah 84140-0020



Coal Lease Partial Relinquishments Accepted, In Part

On April 30, 1997, partial relinquishments of the above noted Federal coal leases were filed in this office by PacifiCorp, with approval from the Lessee of record, Malcolm N. McKinnon Trust. A total 1,825.66 acres were requested to be relinquished, and 3,948.24 acres would remain under lease. After reviewing the administrative record for these leases, BLM will accept the partial relinquishments of SL-070645-U-02292 and UTU-084923, with the exception of lots 3 and 4 in Section 7, 45.66 acres, of lease UTU-084923. BLM will not accept the partial relinquishment of UTU-084924, 90.00 acres, at this time. These exceptions to the request would prevent a possible isolation of coal not mined. The total acreage accepted is 1,690.00, with 4,083.90 remaining under lease.

In accordance with 43 CFR 3452.1-3, the relinquished lands described below are hereby accepted as of April 30, 1997. BLM has determined that these relinquishments are in the public interest, that the accrued rentals and royalties have been paid, and that all obligations of the lessee under the regulations and the terms of the leases have been met. The relinquished lands are subject to any reclamation actions deemed necessary under the requirements of the SMCRA permit. Application for refund of excess rental paid after the acceptance date should be made directly to the Minerals Management Service, Solid Minerals Staff, MS390B2, Box 25165,

Denver, CO 80225. The lessee is obligated to resolve any discrepancies in payments to MMS that may be identified subsequent to this decision.

The relinquished and retained lands are described as follows:

Coal lease SL-070645-U-02292:

Relinquished Lands

T. 17 S., R. 7 E., SLM, Utah
Sec. 8, E2W2, E2;
Sec. 9, W2W2, SESW, S2SE;
Sec. 16, N2;
Sec. 17, NE.

Containing 1,240.00 acres

Retained Lands

T. 17 S., R. 7 E., SLM, Utah
Sec. 4, S2SW, SWSE;
Sec. 5, SESW, S2SE;
Sec. 9, NE, E2NW, NESW, N2SE;
Sec. 10, W2W2NW, SESWNW, S2SENW,
SW;
Sec. 15, NW;
Sec. 17, E2NW.

Containing 1,070.00 acres

Coal lease UTU-084923:

Relinquished Lands

T. 17 S., R. 7 E., SLM, Utah
Sec. 7, NENE, SENWNE, S2NE,
SE;
Sec. 8, W2W2.

Containing 450.00 acres

Retained Lands

T. 17 S., R. 7 E., SLM, Utah
Sec. 4, lots 2-7, 10-12, NWSE, N2SW;
Sec. 5, lots 1-12, N2S2, SWSW;
Sec. 6, lots 1-11, SE;
Sec. 7, lots 1 - 4, W2NWNE, NENWNE;
Sec. 17, W2NW;
Sec. 18, lots 1 & 2, NE.

Containing 1,802.42 acres

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21)(58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed in this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is granted,
and
- (4) Whether the public interest favors granting the stay.

If you have further questions call Bill Buge at (801) 539-4086.



for

Kent Hoffman
Deputy State Director
Lands and Minerals

Enclosure

1. Form 1842-1

cc: Resource Development Coordinating Committee, ATTN: Mineral Leasing Taskforce,
116 State Capital Building, Salt Lake City, Utah 84114
MMS, MRM, Solid Minerals Staff, Attn: Patrick Mulcahy, MS390B2, Box 25165, Denver,
CO 80225-0165
Ms. Mary Ann Wright, Acting Director, UDOGM, Box 145801, Salt Lake City, Utah 84114-
5801
Ms. Alice B. Carlton, Forest Supervisor, Manti La Sal National Forest, 599 West Price River
Drive, Price, Utah 84501
Price Field Office (Attn: Steve Rigby)



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155
<http://www.blm.gov>

IN REPLY REFER TO:
3452
UTU-1358
(UT-923)

MAR 08 2006

CERTIFIED MAIL – Return Receipt Requested

DECISION

PacifiCorp	:	Coal Lease
c/o Interwest Mining Company	:	UTU-1358
One Utah Center, Suite 2000	:	
201 South Main Street	:	
Salt Lake City, Utah 84140-0020	:	



Coal Lease Partial Relinquishment Accepted, In Part

On April 30, 1997, partial relinquishment of the above noted Federal coal lease was filed in this office by PacifiCorp, the Lessee of record. A total 40.00 acres were requested to be relinquished, and 120.00 acres would remain under lease. After reviewing the administrative record for this lease, BLM will accept the partial relinquishment requested.

In accordance with 43 CFR 3452.1-3, the relinquished lands described below are hereby accepted as of April 30, 1997. BLM has determined that this relinquishment is in the public interest, that the accrued rentals and royalties have been paid, and that all obligations of the lessee under the regulations and the terms of the leases have been met. The relinquished lands are subject to any reclamation actions deemed necessary under the requirements of the SMCRA permit. Application for refund of excess rental paid after the acceptance date should be made directly to the Minerals Management Service, Solid Minerals Staff, MS390B2, Box 25165, Denver, CO 80225. The lessee is obligated to resolve any discrepancies in payments to MMS that may be identified subsequent to this decision.

The relinquished and retained lands are described as follows:

Coal lease UTU-1358:

Relinquished Lands

T. 17 S., R. 7 E., SLM, Utah
Sec. 22, W2SWNW, W2NWSW.

Containing 40.00 acres

Retained Lands

T. 17 S., R. 7 E., SLM, Utah
Sec. 22, E2SWNW, SENW, E2NWSW,
SWSW.

Containing 120.00 acres

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

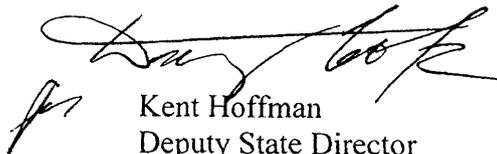
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- (1) The relative harm to the parties if the stay is granted or denied,
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- (3) The likelihood of immediate and irreparable harm if the stay is granted,
and
- (4) Whether the public interest favors granting the stay.

If you have further questions call Bill Buge at (801) 539-4086.


Kent Hoffman
Deputy State Director
Lands and Minerals

Enclosure

1. Form 1842-1

cc: Resource Development Coordinating Committee, ATTN: Mineral Leasing Taskforce,
116 State Capital Building, Salt Lake City, Utah 84114
MMS, MRM, Solid Minerals Staff, Attn: Patrick Mulcahy, MS390B2, Box 25165, Denver,
CO 80225-0165
Ms. Mary Ann Wright, Acting Director, UDOGM, Box 145801, Salt Lake City, Utah 84114-
5801
Ms. Alice B. Carlton, Forest Supervisor, Manti La Sal National Forest, 599 West Price River
Drive, Price, Utah 84501
Price Field Office (Attn: Steve Rigby)



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Utah State Office

P.O. Box 45155

Salt Lake City, UT 84145-0155

<http://www.blm.gov>

IN REPLY REFER TO:

3452

UTU-040151

UTU-083066

(UT-923)

MAR 08 2006

CERTIFIED MAIL – Return Receipt Requested

DECISION

Lessee:

Corporation of the Presiding Bishop
of the Church of Jesus Christ of
Latter-Day Saints
c/o Natural Resources Section
50 East North Temple, 12th Floor
Salt Lake City, Utah 84150-0001

Coal Leases
UTU-040151, UTU-083066

Sublessee:

PacifiCorp
c/o Interwest Mining Company
One Utah Center, Suite 2000
201 South Main Street
Salt Lake City, Utah 84140-0020



Coal Lease Partial Relinquishments Accepted, In Part

On April 30, 1997, partial relinquishments of the above noted Federal coal leases were filed in this office by PacifiCorp, with approval from the Lessee of record, Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints . A total 760.00 acres were requested to be relinquished, and 3,445.00 acres would remain under lease. After reviewing the administrative record for these leases, BLM will accept the partial relinquishments requested.

In accordance with 43 CFR 3452.1-3, the relinquished lands described below are hereby accepted as of April 30, 1997. BLM has determined that these relinquishments are in the public interest, that the accrued rentals and royalties have been paid, and that all obligations of the lessee under the regulations and the terms of the leases have been met. The relinquished lands are subject to any reclamation actions deemed necessary under the requirements of the SMCRA permit. Application for refund of excess rental paid after the acceptance date should be made directly to the Minerals Management Service, Solid Minerals Staff, MS390B2, Box 25165, Denver, CO 80225. The lessee is obligated to resolve any discrepancies in payments to MMS that may be identified subsequent to this decision.

The relinquished and retained lands are described as follows:

Coal lease UTU-040151:

Relinquished Lands

T. 17 S., R. 7 E., SLM, Utah
Sec. 15, W2W2SW;
Sec. 16, N2S2, SESE, E2SWSE,
NWSWSE, N2S2SW;
Sec. 17, NESE, N2SESE;
Sec. 21, E2NE, E2W2NE, NESE,
E2NWSE, E2W2W2NE,
E2W2NWSE;
Sec. 22, W2NWNW;
Sec. 28, NWNW, W2NENW;
Sec. 29, NENE.

Containing 700.00 acres

Retained Lands

T. 17 S., R. 7 E., SLM, Utah
Sec. 15, E2SW, E2W2SW;
Sec. 16, S2S2SW, SWSWSE;
Sec. 17, S2SESE;
Sec. 20, E2E2;
Sec. 21, W2, W2W2W2NE, W2W2NWSE,
S2SE;
Sec. 22, NENW, E2NWNW;
Sec. 27, N2NW;
Sec. 28, E2NENW, N2NE.

Containing 1,020.00 acres

Coal lease UTU-083066:

Relinquished Lands

T. 17 S., R. 7 E., SLM, Utah
Sec. 17, NWSE, N2SWSE.

Containing 60.00 acres

Retained Lands

T. 17 S., R. 6 E., SLM, Utah
Sec. 13, E2SW, SE;
Sec. 24, E2W2, E2;
Sec. 25, N2NE4;

T. 17 S., R. 7 E., SLM, Utah
Sec. 17, SW, S2SWSE;
Sec. 18, lots 3 & 4, SE;
Sec. 19, lots 1-4, E2,
Sec. 20, W2, W2E2;
Sec. 29, N2NW, NWNE;
Sec. 30, lots 1-3, N2NE, SWNE, NWSE.

Containing 2,425.00 acres

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

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and
- (4) Whether the public interest favors granting the stay.

If you have further questions call Bill Buge at (801) 539-4086.


for Kent Hoffman
Deputy State Director
Lands and Minerals

Enclosure

1. Form 1842-1

cc: Resource Development Coordinating Committee, ATTN: Mineral Leasing Taskforce,
116 State Capital Building, Salt Lake City, Utah 84114
MMS, MRM, Solid Minerals Staff, Attn: Patrick Mulcahy, MS390B2, Box 25165, Denver,
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