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P.O. Box 310
15 North Main Street
Huntington, Utah 84528



April 21, 2011

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
1594 North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

RE: NOTICE OF INTENTION TO CONDUCT MINOR COAL EXPLORATION - STATE COAL LEASE ML-48258; PACIFICORP, ENERGY WEST MINING CO., EMERY COUNTY, UTAH

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits three (3) copies of the Notice of Intention to Conduct Minor Coal Exploration - State Coal Lease ML-48258.

The proposed holes are being drilled as part of a larger program that includes nearby exploration drilling described in federal Exploration License UTU-88021 currently being processed by the Bureau of Land Management, on the SITLA Mill Fork Lease ML 48258. Proposed startup date is on or after June 1, 2011.

The proposed drill sites are located within the current State Coal Lease ML-48258, in Sections 1 and 23 , Township 16 South, Range 6 East, Salt Lake Base and Meridian. The drilling will occur on lands in which the surface is administered by the U.S.D.A. Forest Service (USFS) and the subsurface by the State of Utah (see accompanying maps entitled Utah State Coal Lease ML-48258 Coal Exploration - General Location Maps, Aerial Photos, Surface Ownership Map, Coal Ownership Map, Waterline and Pump Location Map).

The proposed holes will be drilled in Cottonwood and Crandall Canyons. The sites are located at or above the Castlegate Sandstone. Access to this location will be from the Cottonwood and Mill Fork staging areas (see Raptor Locations, Helicopter Flight Paths and Staging Areas map). The Mill Fork staging area will be the primary site and the Crandall Canyon staging area will be considered the secondary staging area to minimize potential impacts to raptors.

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See: *Confidential* For additional

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Notice of Intent to Conduct Minor Coal Exploration - State Coal Lease ML-48258

Page Two

The locations of drillholes 2011-1 and 2011-2 were selected to provide urgently needed mine planning information after the area became inaccessible due to winter snowfall. Class III pedestrian surveys for archaeological clearance will not be possible until the snow melts later this spring. Energy West has drilled on several similar nearby sites within a few thousand feet that have been given archaeological clearance in previous years. None of the 50+ helicopter-aided drill sites previously drilled by Energy West have shown any archaeological evidence. Energy West requests that this application be processed with the archaeological clearance enclosed for the single drill hole #11, and that Class III archaeological clearance for holes 2011-1 and 2011-2 be waived, or allow Energy West to submit Class III clearance as soon as the ground becomes accessible for the Class III survey, probably in late May.

Over the past thirteen years, Energy West has successfully utilized helicopter supported drilling in and adjacent to the Mill Fork Lease. Exploration was conducted in steep terrain in Mill Fork Canyon and in Joes Valley in remote areas where road construction was unfeasible.

Energy West has strategically selected the proposed drill hole location to minimize environmental impacts and to maximize geologic data. As outlined in the Notice of Intention, no site preparation (building roads or drill pads) will be necessary. Energy West goes to great extents to minimize environmental impacts, including selecting minimal impact drilling techniques, selecting easily reclaimable sites, protecting existing vegetation with a protective cover, selecting drill equipment that can be leveled without excavating the ground, and complete cleanup and reclamation of drill sites.

If you require any additional information please call me at (435) 687-4712.

Thank you for your assistance in this matter.

Sincerely,



Ken Fleck
Geology and Environmental Affairs Manager
Enclosures (3 copies)
cc: Scott Child (Interwest) w/encl.

**NOTICE OF INTENTION TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

April, 2011



Energy West Mining Company
(Mine Operator)



Interwest Mining Company
(Managing Agent)

**DRILL PLAN FOR HOLES #11,
2011-1 AND 2011-2**

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**NOTICE OF INTENTION TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

April, 2011

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MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

R645-200. Coal Exploration: Introduction.

PacifiCorp proposes to drill up to a total of three (3) coal exploration holes within the Mill Fork Coal Lease ML-48258 in the year 2011. For ease of reference, this plan follows the format of the applicable portions of the Utah Division of Oil, Gas, and Mining (hereinafter referred to as "the Division") rules (R645-200 through R645-203) regarding Coal Exploration.

R645-200-100. Scope. (Minor Coal Exploration):

- 122. Minor Coal Exploration.** PacifiCorp intends to drill up to three (3) 3" diameter core hole that will intercept 1 or more coal seams each. The exploration will occur on a designated Utah state coal lease (ML-48258). Less than 250 tons of coal will be removed. PacifiCorp is hereby filing a Notice of Intention to Conduct Minor Coal Exploration under the requirements of R645-201-200.

R-645-200-200. Responsibilities.

- 210. Responsibility to Comply with Regulations.** PacifiCorp will comply with the requirements of R645-200 through R645-303.
- 220. Responsibility of the Division to Review and Reply.** The Division will receive and review this Notice of Intention to Conduct Minor Coal Exploration. The Division will review and reply within 15 days.
- 230. Responsibility of the Division to Coordinate with Other Agencies.** The Division will coordinate review of this Notice with the other appropriate government agencies (SITLA, U.S.D.A. Forest Service, BLM, OSM, etc.). PacifiCorp will provide enough copies of this notice to the Division for distribution to these agencies.

R645-201. Coal Exploration: Requirements for Exploration Approval.

R645-201-100. Responsibilities for Coal Exploration Plan Review.

- 110. Coal Exploration Plan Review, Responsibility of Division.** The lands on which this exploration will be conducted, being a state coal lease issued to PacifiCorp, are not subject to 43 CFR Parts 3480-3487. Therefore, exploration plan review will be the responsibility of the Division.

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120. **Requirements of 43 CFR 3480-3487.** N.A.
130. **Division Responsibility to Coordinate with Other Agencies.** This revised Notice of Intention to Conduct Minor Coal Exploration and Drilling Plan will be submitted to the Division as the lead agency for review and approval.

R645-201-200. Notices of Intention to Conduct Minor Coal Exploration.

210. **Division Review Requirement.** Notices of Intention to Conduct Minor Coal Exploration where 250 tons or less of coal will be removed require Division review prior to conducting exploration. PacifiCorp will be submitting a complete drill permit application package as soon as all of the appropriate regulatory agency approvals have been received by PacifiCorp, allowing the Division and other agencies time to review and approve the Notice before exploration activities are scheduled to begin on June 1, 2011 for drill hole 11 and July 5, 2011 for holes 2011-1 and 2011-2.
220. **Required Applicant Information.** This Notice of Intention to Conduct Minor Coal Exploration is required to include the following pertinent information.

221. Name, Address, and Telephone Number of Applicant:

APPLICANT:

PacifiCorp
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021
(801)220-4612

OPERATOR:

Energy West Mining Company
15 North Main Street
Huntington, Utah 84528
(801)687-9821

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222. Name, Address, and Telephone Number of the Applicant's Representatives:

RESPONSIBLE REPRESENTATIVE:

Ken Fleck or Chuck Semborski
Energy West Mining Company
15 North Main Street
P.O. Box 301
Huntington, Utah 84528
(435)687-4712
(435)687-4720

223. Description of Exploration Area. Narrative and map describing the exploration area and indicating where exploration will occur:

PROPOSED EXPLORATION AREA:

The proposed drill holes are located within the current Utah State Coal Lease ML-48258, in sections 1 and 23, Township 16 South, Range 6 East, Salt Lake Base and Meridian. The drilling will occur on lands in which the surface is administered by the U.S.D.A. Forest Service (USFS) and the subsurface by the State of Utah (see accompanying maps entitled Mill Fork Coal Lease - Coal Exploration - General Location Maps, Aerial Photos, Surface Ownership Map, Coal Ownership Map, Waterline and Pump Location Map).

The proposed holes will be drilled in Cottonwood Canyon and Crandall Canyon. The sites will be located at or above the Castlegate Sandstone. Access to these locations will be from Upper Cottonwood Canyon and/or Mill Fork staging areas (see Raptor Locations, Helicopter Flight Paths and Staging Areas map). The Cottonwood Canyon site will be along the East Mountain access road, and will not require helicopter support. The Mill Fork staging area will be the primary site for helicopter support for the Crandall Canyon holes to minimize potential impacts to raptors.

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Table 1. Mill Fork Coal Lease Proposed Drilling for 2011:

11	1966' North, 1728' East of the SW corner of Section 23, T.16S., R. 6 E.	10,020'	2,010'	USFS	State Coal Lease ML-48258
2011-1	1865' North, 1465' West of the SE corner of Section 1, T.16S., R. 6 E.	9,000'	1,105'	USFS	State Coal Lease ML-48258
2011-2	703' North, 1748' West of the SE Corner of Section 1, T.16S., R. 6 E.	9,340'	1,435'	USFS	State Coal Lease ML-48258

224. Period of Intended Exploration:

PROJECT STARTUP DATE:

Roadside Drill Hole #11

June 1, 2011

Helicopter Supported Drill Holes 2011 1-2

July 5, 2011

PROJECT COMPLETION DATE:

September 30, 2011

(If PacifiCorp is unable to complete the number of holes proposed for any reason in 2011, future drilling of the approved sites will adhere to the protection measures for raptors detailed in R645-200-230, future raptor surveys and consultation with USFS, USFWS and DOGM).

It is anticipated that all drilling and reclamation activities associated with this project will be completed within 60 days following the date of implementation.

225. Method of Exploration. Method of exploration to be used, amount of coal to be removed, and practices to be used to protect the area from adverse impacts and reclaim the area in accordance with R645-202.

Pre-Work Meeting:

A pre-work meeting including the responsible company representatives, contractors, State of Utah Institutional Trust Lands Administration, and the Forest Service will be conducted at the project location prior to commencement of operations.

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DRILL HOLE #11

The method of exploration to be used for Hole #11 is truck-mounted portable drilling equipment normally used in helicopter-assisted drilling, in which the primary mode of transportation for drilling equipment and personnel is by road. By using this method, drilling equipment can be transported into roadside areas too small for conventional drilling rigs, and environmental impact to the surface is minimized. All drills, drilling equipment, and personnel will be transported to the drill site on existing roads (see Raptor Locations, Flight Paths and Staging Areas Map).

Drill Methods & Procedures: Three inch maximum diameter holes will be core or rotary drilled the entire length to the approximate depths stated previously in the drill hole location and depth table. Drilling depth will be sufficient to accomplish penetration through both the Blind Canyon and Hiawatha coal seams, and to enter the Star Point Sandstone. The drilling will be done by a drilling contractor(s) experienced in portable rig drilling. The drills used are diesel powered rotary drill rigs mounted on 6' x 8' skids either trailer and truck mounted. Drilling will utilize water and, as necessary, a biodegradable polymer drilling "mud" such as M-I Swaco Poly-Plus (MSDS included in this report).

The following support equipment will be required:

- 3 pickup trucks and trailers: stationed at the staging area
- 1 Flatbed semi-trailer for mobilization/de-mobilization of the drill rig
- 1 Storage trailer to be stationed at the staging area

The drill rig components and associated materials, tools and equipment will be transported by truck to the drill site indicated on the accompanying map. The tools and materials and personnel necessary for site preparation will be transported to the drill site by truck. Minor digging, using hand tools, may be necessary at some locations to achieve effective placement of the leveling support materials (wood blocks, etc.). Brattice or other similar material will be placed on the ground beneath the drill rig. The drill rig is made up of several components which will be transported to the site by truck in several trips. The drill rig components will be leveled and other necessary materials will be delivered by truck.

Drill Hole Access and Pad Construction:

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No access road or pad construction will be necessary for the proposed project. The drill site is in a wide switchback, allowing for drill setup with room for traffic to pass. Drilling equipment and materials will be transported to the drill site by truck. Personnel will access the site by vehicle via existing roads. The drill site is level; therefore, minimal site preparation will be necessary. Vegetation, in the form of trees, grasses, forbs and sparse, low shrubs, will not be removed. This will be minimized and accomplished using hand tools. An area no larger than approximately 40' by 40' will be occupied at the drill site. Leveling of drilling equipment will be accomplished using hand tools and supports (wood blocks, etc.) transported to the site by truck. All materials, tools and equipment will be removed immediately upon completion of drilling and reclamation activities.

A 1" diameter hose will be laid overland from the water source to the drill site. This will be accomplished by hand. No clearing of vegetation will be necessary for placement of the water hose. Existing openings among the trees will be utilized for water line placement. No vegetation clearing will occur at the water tank/pump sites or staging areas. Activities will be confined to the existing roads in Cottonwood Canyon. The necessary road use permit has been obtained from the U.S. Forest Service for activities associated with the respective roads.

DRILL HOLES 2011-1 and 2011-2

The method of exploration to be used for holes #2011-1 and 2011-2 in Crandall Canyon is helicopter-assisted drilling, in which the primary mode of transportation for drilling equipment and personnel is by helicopter, rather than by road. By using this method, drilling equipment can be transported into remote areas inaccessible by road to conventional drilling rigs, and environmental impact to the surface is minimized. All drills, drilling equipment, and personnel will be transported to the individual drilling sites by helicopter from staging areas located on existing roads (see Raptor Locations, Flight Paths and Staging Areas Map). Drill Methods & Procedures: Three inch maximum diameter holes will be core or rotary drilled the entire length to the approximate depths stated previously in the drill hole location and depth table. Drilling depth will be sufficient to accomplish penetration through both the Blind Canyon and Hiawatha coal seams, and to enter the Star Point Sandstone. The drilling will be done by a drilling contractor(s) experienced in helicopter supported drilling. The drills used are diesel powered rotary drill rigs mounted on 6' x 8' skids. Drilling will utilize water and, as

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necessary, a biodegradable polymer drilling "mud" such as M-I Swaco Poly-Plus (MSDS included in this report).

The following support equipment will be required:

- 3 pickup trucks: stationed at the staging area
- 1 Flatbed semi-trailer for mobilization/de-mobilization of the drill rig
- 1 Lama helicopter and support truck
- 1 Storage trailer to be stationed at the staging area

The drill rig components and associated materials, tools and equipment will be transported by truck to the helicopter staging areas indicated on the accompanying map. The tools and materials and personnel necessary for site preparation will be transported to the drill site by helicopter. Site preparation will include removal of dead-fall and brush as necessary. Minor digging, using hand tools, may be necessary at some locations to achieve effective placement of the leveling support materials (wood blocks, etc.). Brattice or other similar material will be placed on the ground beneath the drill rig. The drill rig is made up of several components which will be transported to the site by helicopter in several "lifts". The drill rig components will then be assembled at the drill site, the rig will be leveled and other necessary materials will be flown to the site.

Drill Hole Access and Pad Construction:

No access road or pad construction will be necessary for the proposed project. Drilling equipment and materials will be transported to the drill site by helicopter. Personnel will access the site by vehicle and helicopter via existing roads and on foot. The drill sites are relatively level (30 percent or less slope); therefore, minimal site preparation will be necessary. Vegetation, in the form of trees, grasses, forbs and sparse, low shrubs, will not be removed. However, it may be necessary to remove dead-fall and some "taller" shrubs (mahogany, etc.)/aspen trees for safety reasons. This will be minimized and accomplished using hand tools. The dead-fall will be replaced upon completion of drilling. An area no larger than approximately 40' by 40' will be occupied at the drill site. Leveling of drilling equipment will be accomplished using hand tools and supports (wood blocks, etc.) transported to the site by helicopter. All materials, tools and equipment will be removed immediately upon completion of drilling and reclamation activities.

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A 1" diameter high-pressure hose will be laid overland from the pump stations to each drill site. This will be accomplished by hand and/or helicopter. No clearing of vegetation will be necessary for placement of the water hose. Existing openings among the trees will be utilized for water line placement. No vegetation clearing will occur at the water tank/pump sites or the helicopter staging areas. Activities will be confined to the existing roads in Cottonwood Canyon, Mill Fork Canyon and Indian Creek. The necessary road use permit has been obtained from the U.S. Forest Service for activities associated with the respective roads.

Amount of Coal to be Removed: As previously discussed, a 3" maximum diameter hole will be core or rotary drilled for the entire depth of the hole. The hole will penetrate through both the Blind Canyon and Hiawatha coal seams if possible. The core and/or cuttings will be examined to determine coal seam characteristics. This will result in approximately a maximum of 20 pounds of coal being removed per hole, with a total of about 20 pounds removed for study and analysis.

Practices to Protect from Adverse Impacts and to Reclaim the Area: During drilling, water and drilling fluids will be recirculated to the extent possible. Any returned cuttings and other materials will be captured in a container at the drill site. The cuttings will be transported from the drill site to the staging area by truck to the Deer Creek or Cottonwood Waste Rock sites for disposal. Containment of possible fluid spills will be achieved through the use of brattice ground cover, silt fence, and if necessary, earthen berms. If spills occur, all affected materials will be removed from the site and disposed of at an approved location. If soil is removed during spill containment and clean-up, the site of removal will be recontoured and seeded with the approved seed mixture.

Fire Suppression Equipment:

All gasoline and diesel powered equipment will be equipped with effective mufflers or spark arresters which meet applicable Forest Service specifications. Fire suppression equipment will be available to all personnel working at the project site. Equipment will include at least one hand tool per crew member consisting of shovels and pulaskis and one properly rated fire extinguisher per vehicle and/or combustion engine.

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Fuel and/or lubricating oil containers not stored in a truck will be placed on brattice cloth or other acceptable ground cover at a site located away from drainage channels and surrounded by brattice, earthen berm or other acceptable containment structure. If spills occur, clean-up will be conducted as stated above.

Access by personnel associated with the drilling project will be via vehicle to Cottonwood Canyon and by foot to helicopter assisted drill sites. Therefore, no additional access facilities will be constructed.

Following completion of drilling and cementing of the hole, the drill rig and all associated equipment and materials will be removed and transported from the area by vehicle. The water hose, tanks and pumping station and all associated materials and equipment will be removed. All trash and extraneous materials will be removed from the US Forest Service property and disposed of at an approved location. The sites will be reclaimed by: 1) Removing all trash, cuttings, and contaminated soil. 2) Recontouring site to original contour, and 3) Re-seeding with the approved seed mix.

R645-202. Coal Exploration: Compliance Duties.

R645-202-100. Required Documents.

“Each person who conducts coal exploration which substantially disturbs the natural land surface will, while in the exploration area, have available a copy of the Notice of Intention to Conduct Minor Coal Exploration...for review by an authorized representative of the Division upon request.”

Road Use Permits:

The Forest Service will be notified 48 hours in advance that heavy equipment will be moved onto National Forest System lands and that surface disturbing activities will commence.

Mill Fork Canyon (U.S. Forest Development Road #245): Prior to drilling, Energy West has obtained a road use permit from the U.S. Forest Service for the helicopter staging area located along U.S. Forest Service Road #245 in Section 21, Township 16 South, Range 7 East.

Cottonwood Creek (U.S. Forest Development Road #040): Prior to drilling, Energy West has obtained a road use permit from the U.S. Forest Service for the helicopter staging area at the head of Cottonwood Canyon (Flat Canyon), and for use of U.S. Forest Service Road #040 in Sections 22, 27, 35, Township 16 South, Range 6 East and Sections 2,3, 10, 11, 14, 23, 24 and 25, Township 17 South, Range 6 East.

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PacifiCorp

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East Mountain Access (U.S. Forest Development Roads #145, 244): Prior to drilling, Energy West will have obtained a road use permit from the U.S. Forest Service for the roads and drill site located along the U.S. Forest Service Road #221 in Section 22, 23, 25, and 27, Township 16 South, Range 6 East.

Special Use Permit:

As required by the U.S. Forest Service, PacifiCorp has applied for a Special-Use Application (Form 2700-3) for the proposed exploration. The drill sites will occupy approximately 0.04 acre each.

Archeological Information:

The proposed location in Cottonwood Canyon is located on the western flank of East Mountain. Using portable equipment intended for helicopter-aided exploration will eliminate the need for any surface excavations. As required by the U.S.D.A. Forest Service, PacifiCorp contracted EarthTouch, LLC. (Scott Billat) to conduct a Class I file search as well as a Class III pedestrian survey of the proposed 2011 drilling activities. Based on a drill site visits with Mr. Billat, no known archaeological sites are situated at the proposed drill location 11. Field pedestrian surveys will be conducted at sites 2011-1 and 2011-2 as soon as the snow has melted on those sites and they are accessible. Findings of the file search and field review have been transmitted to the Forest Service by EarthTouch, LLC.. In addition, a copy of the report stamped "confidential" is included with this Notice of Intent.

In the unlikely event that cultural or paleontological resources are discovered during operations, all operations which may result in disturbance to the resources will cease and the Forest Service will be notified as soon as possible of the discovery.

PacifiCorp will make sufficient copies of all coal exploration permit documents, including the Notice of Intent, the Forest Service drilling stipulations, and all applicable road use, special use, and other permit documents at the drill site, and in each field vehicle used during the exploration program, for the duration of the program.

R645-202-200. Performance Standards.

- 210. Requirements of the State Program.** All coal exploration and reclamation operations which substantially disturb the natural land surface will be conducted in accordance with the coal exploration requirements of the State Program, and any conditions on approval for exploration and reclamation imposed by the Division.

PacifiCorp will comply with all coal exploration requirements of the State Program, and any conditions on approval of the exploration plan.

April, 2011

PacifiCorp

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- 220. Inspection and Enforcement.** Any person who conducts any coal exploration in violation of the State Program will be subject to the provisions of 40-10-20 of the Act and the applicable inspection and enforcement provisions of the R645 Rules.

PacifiCorp will comply with all coal exploration requirements of the State Program, and any conditions on approval of the exploration plan. PacifiCorp welcomes inspection of its exploration operations at any time during exploration.

- 230. Operational Standards.**

- 231. Non-Disturbance of Habitats.** Habitats of unique or unusually high value for fish, wildlife, and other related environmental values and critical habitats of endangered or threatened species identified pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.) will not be disturbed during coal exploration. A copy of the Threatened and Endangered Species list created by the Utah Division of Wildlife Resources (September 2009) is included as an appendix to this Notice.

The vegetation in the area (refer to Deer Creek MRP, Volume 12, Biology chapter, pages 3-1 through 3-5 and also Map MFS1821D in the Maps Section) consists of a Cottonwood/Aspen/Fir/Dogwood community in the bottom of the canyons and Spruce-Fir Coniferous Forest inter-mixed with aspen communities on the south side slopes and dense Spruce-Fir Coniferous Forest on the north slopes. The primary land uses associated with the area are wildlife habitat, livestock grazing and recreation. The area is presently classified for the following wildlife uses by the Utah Division of Wildlife Resources (DWR):

Mule Deer	High Priority Summer Range
Elk	Critical Winter Range and High Priority Summer Range

The proposed drilling is not expected to have a detrimental impact on any of these species, their habitat or other land uses associated with the area.

Surveys for Threatened, Endangered and Sensitive (TES) plant and animal species have been conducted in connection with various projects in this area and the Mill Fork coal leasing process (refer to Deer Creek MRP, Volume 12, Biology chapter for all information concerning TES species within the Mill Fork Lease area). Results of these surveys have been provided to the various regulatory agencies in the

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applications for the projects. No TES plants and animals have been found in the area of the proposed drill holes.

Energy West, in cooperation with the Division of Wildlife Resources, conducts annual raptor surveys in and adjacent to mine permit boundaries, including the Mill Fork State Lease ML-48258 (PacifiCorp will submit raptor status upon completion of the annual survey schedule for May 2011 in an separate envelope (stamped confidential) entitled Raptor Location and Status - 2011 Survey Data results located in the Minor Exploration Coal Exploration).

Raptor activity in Mill Fork Area will be evaluated during May 2011. Based on the previous surveys, the proposed 2011 drill site located in Cottonwood Canyon is outside ½ mile protective buffer zones of known nests. Sites 2011-1 and 2011-2 are within ½ mile radius of known nests, however nests within the ½ mile radius of the drill sites were inactive in 2010.

PacifiCorp proposes to commence drilling operations on June 1, 2011 for truck mounted site #11 and July 5, 2011 for sites 2011-1 and 2011-2 (based on the raptor results). To reduce potential raptor impacts, PacifiCorp will comply with the following:

- all non-essential helicopter flights will be conducted at 1000 feet above ground level.
- Mill Fork Canyon staging area will be considered the primary helicopter staging site.
- Crandall Canyon staging area will be located at the end of the Crandall Canyon road (FDR #248) and will be considered for secondary staging only and will be used based on the 2011 raptor survey results.
- drill activity for holes located within any ½ mile buffer zone of active nests will be scheduled after July 15 or after the juvenile(s) have fledged. Prior to mobilization to holes within ½ buffer zone, Energy West will monitor nests activity and transmit the data within 24 hours of the survey to USFS, USFWS and DOGM.

In recent years the surface management agency (Forest Service) has expressed concern related to potential impacts to the Northern Goshawk (management indicator specie for the Manti -La Sal National Forest). As stated in the: State of Utah School and Institutional Trust Lands Administration (SITLA) Access Road on East Mountain Final Environmental Impact Statement prepared by the Forest Service (page 76), *Goshawk nest sites are usually located in dense, mature forests*

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

with relatively large trees, near water, and on benches of relatively little slope. On page 78 the Final Environmental Impact Statement states that, "In order to reduce potential direct impacts to the goshawk, known goshawk territories will be monitored prior to implementation of project activity. If a territory is active, no project related activity would occur within a 30-acre buffer around the active nest between March 1 and September 30. In addition, no construction, drilling activity or commercial traffic will be allowed within 0.5 mile of an active goshawk nest between March 1 and August 15, unless a Forest Service biologist determines that the activity would not likely lead to nest abandonment or reduce survival potential for fledglings.

In past drilling activities associated with the Mill Fork lease, Forest Service biologists have identified two goshawk territories. Proposed drilling activities for 2011 have been situated to eliminate potential impacts to the goshawk territories.

- 232. Road Construction and Use.** All roads or other transportation facilities used for coal exploration will comply with the applicable provisions of R645-301-358...R645-301-762.

PacifiCorp will use only existing roads for this project. No new roads will be constructed.

- 233. Topsoil Removal and Storage.** If required for drill setup, topsoil will be separately removed, stored, and redistributed on areas disturbed by coal exploration activities as necessary to assure successful revegetation or as required by the Division.

The method of drilling used by PacifiCorp for these holes assures that topsoil is not disturbed except where small excavations are made necessary for leveling the rig and associated components. Brattice cloth ground cover is used under the rig to protect the topsoil and surface vegetation; therefore the topsoil is not disturbed.

- 234. Diversions of Overland Flows.** Diversions of overland flows and ephemeral, perennial, or intermittent streams will be made in accordance with R-645-301-742.3.

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PacifiCorp will obtain the necessary permissions and water rights actions to take water for drilling from local drainages in the vicinity of the proposed drill holes. Water for the Crandall and Cottonwood Canyon drill holes will be pumped/gravity fed directly from the nearby springs and/or un-named drainages located near the drill holes. No disturbance is made to the stream course.

The amount of water required for the project is estimated at 40,000 gallons per hole. Therefore, the maximum total quantity of water to be used is estimated at approximately 120,000 gallons (0.36 acre feet). A *Temporary Exchange Application* has been filed and approved by the State of Utah, Division of Water Rights prior to commencement of operations, and is included as an appendix to this Notice.

- 235. Minimizing Disturbance to Hydrologic Balance.** Coal exploration will be conducted in a manner which minimizes disturbance to the prevailing hydrologic balance in accordance with R645-301-356.300 and R645-301-763. The Division may specify additional measures which will be adopted by any person engaged in coal exploration.

During exploration, surface disturbance will consist only that which is necessary to level the rig and associated structures. No drill pad will be constructed, so there will be no additional runoff during precipitation events. No impoundments to contain runoff will be necessary. Overall impact on the hydrologic balance will be minimal, if any.

- 236. Acid- or Toxic Forming Materials.** Acid- or toxic-forming materials will be handled and disposed of in accordance with R645-301-731.110, 731.300, and 553.260.

Past drilling experience on East Mountain has shown that no acid- or toxic-materials have ever been produced, or are likely to be produced in future drilling. MSDS sheets for drill fluid concentrates to be used are attached to this application.

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240. Reclamation Standards.

- 241. Excavations.** If excavations, artificially flat areas, or embankments are created during exploration, these areas will be returned to the approximate original contour promptly after such features are needed for coal exploration.

The only excavations that will be made will be small shovel cuts made for leveling the rig and associated equipment. These will be promptly filled in to original contour as soon as the drilling equipment is removed from each site.

- 242. Re-Vegetation.** All areas disturbed by coal exploration activities will be revegetated in a manner that encourages prompt revegetation and recovery of a diverse, effective, and permanent vegetative cover. Revegetation will be accomplished in accordance with the following :

- 242.1 Re-Seeding.** All areas disturbed by coal exploration activities will be seeded or planted to the same seasonal variety native to the areas disturbed. If the land use of the exploration area is intensive agriculture, planting of the crops normally grown will meet the requirements of R645-202-242.100.

All drilling areas will be promptly re-seeded upon completion of each hole, removal of equipment, and recontouring of the site, if necessary, with a seed mix approved by the surface management agency and the Division.

The following is the seed mix specified from previous years approved drilling permits, and will be used unless changes are indicated by the agencies.

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<u>Species</u>	<u>lbs/acre (PLS)</u>
Basic Mix	
Columbia needle grass - <i>Stipa columbiana</i>	4.5
Slender wheatgrass - <i>Elymus trachycaulus</i>	4.5
Sandbergs bluegrass - <i>Poa secunda</i>	0.75
Pacific aster - <i>Aster chilensis</i>	0.2
Supplement*	
Sulfur flower - <i>Eriogonun umbellatum</i>	2.0
Rocky Mountain penstemon - <i>Penstemon strictus</i>	0.75

* Seed should be purchased in individual seed packets, not as mixture.

The seed mixture will be hand broadcast and the area will be hand raked following seeding to cover the seed. Following seeding, any dead-fall that was removed from the drill site will be replaced.

242.2 Soil Surface Stability. The vegetative cover will be capable of stabilizing the soil surface from erosion.

Since the soil and vegetative cover will not be removed, and the vegetation will spring back up as soon as the drilling equipment is removed, this requirement will be met.

No crops are raised in the project area. Crop replacement will not be necessary.

243. Reclamation of Boreholes. Each exploration hole, borehole, well, or other exposed opening created during exploration will be reclaimed in accordance with R645-301-529, R645-301-551, R645-301-631, R645-301-738, and R645-301-765.

No mine openings or exploration openings will be created, therefore R645-301-529 and R645-301-551 do not apply in this case. None of these

**NOTICE OF INTENT TO CONDUCT
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UTAH STATE COAL LEASE ML-48258**

holes will be turned into water monitoring wells, due to the lack of measurable groundwater in the area and the remote locations of the holes. Therefore, R645-301-738 and R645-301-765 do not apply.

Groundwater is not anticipated to be encountered; therefore, the proposed holes will not be retained as water monitoring wells. However, if groundwater is present, it will be reported to the appropriate agencies (SITLA, USFS, DOGM) and a determination will be made regarding the transfer and possible modification of the drill hole to a monitoring well.

Upon completion of down-hole procedures, the drill hole will be completely sealed with cement and bentonite from the bottom of the hole to ground level. The cement slurry mixture used to plug and seal the hole will be mixed in compliance with standard cement mixing tables (e.g. Halliburton). Enough cement will be mixed and pumped into the hole to completely seal the coal horizon. The remainder of the hole will be filled with a bentonite slurry to within 5' of the surface and a cement surface plug will fill the top 5'. A brass monument marker will be placed in the top of the cement surface plug with the hole number and year. The Bureau of Land Management Price Field Office will be contacted prior to completion to verify the abandonment procedures. Any variance from this procedure will be approved in advance by SITLA, BLM, and DOGM.

244. Removal of Equipment. All facilities and equipment will be promptly removed from the exploration area when they are no longer needed for exploration, except for those facilities and equipment that the Division determines may remain to:

244.1 Provide additional environmental data;

244.2 Reduce or control the on-site and off-site effects of the exploration activities;

244.3 Facilitate future coal mining and reclamation operations by the person conducting the exploration.

When the drill rig setup is no longer needed for the project, the complete assemblage of equipment will be removed immediately from the area to

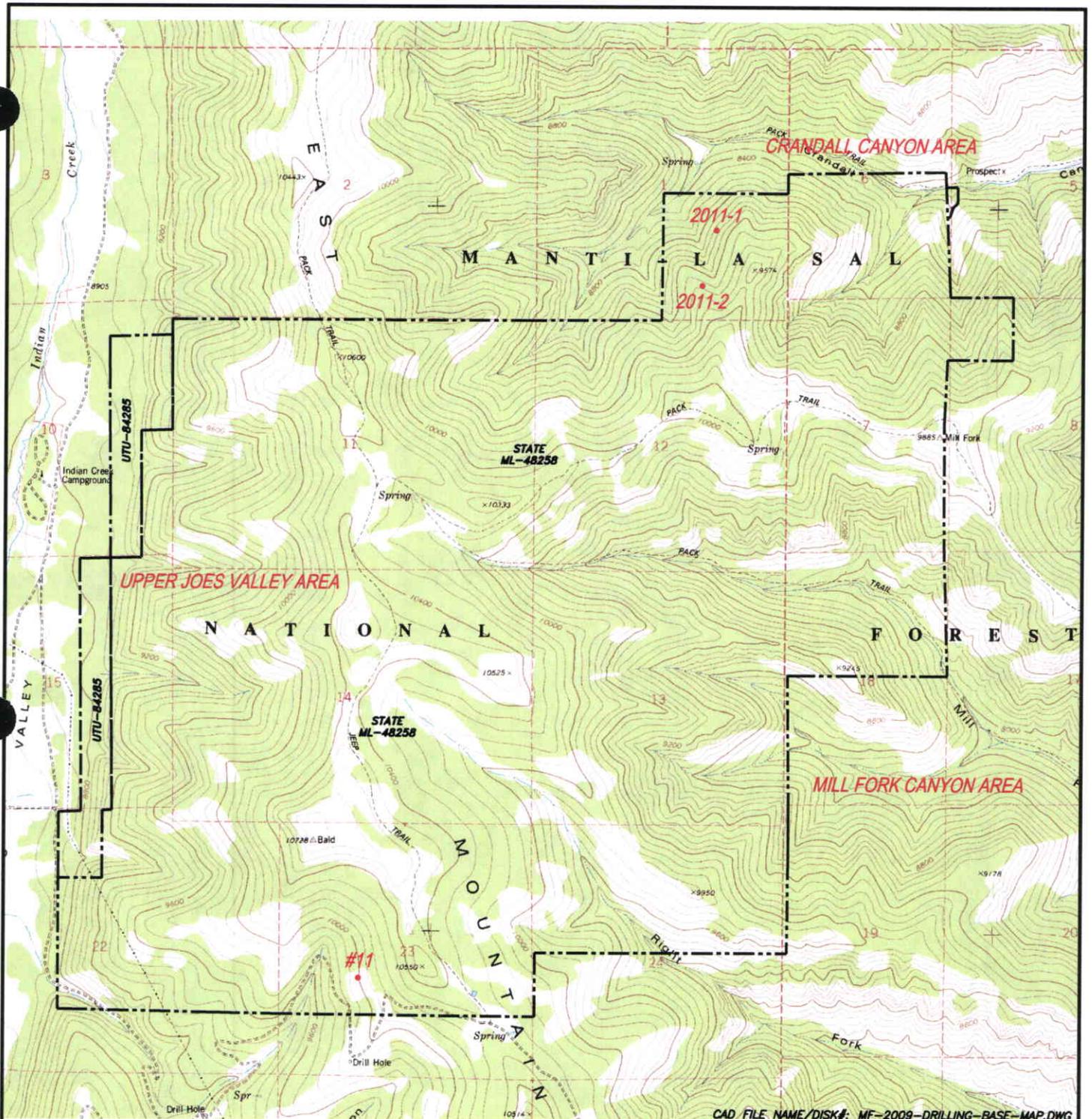
**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

facilitate reclamation work and free this equipment for use elsewhere by the contractor.

PacifiCorp does not anticipate needing this equipment for any further use in the exploration area.

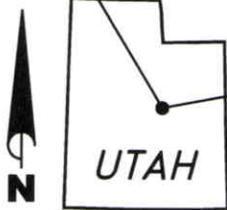
**R645-203. Coal Exploration: Public Availability of Information.
R645-203-100. Public Records.**

Except as provided in R645-203-200, all information submitted to the Division under R645-200 will be made available for public inspection and copying at the Division.



CAD FILE NAME/DISK#: MF-2009-DRILLING-BASE-MAP.DWG

2011-1 Proposed 2011 Drill Hole



Modified from
Rilda Quadrangle
7.5 Minute Series



**ENERGY WEST
MINING COMPANY**
A SUBSIDIARY OF PACIFICORP

2011 COAL EXPLORATION UTAH STATE COAL LEASE ML-48258 GENERAL LOCATION MAP		
DRAWN BY:	K. LARSEN
SCALE:	1" = 3000'	
DATE:	JANUARY 28, 2011	DRAWING #:
		SHEET 1 OF 1
		REV. ___



ENERGY WEST MINING COMPANY

A SUBSIDIARY OF PACIFICORP

2011 COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258
EAST MOUNTAIN AERIAL PHOTO

DRAWN BY: *K. LARSEN*

...

SCALE: *NONE*

DRAWING #:

DATE: *JANUARY 28, 2011*

SHEET *1* OF *1*

REV. *___*

STATE
ML-48258

#11





ENERGY WEST MINING COMPANY

A SUBSIDIARY OF PACIFICORP

2011 COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258
CRANDALL CANYON AERIAL PHOTO

DRAWN BY: *K. LARSEN*

...

SCALE: *NONE*

DRAWING #:

DATE: *JANUARY 28, 2011*

SHEET *1* OF *1*

REV.

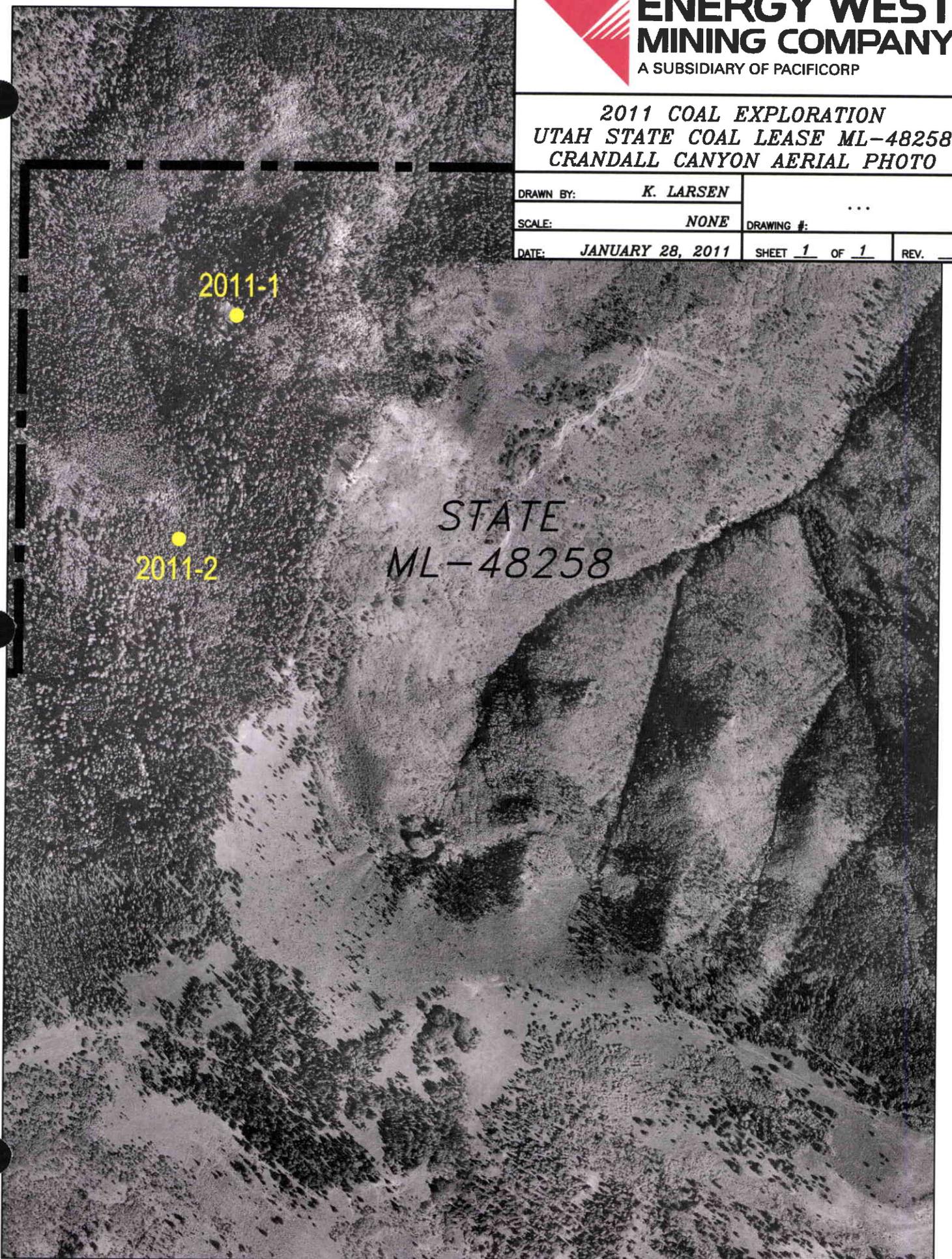
2011-1

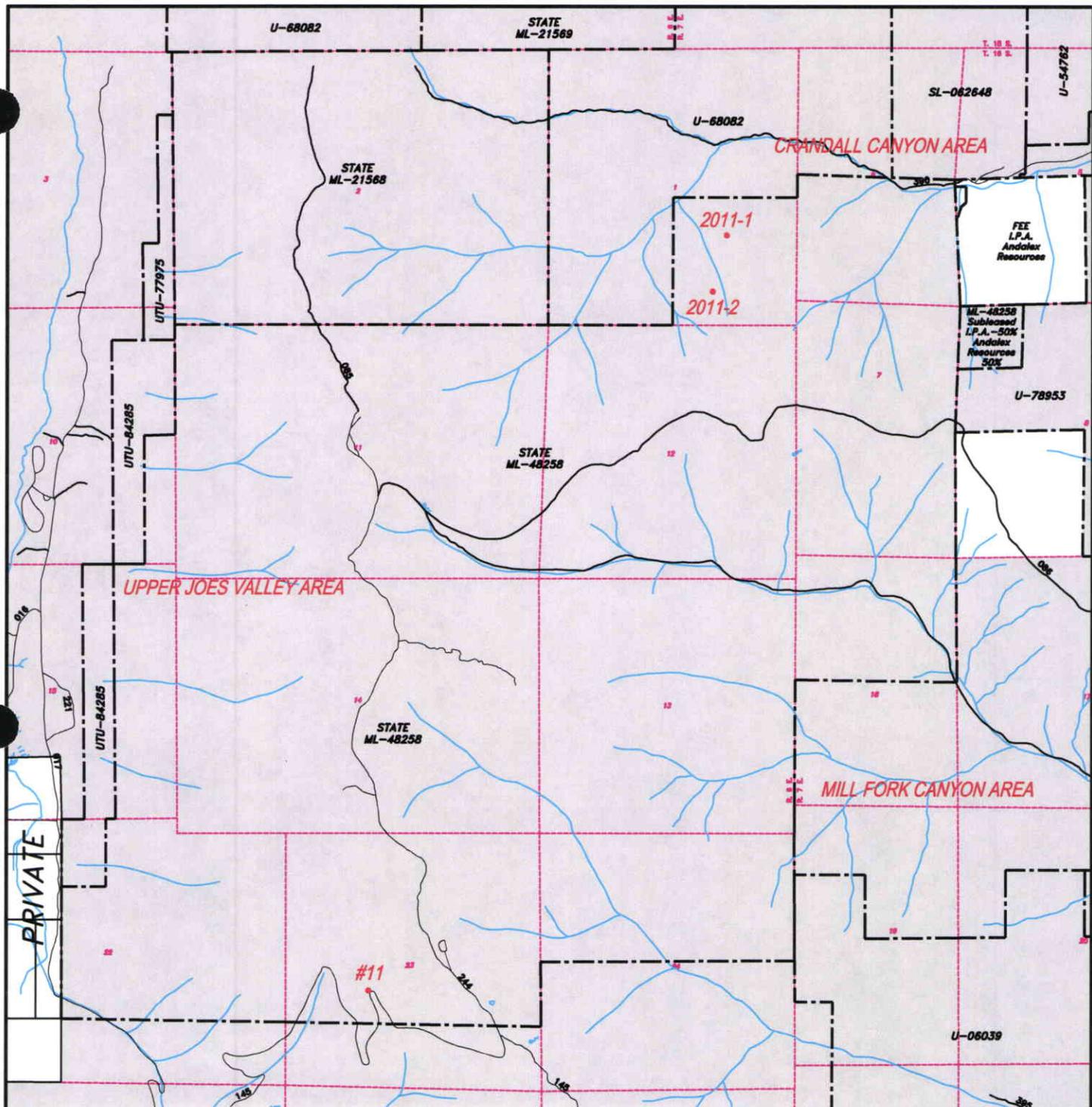


2011-2



STATE
ML-48258





CAD FILE NAME/DISK#: MF-2009-DRILLING-BASE-MAP.DWG

2011-1 Proposed 2011 Drill Hole

U.S. NATIONAL FOREST

Modified from
Rilda Quadrangle
7.5 Minute Series

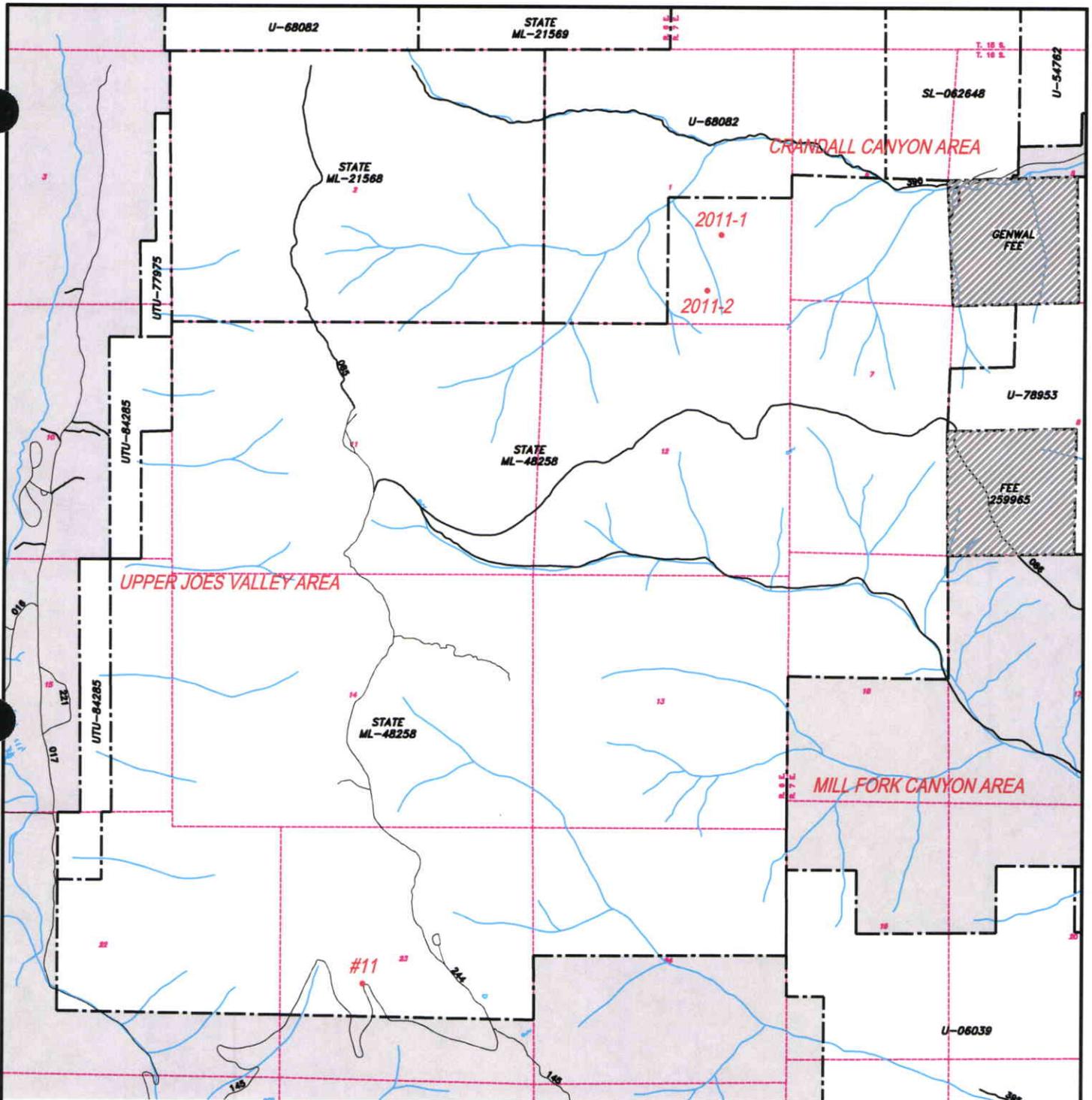


**ENERGY WEST
MINING COMPANY**
A SUBSIDIARY OF PACIFICORP

**2011 COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258
SURFACE OWNERSHIP MAP**

DRAWN BY:	K. LARSEN	
SCALE:	1" = 3000'	DRAWING #:	
DATE:	JANUARY 28, 2011	SHEET 1 OF 1	REV. _____





CAD FILE NAME/DISK#: MF-2009-DRILLING-BASE-MAP.DWG

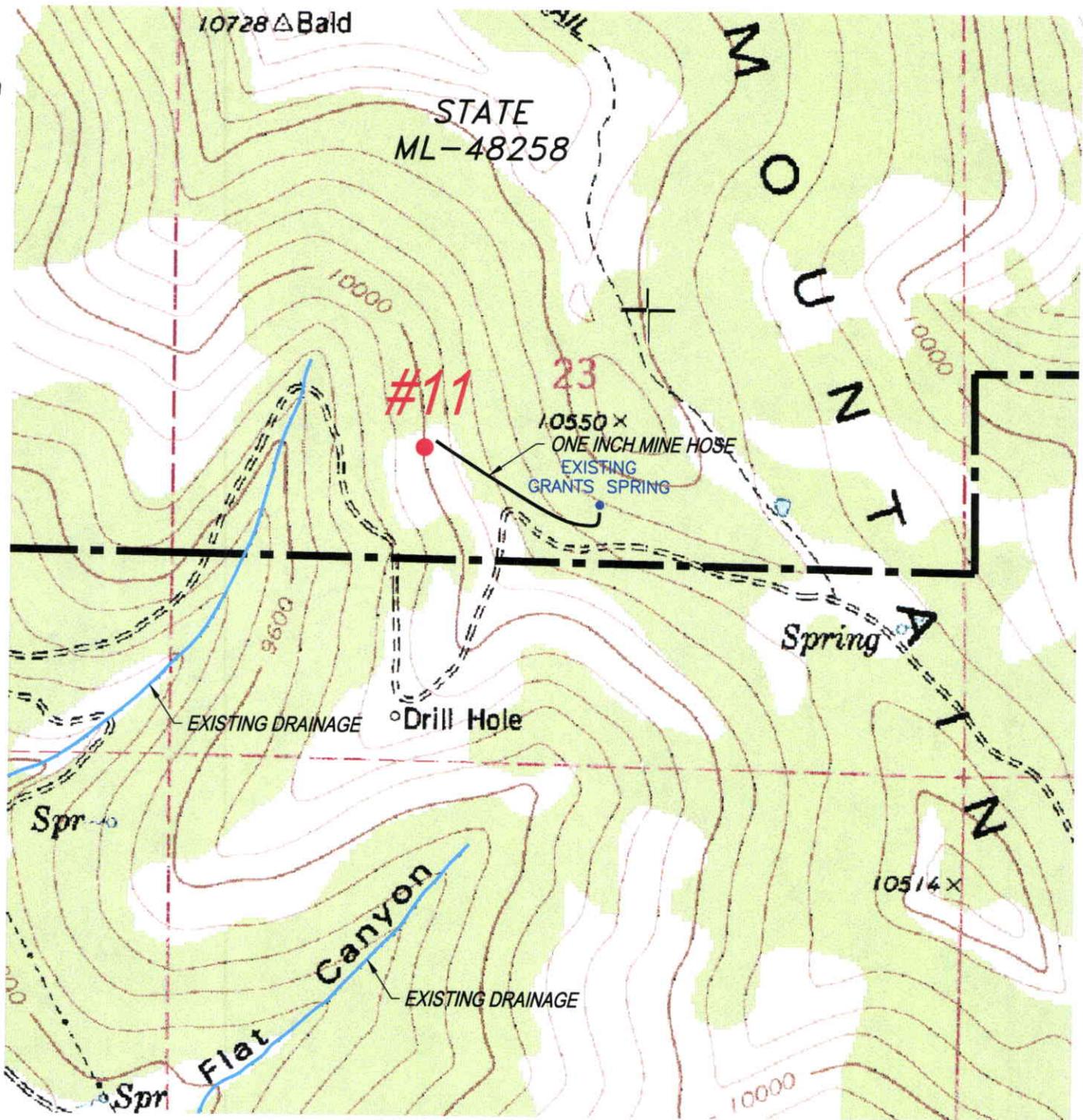
2011-1 Proposed 2011 Drill Hole

UNLEASED FEDERAL COAL
 FEE COAL



Modified from
 Rilda Quadrangle
 7.5 Minute Series

 ENERGY WEST MINING COMPANY A SUBSIDIARY OF PACIFICORP			
		2011 COAL EXPLORATION UTAH STATE COAL LEASE ML-48258 COAL OWNERSHIP MAP	
DRAWN BY:	K. LARSEN	
SCALE:	1" = 3000'	DRAWING #:	
DATE:	JANUARY 28, 2011	SHEET 1 OF 1	REV. ____



2011-1 Proposed 2011 Drill Hole

CAD FILE NAME/DISK#: MF-2009-DRILLING-BASE-MAP.DWG

THE PRIMARY WATER SOURCE FOR DRILLING WILL BE THE ADJACENT STREAMS GRAVITY FLOW TO RIG ONE INCH MINE HOSE

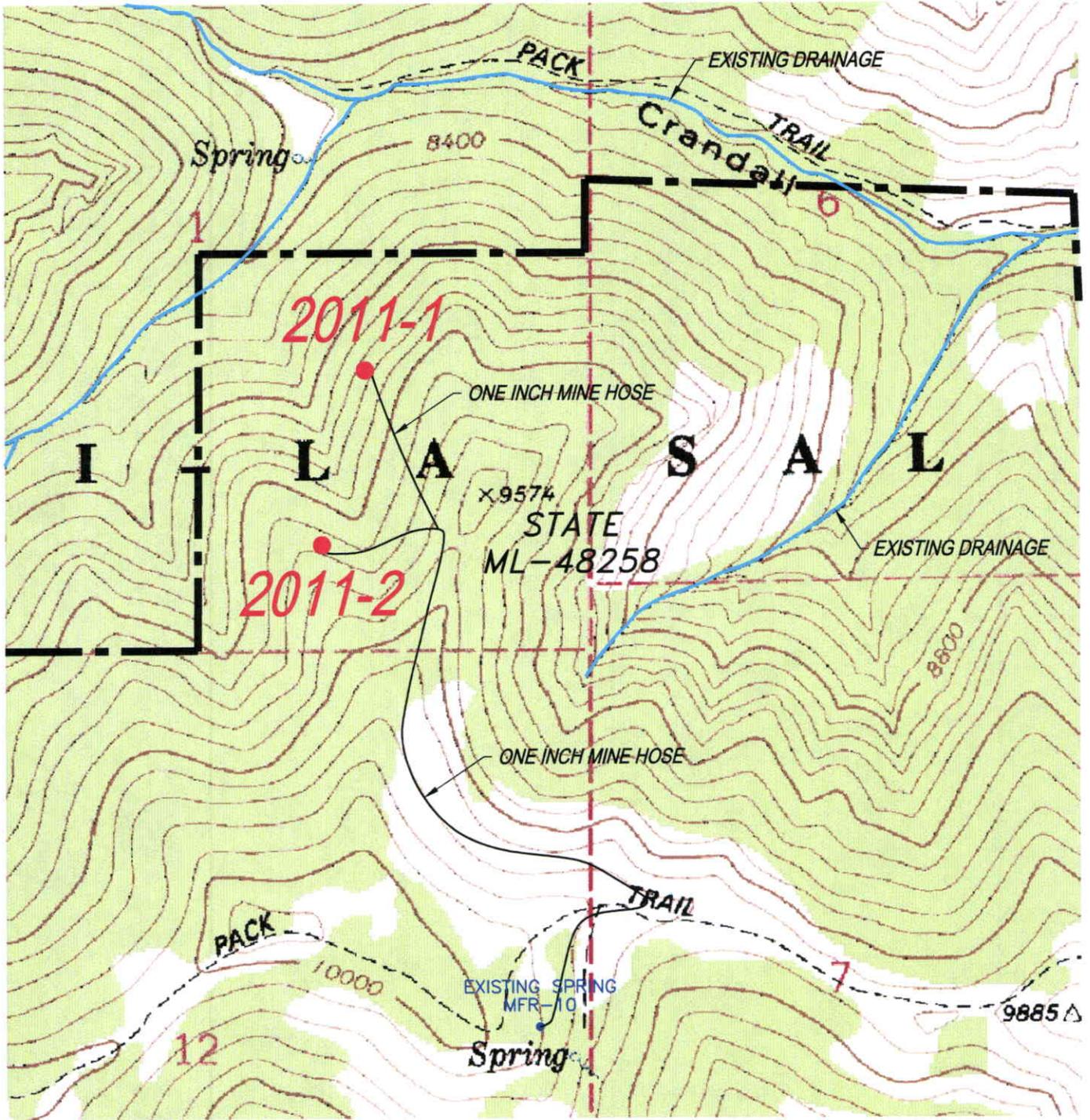
THE SECONDARY WATER SOURCE FOR DRILLING WILL BE THE STREAMS BELOW THE RIG PUMPING UP HILL WITH ONE INCH MINE HOSE



ENERGY WEST MINING COMPANY
A SUBSIDIARY OF PACIFICORP

2011 COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258
WATERLINE & PUMP LOCATION MAP #2

DRAWN BY:	K. LARSEN	DRAWING #:
SCALE:	1" = 1000'	SHEET	1 OF 1
DATE:	JANUARY 28, 2011	REV.	___



2011-1 Proposed 2011 Drill Hole

THE PRIMARY WATER SOURCE FOR DRILLING WILL BE THE ADJACENT STREAMS GRAVITY FLOW TO RIG ONE INCH MINE HOSE

THE SECONDARY WATER SOURCE FOR DRILLING WILL BE THE STREAMS BELOW THE RIG PUMPING UP HILL WITH ONE INCH MINE HOSE

CAD FILE NAME/DISK#: MF-2009-DRILLING-BASE-MAP.DWG



ENERGY WEST MINING COMPANY

A SUBSIDIARY OF PACIFICORP

2011 COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258
WATERLINE & PUMP LOCATION MAP #1

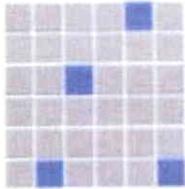
DRAWN BY:	K. LARSEN	
SCALE:	1" = 1000'	DRAWING #:	
DATE:	JANUARY 28, 2011	SHEET	1 OF 1 REV. ____

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

**APPENDIX 1
CONCURRENCE LETTER FROM SITLA**

April, 2011

PacifiCorp



State of Utah
School & Institutional
Trust Lands Administration

675 East 500 South, Suite 500
Salt Lake City, UT 84102-2816
801-538-5100
801-355-0922 (Fax)
www.trustlands.com

Gary R. Herbert
Governor

Greg Bell
Lieutenant Governor

Kevin S. Carter
Director

April 6, 2011

Mr. Ken Fleck
Geology & Environmental Affairs Manager
Energy West Mining Company
P.O. Box 310
15 North Main Street
Huntington, UT 84528

RE: Notice of Intention to Conduct Minor Coal Exploration - Coal lease ML 48258

Dear Mr. Fleck:

I have reviewed your April 4, 2011 NOI to conduct minor coal exploration upon the lands within coal lease ML 48258. You propose three drill holes, i.e., #11 in conjunction with the drilling of federal lands to the south, and #2011-1 and #2011-2 in the northern part of the Mill Fork coal tract. The lease is currently in good standing with Pacificorp as the lessee and Energy West Mining Company as the operator.

The Trust Lands Administration heartily approves and supports your proposal to drill these three holes in 2011 in order to facilitate maximum economic recovery of the coal resource. Pacificorp currently has reclamation Surety Bond #103908996, in the amount of \$50,000, on file with the Trust Lands Administration to cover exploration drilling activities performed upon the lands leased under ML 48258.

The surface is owned and managed by the Manti-La Sal National Forest. I note that you are in the process of securing the necessary surface permits from that agency, as well as a coal exploration permit from the Division of Oil, Gas and Mining. It is hoped that these permits will be shortly forthcoming so that the three proposed holes may be included in the 2011 exploration drilling season.

Sincerely,

John T. Blake
Trust Land Specialist

CC: Tom Lloyd
Daron Haddock

UTAH

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

**APPENDIX 2
CONCURRENCE FROM FOREST SERVICE
(SPECIAL USE PERMIT PENDING)**

April, 2011

PacifiCorp

FOREST SERVICE USE ONLY

SPECIAL-USE APPLICATION AND REPORT (REF.: FSM 2712, 36 CFR 251.54) INSTRUCTIONS Applicant should request a meeting with the Forest Service representative responsible for processing the application, prior to completing this form. This meeting will allow a discussion of the form's requirements and identify those items to be omitted.	Date Received (mm/dd/yyyy)	Region Number	State Code	County Code
	Congressional Dist. Number	Forest Code (Admin. Unit No.)	Unit ID Symbol (NFFID No.)	
	Ranger Dist. No. (Resp. Dist.)	User Number	Kind of Use Code	

PART 1--APPLICATION (Applicant Completes)

1. Applicant Name and Address PacifiCorp - Energy West Mining P.O. Box 310 Huntington, Utah 84528	2. Authorized Agent Name, Title and Address (include Zip Code) if different from Item 1. Kenneth S. Fleck Geology/Permitting Supervisor	3. Area Code and Telephone No. a. Applicant's
		b. Authorized Agent's (435)-687-4712

4. As applicant are you? (Mark one box with "X") a. <input type="checkbox"/> Individual b. <input checked="" type="checkbox"/> Corporation* c. <input type="checkbox"/> Partnership/Association* d. <input type="checkbox"/> State Government/State Agency e. <input type="checkbox"/> Local Government f. <input type="checkbox"/> Federal Agency * If marked "X", complete PART II.	5. Specify what application is for: (Mark one box with "X") a. <input checked="" type="checkbox"/> New authorization* b. <input type="checkbox"/> Renew existing authorization c. <input type="checkbox"/> Amend existing authorization* d. <input type="checkbox"/> Other* * If marked "X", provide details under Item 7
---	---

6. If you are an individual or partnership, are you also a citizen(s) of the United States?
 Yes No N/A

7. Describe in detail the land use, including: (a) type of use, activity, or facility; (b) related structures and facilities; (c) physical specifications (length, width, acres, etc.); (d) term of years needed; (e) time of year of use or operation; (f) duration and timing of construction; (g) temporary work areas needed for construction; and (h) anticipated need for future expansion. (If extra space is needed, use Page 3, REMARKS).

A) 2 Helicopter Supported Drill Holes, one truck-mounted Drill Hole: up to three (3) total core holes.
 B) None, N/A
 C) Area of use: 40 X 40 feet, Approximately 0.03 acres, total 0.09 acres
 D) Less than 90 days
 E) June 1, 2011
 F) No Construction Necessary
 G) None, N/A
 H) None, N/A

See Attached Maps for Drill Hole Locations

8. Attach map covering area and show location of proposed use and/or furnish legal description of the land.

11: 1,966' North, 1,728' East of the SW Corner of Sec. 23 T. 16S., R. 6E. (At side of East Mountain Access Road)
2011-1: 1,865' North, 1,465' West of the SE Corner of Section 1, T. 16 S., R. 6E.
2011-2: 703' North, 1,748' West of the SE Corner of Section 1, T. 16 S., R. 6 E.

9. Give statement of your technical and financial capability to construct, operate, and terminate the use for which authorization is requested, including the protection and restoration of Federal lands. (If extra space is needed, use page 3, REMARKS).

Energy West Mining Co., a Subsidiary of PacifiCorp, has successfully completed numerous coal/hydrologic exploration programs in the East Mountain area. Energy West retains qualified exploration companies with extensive backgrounds in environmentally sensitive drilling operations. No site construction will be necessary. Area of activity is protected by an impervious barrier, and site restoration is conducted if necessary. Energy West adheres to the Forest Service coal drilling stipulations.

10a. Describe other reasonable alternative proposals considered.

Exploration License Project: PacifiCorp evaluated alternatives to conduct surface exploration in Flat Canyon/Cottonwood Canyon:

1: There are no reasonable alternatives. The drill site has been located in an existing road to minimize disturbance to the surrounding area, wide enough to set up portable drill components and associated equipment with no off-road impacts and still allow traffic to pass. There will be no additional disturbance. 2: A larger truck/mounted rig could be used, that would require more space and create more disturbance. The other holes will be helicopter access only, disturbance will be minimal.

10b. Give explanation of why it is necessary to utilize Federal lands and why the alternative in Item 10a were not selected.

Surface lands of State Coal Lease ML-48258 in the Cottonwood and Crandall Canyon areas are administered by the U.S.D.A. Forest Service. Surface drilling is required to delineate subsurface geology/hydrology. PacifiCorp exploration application proposes to utilize drilling techniques which minimize environmental impacts, i.e., no site preparation is necessary (road or drill pad), as well as locating one of the drill sites on a previously disturbed location (road shoulder).

11. Provide statement of need for proposed use, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits. (If extra space is needed, use page 3, REMARKS).

A) Exploration is required to gather geologic/hydrologic data for reserve determination and mine planning. Energy West has strategically selected the proposed drill hole locations to minimize environmental impacts and to maximize geologic/hydrologic data. Location of the exploration drill holes are detailed in Number 8. The site of the proposed holes are located equidistant between existing drill holes. Estimated total costs are estimated to be \$80,400 for the single roadside hole, and \$165,100 for the helicopter-aided holes, using portable drill components.
B) Cottonwood Canyon/Crandall Canyon Project: estimated cost of 3 holes total, \$245,500
C) Public benefits - much less environmental disturbance.

12. Describe probable effects on the area population, including social and economic aspects, and rural lifestyles.

Area population, including social and economic aspects will not be affected.

13. Describe likely environmental effects that the proposed use will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) control or structural change on any stream or other body of water; (e) existing noise levels; (f) land surface, including vegetation, permafrost, soil and soil stability; and (g) populations of fish, plant, wildlife and marine life, including threatened and endangered species. (If extra space is needed, use page 3, REMARKS).

A) Air Quality - minimal, no site preparation is necessary (roads or drill pad)
B) Visual - minimal impact, small portable rigs, short duration project, less than 90 (ninety) days
C) Surface & Ground water - minimal, no site preparation is necessary (roads or drill pad), ground surface protected with impervious barrier. Drill holes sealed upon completion of project to minimize ground water impacts.
D) Not applicable - no site preparation is necessary (roads or drill pad)
E) Noise - minimal, small diesel rig engine, - short project, less than 90 (ninety) days
F) Land surface - minimal impact, no site preparation is necessary (roads or drill pad), area of use: 0.09acres
G) Wildlife - minimal, no site preparation is necessary, short duration project, less than 90 (ninety) days

14. Describe what actions will be taken to protect the environment from the effects of the proposed use.

Cottonwood Canyon/Crandall Canyon Project: PacifiCorp selected a drilling technique (portable drill components, also used for helicopter-aided drilling) which minimizes surface impacts. Land surface used during drilling activities is protected with a impervious barrier and site restoration is conducted if necessary. Land surface used during drilling activities is protected with a impervious barrier and site restoration is conducted if necessary.

15. Name all Federal, State, County or other department(s)/agency(ies) where an application for this is being filed. Attach appropriate license, building permit, certificate or other document.

Drilling applications were submitted to State Institutional Trust Lands Administration (Coal Owner) and will be submitted to the State of Utah: Division of Oil, Gas, and Mining (Lead Agency) and:
A *Temporary Exchange Application* will be submitted to the State of Utah, Division of Water Rights for use of surface water in Cottonwood Canyons. A *Temporary Exchange Application* has been approved for Mill Fork and Crandall Canyon holes.

I HEREBY CERTIFY, that I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and that this information is correct to the best of my knowledge.

16a. Applicant's Signature (Sign in Ink)

16b. Date

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

PART II--SUPPLEMENTAL INFORMATION (Applicant Completes)

MARK "X" IN APPROPRIATE BOX BELOW

I--PRIVATE CORPORATIONS

ATTACHED

FILED*

a. Articles of Incorporation

[]

[X]

b. Corporation Bylaws

[]

[X]

c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State.

[]

[X]

d. Copy of resolution authorizing filing.

[]

[X]

e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.

[]

[X]

f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications

[] N/A []

g. If proposed land use involves other Federal lands identify each agency impacted by proposal.

[] N/A []

II - PUBLIC CORPORATIONS

a. Copy of law forming corporation

[]

[]

b. Proof of organization

[]

[]

c. Copy of Bylaws

[]

[]

d. Copy of resolution authorizing filing

[]

[]

e. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.

[]

[]

III--PARTNERSHIP OR OTHER UNINCORPORATED ENTITY

a. Articles of association, if any.

[]

[]

b. If one partner is authorized to sign, resolution authorizing action is

[]

[]

c. Name and address of each participant, partner, association or other

[]

[]

d. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.

[]

[]

* If the required information is already filed with the Forest Service and is current, check box titled "Filed." Provide the file identification information (e.g., number, date, code, name and office at which filed). If not on file or current, attach requested information.

Remarks: (This space is provided for more detailed responses to Part I.) Please indicate the item numbers to which these responses apply. Attach sheets, if additional space is needed.

PacifiCorp, an Oregon corporation, is a diversified electric utility company serving 1.5 million retail customers in western United States (third largest electric utility west of the Rocky Mountains). PacifiCorp is an investor-owned entity with annual revenues around \$3 billion. Interwest Mining Co. & Energy West Mining Co. are both wholly-owned subsidiaries of PacifiCorp. Interwest Mining Co. is PacifiCorp's managing agent, and Energy West Mining Co. is the mine operator of its Deer Creek, Cottonwood, Des-Bee-Dove and Trail Mountain mines. PacifiCorp, through its predecessor, Utah Power & Light Co., has owned and operated the mines in the local vicinity for 30 years.

PART III--REPORT ON APPLICATION (Forest Officer Completes)

1. General description of the area and adaptability for the proposed use. Outline area on separate map if needed to clarify proposed use.

2. If previously under authorization indicate:

a. Name of Holder	b. Date Authorized	c. Date Closed
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3. Describe any encumbrances on the land, such as withdrawals, power projects, easements, rights-of-way, mining claims, leases, etc. Show on map provided.

4. State approximate amount and kinds of timber to be cut, recommended stumpage prices, method of scaling; include recommendation on disposal of merchantable timber; (a) to holder at current damage appraisal or (b) to others than holder under regular timber sale procedure.

- 5a. Will proposed use conform to Forest Land and Resource Management Plan? Yes No
- b. Has an Environmental Assessment been prepared? Yes (Attach) No
- c. Has an Environmental Impact Statement (P.L. 91-190, 42 USC 4321) been prepared? Yes (Attach) No

(Note: If "No" is marked with an "X" in any of the above questions, explain in Item 6 below.)

6. Recommendations, including any factors which might effect the granting of the authorization or future use of the land.

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

**APPENDIX 3
FOREST SERVICE ROAD USE PERMIT**

April, 2011

PacifiCorp



United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

Supervisor's Office
599 West Price River Drive
Price, UT 84501
Phone # (435) 637-2817
Fax # (435) 637-4940

File Code: 7730-1/2820-4

Date: May 12, 2008

Ken Fleck
Energy West Mining Company
P. O. Box 310
Huntington, UT 84513

Dear Mr. Fleck:

I have revised the proposed Road Use Permit #0410-03-48 to include changes from our discussions regarding commensurate share road maintenance assessments. The enclosed Road Use Permit reflects those changes.

Enclosed are three original copies of the requested Road Use Permit (RUP) authorizing commercial use of National Forest System Roads 50040, 50245, 50248 and 50017 for the purpose of helicopter assisted coal exploration work on the Mill Fork Coal Tract within the National Forest. Total permitted miles on National Forest System Roads to access staging areas is 14.

The Annual Operating Plan must be attached to the permit as Appendix A. Appendix B, Commensurate Share Calculation is the Forest Service estimate of cost to provide maintenance on the permitted segments of road, per maintenance cycle, and the calculation of deferred maintenance (surface replacement) costs assessed to Energy West Mining Company.

If you find the permit acceptable, please sign and return two original copies of the permit to this office. A fully executed original copy of the permit will be returned to you upon verification of payment of performance bond, proof of insurance, and copy of Appendix A - Annual Operating Plan. A bill for collection of maintenance charges will accompany the executed copy of the permit.

Please note the permit term is to October 1, 2012. Permittee is required to submit an Annual Operating Plan and maintenance valuation is assessed annually. The RUP assigns recurrent maintenance responsibilities to Energy West Mining Company as described in Appendix C attached to the permit. Permitted use is restricted to normal dry season July 1 to October 1. If permitted use is necessary beyond October 1, use shall be restricted to the road surface being in a dry or frozen condition. Recurrent maintenance includes dust abatement measures with water or application of magnesium chloride.

If you have any questions relating to the RUP, please contact Don Wilcox at this office.

Sincerely,

HOWARD SARGENT
Forest Supervisor

Enclosures



U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

ROAD USE PERMIT
#0410-03-48
AUTHORITY:

Section 4 and Section 6 of the National Forest Roads and Trails Act
16 U.S.C. 535 and 537

Ken Fleck
Geology and Environmental Affairs Manager
435-687-4712

PacifiCorp
c/o Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

(the holder), is hereby granted use of the following roads or road segments and related transportation facilities (hereinafter "roads") on the Ferron/Price District Ranger, Manti-LaSal National Forest, for commercial hauling, subject to the terms and conditions of this permit:

- NFSR # 50245 (Mill Fork Canyon) from intersection of State Hwy 31 at MP 0.0 to Trail # 391 trailhead, MP 2.1, a distance of approximately 2.1 miles,
- NFSR # 50248 (Crandall Canyon) from intersection of State Hwy 31 at MP 0.0, to Trail # 390 trailhead, MP 1.4, a distance of approximately 1.4 miles,
- NFSR # 50040 (Cottonwood Canyon) from the end of the county road (end of pavement), MP 3.1, to the intersection with NFSR # 50017 at MP 11.6 a distance of approximately 8.5 miles,
- NFSR # 50017 (Indian Creek) from intersection of NFSR # 50040 to MP 2.0 located in the northwest quarter of section 10, T. 16 S., R. 6 E., a distance of approximately 2.0 miles,

for the purpose of helicopter assisted coal exploration work on the Mill Fork Coal Tract within the National Forest.

Total permitted miles on National Forest System Roads: 14.0

Holder shall submit payment for deferred and recurring maintenance as prescribed below and shall perform recurring maintenance as prescribed below.

APPENDICES

- A – Annual Operating Plan
- B – Commensurate Share Calculation
- C – Maintenance Requirements

TERMS AND CONDITIONS

I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the National Forest Roads and Trails Act, 16 U.S.C. 535 and 537, and 36 CFR Part 212, Subpart A, as amended, and is subject to their provisions.

B. RESPONSIBLE OFFICIAL. The responsible official is the Ferron/Price District Ranger, 115 West Canyon Road, P.O. Box 310, Ferron Utah, 84523, telephone no. 435-384-2372 or a subordinate officer with delegated authority.

C. **TERM**. This permit shall expire at midnight on October 1, 2012. Expiration of this permit shall not require notice, a decision document, or any environmental analysis or other documentation.

D. **RENEWAL**. This permit is not renewable. Prior to expiration of this permit, the holder may apply for a new permit that would renew the use authorized by this permit. Renewal of the use shall be at the sole discretion of the responsible official.

E. **AMENDMENT**. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the responsible official, this action is deemed necessary or desirable to incorporate new terms that may be required by law, regulation, directive, the applicable land management plan, or projects and activities implementing a land management plan pursuant to 36 CFR part 215.

F. **COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL REQUIREMENTS**. In exercising the rights and privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements, including state traffic laws, that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

G. **NON-EXCLUSIVE USE**. The use authorized by this permit is not exclusive. The Forest Service reserves the right to use the roads authorized by this permit and to allow others to use them at any time. The holder shall use the roads authorized by this permit in a manner that will not unreasonably or unnecessarily interfere with their use by others, including the Forest Service. Except for any restrictions that the holder and the Forest Service agree are necessary to protect public safety and road investments, the roads authorized by this permit shall remain open to the public for all lawful purposes.

H. **ASSIGNABILITY**. This permit is not assignable or transferable.

II. **OPERATIONS**

A. **ANNUAL OPERATING PLAN**. The holder shall prepare and annually revise by May 1 an operating plan. The annual operating plan shall be prepared in consultation with the responsible official or the responsible official's designated representative and shall cover all operations authorized by this permit. At a minimum, the annual operating plan shall specify the date the use authorized by this permit will commence, the duration and extent of the use, the products that will be hauled, a traffic control plan per clause II.D, the names of the holder's employees, contractors, and subcontractors who will use the roads authorized by this permit on behalf of the holder, and any other information regarding the authorized use deemed necessary by the responsible official. The annual operating plan shall be submitted by the holder and approved by the responsible official or the responsible official's designated representative prior to commencement of commercial hauling under this permit and shall be attached to this permit as Appendix A. If there is any material change in the information contained in the annual operating plan, the holder shall notify the responsible official promptly in writing of the change.

B. **HOLDER'S REPRESENTATIVE**. The holder shall designate a representative for purposes of administration of this permit and shall notify the responsible official in writing who the holder's representative will be.

C. **USE RECORDS**. Annually, during periods the holder is conducting commercial hauling on the roads covered by this permit, the holder shall provide scale or other records acceptable to the responsible official that document the quantity hauled, calculated in the unit of measure (e.g., thousands of board feet, tons, cubic yards, or vehicle units) used to determine payments in lieu of performance under clause III.D or the holder's investment share under section V.

D. **PUBLIC SAFETY**. When the holder is engaged in commercial hauling adjacent to or on National Forest System roads or National Forest System trails open to public travel, the holder shall provide users with adequate warning of hazardous conditions associated with the holder's operations. A traffic control plan for each commercial hauling project shall be approved by the responsible official in writing before commercial hauling commences. Warning devices shall be appropriate for current conditions and shall be covered or removed when not needed. Flags and other warning devices shall comply with the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) and any specifications attached to this permit.

E. TRAFFIC RULES AND USE RESTRICTIONS

1. The holder and its agents, employees, and contractors shall comply with all traffic rules and use restrictions imposed by the Forest Service, including:

- a. Road closures or use restrictions prompted by weather conditions, a fire hazard, or road construction or maintenance.
- b. Traffic rules for safe and effective use of roads.
- c. Regulation of the number of vehicles using a road to prevent traffic congestion.

2. Unless specified in this permit or approved in writing by the responsible official, use of motor vehicles by the holder or its agents, employees, or contractors must be in accordance with the applicable motor vehicle use map (36 CFR 261.13).

3. Temporary traffic control signs, flagging, and warning devices for road construction, operation, or maintenance conducted under this permit shall comply with Part 6 of the MUTCD.

4. The holder shall not conduct loading operations on permitted roads without advance notification and written approval of the responsible official.

5. The holder shall not operate vehicles or equipment with cleats or other tracks that will injure the road surface.

6. Heavy equipment shall not be moved on Forest System Roads on the following days:

4th of July Weekend, 24th of July Weekend, Labor Day Weekend, Columbus Day Weekend, opening weekends of general deer and elk hunts; "Weekend" includes Friday. If the holiday is on Tuesday, weekend restriction extends to include Monday and Tuesday. If the holiday is on Thursday the holiday weekend restriction extends to include Thursday and Friday. If the holiday is on Wednesday, the weekend hauling restriction extends through Wednesday, including the preceding Monday and Tuesday.

If a water truck is required during these periods, it must be preceded by a pilot vehicle when hauling water on the permitted roads.

7. Permitted use is restricted to normal dry season July 1 to October 1. If permitted use is necessary beyond October 1, use shall be restricted to the road surface being in a dry or frozen condition. Graveling segments of the road surface may be required subject to permittee's use during specific road surface conditions.

8. All vehicles and materials shall be washed free of noxious weed and/or noxious weed seed before accessing permitted roads. Material and substance used in, or transported on permitted roads shall be certified weed free.

F. REQUIREMENT TO CARRY A COPY OF THE PERMIT. Drivers of all vehicles operating under this permit shall have a copy of the first sheet of this permit in their vehicle. The copy will be presented, on request, to any Forest Service officer.

G. LOAD MARKING. Unless otherwise approved in writing by the responsible official, when hauling wood products under authority of this permit, a 6" minimum size red letter "P" shall be painted on three or more ends of logs visible from the front and on three or more ends of logs visible from the back of the load.

III. PERFORMANCE AND COST RECOVERY

A. RECONSTRUCTION REQUIRED TO ACCOMMODATE USE. The holder shall perform any road reconstruction required to accommodate the holder's use under this permit, or deposit funds sufficient to cover the cost of the reconstruction, before the holder's use commences.

B. COMMENSURATE SHARE

1. The holder shall perform maintenance, or deposit funds sufficient to cover the cost of maintenance, commensurate with the holder's use of the roads authorized by this permit (the holder's commensurate share), measured, e.g., in thousand board feet, cubic yards, or vehicle units. The holder shall be entirely responsible for maintenance that is necessitated by the holder's use, i.e., maintenance which would not be necessary if the holder's use did not occur. The holder shall be proportionately responsible with other users of the roads authorized by this permit for maintenance not necessitated by traffic, i.e., maintenance that is necessary due to natural causes such as rain, wind, rock fall, and growth of brush. Maintenance that could be required or for which payment could be required by this clause includes, at a minimum, work addressed in section IV of this permit.

2. The initial calculation of the holder's commensurate share, including the maintenance made necessary by the authorized use and the cost of the maintenance, is shown in Appendix B. The annual value of the holder's commensurate share for the use authorized by this permit is \$370 for deferred maintenance (surface replacement), provided that the rate shall be revised upward or downward on the anniversary date of this permit, based on estimated costs and anticipated use of the roads authorized under this permit. If the value of the holder's commensurate share exceeds the cost of maintenance that is performed on the roads authorized by this permit, the difference between the value of the holder's commensurate share and the cost of the maintenance performed shall be deposited in cash, as provided in clause III.D.

C. PERFORMANCE BOND FOR ROAD MAINTENANCE. As a further guarantee of the holder's commensurate share obligation, the responsible official may require the holder to furnish a surety bond or other security.

1. As a further guarantee of compliance with the holder's commensurate share obligation, the holder shall deliver and maintain a surety bond or other acceptable security, such as cash deposited and maintained in a federal depository or negotiable securities of the United States, in the amount of \$76,400. The responsible official may periodically evaluate the adequacy of the bond or other security and increase or decrease the amount as appropriate. If the bond or other security becomes unsatisfactory to the responsible official, the holder shall within 30 days of demand furnish a new bond or other security issued by a surety that is solvent and satisfactory to the responsible official. If the holder fails to meet any of the requirements secured under this clause, money deposited pursuant to this clause shall be retained by the United States to the extent necessary to satisfy the obligations secured under this clause, without prejudice to any other rights and remedies of the United States.

2. The bond shall be released or other security returned 30 days after (a) the responsible official certifies that the obligations covered by the bond or other security are met and (b) the holder establishes to the satisfaction of the responsible official that all claims for labor and material for the secured obligations have been paid or released.

D. PAYMENT IN LIEU OF PERFORMANCE. An initial payment in lieu of performance of deferred maintenance in the amount of \$370 shall be made before use commences under this permit. Thereafter, payments in lieu of performance shall be made annually in the amount of [to be re-assessed] calculated using the rate of payment for the holder's commensurate share in clause III.B. Payments shall be based on monthly use records submitted per clause II.C. Payments shall be sent to USDA Forest Service, P.O. Box 894183, Los Angeles, CA 90189-4183. In lieu of an advance payment, the holder may deliver and maintain a surety bond or other acceptable security, such as cash deposited and maintained in a federal depository or negotiable securities of the United States, in the amount of \$924. If the holder fails to meet the payment obligation secured under this clause, money deposited pursuant to this clause shall be retained by the United States to the extent necessary to satisfy the obligation, without prejudice to any other rights and remedies of the United States. The surety bond shall be released or other security returned 30 days after the responsible official certifies that the obligation covered by the bond or other security is met.

IV. REQUIREMENTS FOR CONDUCTING MAINTENANCE

A. IN GENERAL. When maintenance is performed, it shall be conducted in accordance with the following requirements and the requirements in Appendix C:

1. The holder shall perform maintenance on the roads authorized by this permit that is necessary to protect and repair the roadbed, road surface, and associated transportation facilities.
2. The holder shall resurface the roads authorized by this permit to the extent loss of surfacing is caused by the use authorized by this permit.
3. If other commercial haulers are operating on the roads authorized by this permit, the holder and those commercial haulers shall enter into an agreement for performance of maintenance on these roads. If conflicts arise regarding responsibility for the maintenance, commercial hauling on these roads shall cease until the conflicts are resolved.

B. SNOW REMOVAL. Snow removal shall be conducted in a manner that protects roads, ensures safe and efficient transportation of materials, and prevents erosion damage to roads, streams, and adjacent lands.

Snow removal must be authorized by the responsible official prior to implementation.

The holder shall:

1. Remove snow from the entire width of the road surface, including turnouts and ditch lines. Through-cuts will be allowed only after snow depths exceed the height of the cab or across flat ground. Disposal shall always be to the outside or downhill side of the road.
2. Remove snow slides, earth slides, fallen timber, and boulders that obstruct the road surface.
3. Remove snow, ice, and debris from ditches and culverts so that the drainage system will function efficiently at all times.
4. Deposit all debris, except snow and ice, removed from the road surface and ditches at locations approved by the responsible official and away from stream channels.
5. Leave at least 4 inches of snow to protect the road.
6. Restore any damage resulting from snow removal in a timely manner.
7. Ensure that snow plowing is conducted in accordance with the traffic control plan required under clause II.D.

The holder shall not:

8. Undercut constructed slopes or remove gravel or other surfacing material from the road surface.
9. Leave snow berms on the road surface. Berms on the shoulder of the road shall be removed or drainage holes shall be opened and maintained. Drainage holes shall be spaced as necessary to obtain satisfactory surface drainage without discharge on erodible fills.
Outlets - Outlets for surface runoff shall be placed in all snow through-cuts at points where water can flow off the road surface at the following intervals:

Road grades of 8% or less - 500 feet center to center minimum
Road grades greater than 8% - 300 feet center to center minimum

10. Use equipment with cleats or other tracks to plow snow without prior written approval of the responsible official.
11. Equipment - The equipment should be in sound operating condition, be equipped with angle blade or adequate grousers or traction tires, and be operated by a fully qualified operator.
12. Sanding of hazardous areas shall be with sand. Coal dust, chemicals, or salt are not to be used.

13. Cattleguards - Crawler tractors will not be operated across cattleguards.
14. Culvert Cleaning - Culvert heads and outlets shall be cleaned of snow-pack by hand.
15. Tree Damage - Snow should not be pushed, blown, or stacked on trees along the roadside. Care will be taken to avoid scarring trees with equipment.
16. The road may be used while a snow floor remains intact or under frozen conditions. All travel must cease when temperatures allow the road to thaw and rutting of the road surface is occurring. This closure will be in effect until the surface dries or refreezes.
17. Inspections: Intermittent inspections may be made during snow removal operations. Final inspection will be made to check for full compliance and damages.

V. RIGHTS AND LIABILITIES

A. LEGAL EFFECT OF THE PERMIT. This permit, which is revocable and terminable, is a federal license. This permit does not constitute a contract or lease for purposes of the Contract Disputes Act, 41 U.S.C. 601. This permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

B. VALID OUTSTANDING RIGHTS. This permit is subject to all valid outstanding rights.

C. ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS. The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

D. RISK OF LOSS. The holder assumes all risk of loss associated with use of the roads authorized by this permit, including but not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), avalanches, rising waters, winds, falling limbs or trees, and acts of God.

E. DAMAGE TO UNITED STATES PROPERTY. The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States. Damage includes but is not limited to fire suppression costs, damage to government improvements covered by this permit, and all costs and damages associated with or resulting from the release or threatened release of a hazardous material occurring during or as a result of activities of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees on, or related to, the lands, property, and other interests covered by this permit. For purposes of this clause, "hazardous material" shall mean any hazardous substance, pollutant, contaminant, hazardous waste, oil, and/or petroleum product, as those terms are defined under any federal, state, or local law or regulation.

1. The holder shall avoid damaging or contaminating the environment, including but not limited to the soil, vegetation (such as trees, shrubs, and grass), surface water, and groundwater, while conducting commercial hauling under this permit. If the environment or any government property covered by this permit becomes damaged during the holder's use under this permit, the holder shall immediately repair the damage or replace the damaged items to the satisfaction of the responsible official and at no expense to the United States.

2. The holder shall be liable for all injury, loss, or damage, including fire suppression, or other costs in connection with rehabilitation or restoration of natural resources associated with the use authorized by this permit. Compensation shall include but not be limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all administrative, legal (including attorney's fees), and other costs. Such costs may be deducted from a performance bond required under clause III.C.

3. The holder shall be liable for damage caused by use of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees to all roads and trails of the United States to the same extent as provided under clause V.E.1.

F. HEALTH, SAFETY, AND ENVIRONMENTAL PROTECTION. The holder shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any activity or condition

arising out of or relating to use of the roads authorized by this permit that causes or threatens to cause a hazard to public health or the safety of the holder's employees or agents or harm to the environment (including areas of vegetation or timber, fish or other wildlife populations, their habitats, or any other natural resources). The holder shall immediately notify the responsible official of all traffic accidents and any other serious accidents that occur in connection with the authorized use. The responsibility to protect the health and safety of all persons affected by use of the roads authorized by this permit is solely that of the holder. The Forest Service has no duty under the terms of this permit to inspect the roads authorized by this permit or authorized activities of the holder for hazardous conditions or compliance with health and safety standards.

G. COMPLIANCE WITH ENVIRONMENTAL LAWS. The holder shall in connection with use of the roads authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 *et seq.*, the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 *et seq.*, the Oil Pollution Act, as amended, 33 U.S.C. 2701 *et seq.*, the Clean Air Act, as amended, 42 U.S.C. 7401 *et seq.*, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. 9601 *et seq.*, the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 *et seq.*, the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 *et seq.*, and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f *et seq.*

H. INDEMNIFICATION OF THE UNITED STATES. The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder or the holder's employees, contractors, or subcontractors in connection with use of the roads authorized by this permit. This indemnification provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, or contractors in connection with use of the roads authorized by this permit which result in (1) violations of any laws and regulations which are now or which may in the future become applicable, and including but not limited to those environmental laws listed in clause V.G. of this permit; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous substance, pollutant, contaminant, oil in any form, or petroleum product into the environment. The responsible official may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in addition to or as an alternative to monetary indemnification.

I. INSURANCE

1. The holder or the holder's employees, contractors, or subcontractors shall have in force automobile insurance covering losses associated with the use authorized by this permit in at least the amount of \$100,000 for injury or death to one person, \$300,000 for injury or death to two or more persons, and \$50,000 for property damage. Minimum amounts of coverage and other insurance requirements are subject to change at the sole discretion of the responsible official on the anniversary date of this permit.
2. Any insurance policies obtained by the holder pursuant to this clause shall name the United States as an additional insured, and the additional insured provision shall provide for insurance coverage for the United States as required under clause V.I. The policies also shall specify that the insurance company shall give 30 days prior written notice to the responsible official of cancellation of or any modification to the policies.
3. The holder shall furnish proof of insurance, such as a certificate of insurance, to the responsible official prior to issuance of this permit and each year thereafter that this permit is in effect. The Forest Service reserves the right to review and approve the insurance policy prior to issuance. The holder shall send an authenticated copy of any insurance policy obtained pursuant to clause V.I. to the responsible official immediately upon issuance of the policy. The certificate of insurance, the authenticated copy of the insurance policy, and written notice of cancellation or modification of insurance should be sent to Ferron/Price Ranger District, 599 West Price River Drive, Price Utah, 84501, Attn: Elaine Alexander, telephone (435)-636-3567.

VI. REVOCATION, SUSPENSION, AND TERMINATION

A. REVOCATION AND SUSPENSION. The responsible official may revoke or suspend this permit in whole or in part for:

1. Noncompliance with federal, state, or local law.
2. Noncompliance with the terms of this permit.
3. Abandonment or other failure of the holder to exercise the privileges granted.

Prior to revocation or suspension, other than immediate suspension under clause VI.B, the responsible official shall give the holder written notice of the grounds for revocation or suspension and a reasonable time, typically not to exceed 90 days, to cure any noncompliance. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

B. IMMEDIATE SUSPENSION. The responsible official may immediately suspend this permit in whole or in part when necessary to protect public health or safety or the environment. The suspension decision shall be in writing.

C. TERMINATION. This permit shall terminate when by its terms a fixed or agreed upon condition, event, or time occurs without any action by the responsible official, such as expiration of the permit by its terms on a specified date or with the consent of the holder. Termination of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

VII. MISCELLANEOUS PROVISIONS

A. MEMBERS OF CONGRESS. No member of or delegate to Congress or Resident Commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use provides a general benefit to a corporation.

B. CURRENT ADDRESSES. The holder and the responsible official shall keep each other informed of current mailing addresses, including those necessary for payment of the holder's commensurate or investment share.

C. SUPERIOR CLAUSES. If there is a conflict between any of the preceding printed clauses and any of the following clauses, the preceding printed clauses shall control.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

BEFORE ANY PERMIT IS ISSUED TO AN ENTITY, DOCUMENTATION MUST BE PROVIDED TO THE RESPONSIBLE OFFICIAL OF THE AUTHORITY OF THE SIGNATORY FOR THE ENTITY TO BIND IT TO THE TERMS AND CONDITIONS OF THE PERMIT.

ACCEPTED:

<i>Manager of Operations</i>		<i>5/16/08</i>
HOLDER NAME, PRECEDED BY NAME AND TITLE OF PERSON SIGNING ON BEHALF OF HOLDER, IF HOLDER IS AN ENTITY	SIGNATURE	DATE

APPROVED:

NAME AND TITLE OF RESPONSIBLE OFFICIAL	SIGNATURE	DATE
--	-----------	------

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0016. The time required to complete this information collection is estimated to average [fill in burden hour estimate] hour per response,

including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a discrimination complaint write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 975-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

APPENDIX B
Commensurate Share Calculation

Recurring Maintenance:

Holder shall perform recurring maintenance on permitted road #'s 50245, 50040 & 50017 as described in appendix C – attached.

Estimated cost of one maintenance cycle of permitted roads # 50245, 50040 & 50017:

		RECURRING MAINTENANCE GRAVEL ROAD W CULVERTS Davis Bacon Wage Rates (155 horsepower grader) 2007 cost guide	<u>Gravel w/ Ditch</u> cost/mile
	Energy West for 50245		
	Scarification	Grader & Operator @ 4 hours/mile, typically use 1.3hr/mile $1.3*(63.91+40.90+20.42+21.10)=$	190
	Blade	Grader, Operator, Laborer and Truck @ 4 hours/mile $4*(63.91+40.90+20.42+21.10)=$	585
	Pull Ditches	Grader, Operator, Laborer and Truck @ 2 hours/mile $3*(63.91+40.90+20.42+21.10)=$	439
	Clean Culverts	laborer @ 3hrs/mile $3*(20.42)=$	61
\$ Cost per Mile	GRAVEL ROAD W CULVERTS		\$1,276
	Agg w/ ditch	miles on permit # 50245, 50040 & 50017	12.1 \$15,440
		Mobilization	\$1,390
	Total		\$16,830

Cost basis is Forest Service 2007 Cost Guide for contracted equipment & labor rates applied to the time per maintenance cycle for the project roads. Does not include costs for work described in APPENDIX C, Recurring Maintenance – items A, D, E, F and G.

APPENDIX C Maintenance Requirements

Provide maintenance as appropriate to ensure safe travel and ensure all culverts have a minimum cover depth of 12-inches. Process the fill material over culverts to provide smooth transition along existing road profile.

Recurring Maintenance:

Work in lieu of payment for recurring maintenance shall be performed as outlined below.

Road maintenance is defined as the performance of work on the entire road facility commensurate with permittee's use. This work consists of restoration and preservation of surface, shoulders, roadsides, structures, drainage, sight distance, and such traffic control devices as are necessary for prevention of excessive erosion damage to the facility and adjacent lands.

I. Description. Maintenance work to be done currently during the periods of use by the permittee shall include:

- A. Removal of slides and boulders, which obstruct safe sight distance.
- B. Adequate blading and shaping of roadway surfaces, ditches, and grade dips to maintain the original cross-sections.
- C. Removal of earth and debris from ditches and culverts so that the drainage systems will function efficiently at all times.
- D. Prevention of excessive dusting of road surface materials.
- E. Repair of damages to fences, cattleguards, culverts, and other roadway structures including traffic regulatory and directional signs.
- F. Restoration of eroded fills and repair and protection of shoulder berms, berm outlets, stabilized waterways, vegetated slopes, and other erosion control features.
- G. Replacement of roadway and/or surfacing material worn out and lost through use of the roadway.

II. Performance. All items of maintenance work shall be done currently as necessary to insure safe, efficient transportation and to protect roads, streams, and adjacent lands from excessive damage. Work shall be done in accordance with the following minimum standards of performance.

- A. Removal of Material. Earth, rocks, trees, brush, and debris removed from roadways and ditches shall not be deposited in stream channels or upon slope stabilization and erosion control features.
- B. During roadway blading and shaping operations, banks shall not be undercut nor shall gravel or other selected surfacing material be bladed off the roadway surface. The original crown or slope of the road shall be preserved. Mud, debris, and oversize material shall be deposited outside the roadway by hand or by careful blading, and these materials shall not be mixed with the road surfacing material.
- C. Ditches, culverts, drop inlets, trash racks, downspouts, and splatter structures shall be kept clear of earth, slash, and other debris to that drainage systems will function efficiently during, and immediately following, periods of road use by permittee. This includes correcting and eliminating causes of erosion or plugging of the structure, and actual repair of the structure and riprap if damaged.
- D. Fugitive dust shall be controlled to prevent hazardous driving conditions or loss of road surface or binder material.
- E. Permittee shall promptly repair all damages, caused by the permittee's operations, to the road surface or to any structures in or adjacent to the roadways. To transport any overweight loads (those that exceed HS-20

loading) will require five (5) days notice prior to transporting on Forest Roads. An inspection of drainage and other structures (bridges, etc.) will be made to determine if the structure can safely accommodate the load.

F. Any washing or settling of roadway fills shall be corrected promptly to prevent additional soil erosion or roadway damage. Shoulder berms, berm outlets, and stabilized waterways shall be protected during road maintenance operations and, if damaged, such structures shall be promptly restored to their original condition, including repair and reseeded of vegetation established to control slope erosion. No earth, rocks, or other debris shall be deposited upon any roadside slope stabilization structure or feature.

(END APPENDIX C)



Bank One
1 Bank One Plaza
Chicago, IL 60670

70-2322/719

DATE May 20, 2008 *****370 DOLLARS 00 CENTS AMOUNT \$370.00

CHECK NO.
198905

Neil Getzler
AUTHORIZED SIGNATURE
Bruce N. Williams
AUTHORIZED SIGNATURE

PAY TO THE ORDER OF

U.S.D.A. FOREST SERVICE
PO BOX 894183
LOS ANGELES, CA 90189-4183

THE BACK OF THIS CHECK HAS AN ENERGY WEST MINING CO. LOGO PRINTED IN WHITE INK IN MULTIPLE POSITIONS - HOLD AT AN ANGLE TO VIEW - VOID IF NOT PRESENT

⑈198905⑈ ⑆071923226⑆ 94 17796⑈

BANK NUMBER	DATE	VENDOR NUMBER	CHECK NO.	INVOICE NUMBER	DATE	GROSS AMOUNT	DISCOUNT	NET AMOUNT
FIB	May 20, 2008	USDA	198905	2008-05-AP	05/16/08	370.00		370.00

Road use fee
0410-03-48

TOTALS: 370.00



1407 W. North Temple, Suite 310
Salt Lake City, UT 84116

May 6, 2008

COPY

Don Wilcox
United States Department of Agriculture
Manti-LaSal National Forest
599 West Price River Drive
Price, Utah 84501

**RE: Surety Bond No. 105103977, USFS Road Use Permit #0410-03-48
PacifiCorp / Energy West Mining Company Helicopter Support Coal
Exploration Drilling Program, Emery County, Utah**

Dear Mr. Wilcox:

In response to your letter dated April 17, 2008 addressed to Ken Fleck of Energy West Mining Company, enclosed is performance bond No. _____ issued by Travelers Casualty and Surety Company of America in the amount of \$76,400 representing bond coverage for Road Use Permit #0410-03-48.

Should you have any questions, please feel free to call me at 801-220-4612 or Ken Fleck at 435-687-4712.

Sincerely,

Scott M. Child
Manager, Lands & Regulatory Affairs

Enclosure

SMC\EnergWest\USFSML2008-01(RoadUsePermitBond).DOC

cc: EWMC – Ken Fleck (w/copy encl.)
PacifiCorp Risk Mgmt. NTO 120 – M. Reed (B-SUR-1095) (w/copy encl.)
Aon Risk Services – Attn: Claudia A. Rathbun (w/copy encl.)
5000 Central Park Drive, Suite 204
Lincoln, NE 68504

CORPORATE SURETY(IES) (Continued)

SURETY B	NAME & ADDRESS		STATE OF INC.	LIABILITY LIMIT	Corporate Seal
	SIGNATURE(S)	1.	2.	\$	
	NAME(S) & TITLE(S) <i>(Typed)</i>	1.	2.		
SURETY C	NAME & ADDRESS		STATE OF INC.	LIABILITY LIMIT	Corporate Seal
	SIGNATURE(S)	1.	2.	\$	
	NAME(S) & TITLE(S) <i>(Typed)</i>	1.	2.		
SURETY D	NAME & ADDRESS		STATE OF INC.	LIABILITY LIMIT	Corporate Seal
	SIGNATURE(S)	1.	2.	\$	
	NAME(S) & TITLE(S) <i>(Typed)</i>	1.	2.		
SURETY E	NAME & ADDRESS		STATE OF INC.	LIABILITY LIMIT	Corporate Seal
	SIGNATURE(S)	1.	2.	\$	
	NAME(S) & TITLE(S) <i>(Typed)</i>	1.	2.		
SURETY F	NAME & ADDRESS		STATE OF INC.	LIABILITY LIMIT	Corporate Seal
	SIGNATURE(S)	1.	2.	\$	
	NAME(S) & TITLE(S) <i>(Typed)</i>	1.	2.		
SURETY G	NAME & ADDRESS		STATE OF INC.	LIABILITY LIMIT	Corporate Seal
	SIGNATURE(S)	1.	2.	\$	
	NAME(S) & TITLE(S) <i>(Typed)</i>	1.	2.		

BOND PREMIUM	RATE PER THOUSAND (\$)	TOTAL (\$)
	6.80	\$ 520.00

INSTRUCTIONS

1. This form is authorized for use in connection with Government contracts. Any deviation from this form will require the written approval of the Administrator of General Services.

2. Insert the full legal name and business address of the Principal in the space designated "Principal" on the face of the form. An authorized person shall sign the bond. Any person signing in a representative capacity (e.g., an attorney-in-fact) must furnish evidence of authority if that representative is not a member of the firm, partnership, or joint venture, or an officer of the corporation involved.

3. (a) Corporations executing the bond as sureties must appear on the Department of the Treasury's list of approved sureties and must act within the limitation listed therein. Where more than one corporate surety is involved, their names and addresses shall appear in the spaces (Surety A, Surety B, etc.) headed "CORPORATE

SURETY(IES)." In the space designated "SURETY(IES)" on the face of the form, insert only the letter identification of the sureties.

(b) Where individual sureties are involved, a completed Affidavit of Individual Surety (Standard Form 28) for each individual surety, shall accompany the bond. The Government may require the surety to furnish additional substantiating information concerning their financial capability.

4. Corporations executing the bond shall affix their corporate seals. Individuals shall execute the bond opposite the word "Corporate Seal", and shall affix an adhesive seal if executed in Maine, New Hampshire, or any other jurisdiction requiring adhesive seals.

5. Type the name and title of each person signing this bond in the space provided.



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 219293

Certificate No. 002043841

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

John D. Diesing Jr., James L. Arts, David B. McCue, Gary E. Lee, Patrick M. McCahill, Claudia A. Rathbun, Steven E. Verbeski, and Elizabeth D. Hudson

of the City of Omaha, State of Nebraska, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 5th day of November, 2007

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 5th day of November, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards or Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 25th day of April, 2008


Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

Bond No.

PERFORMANCE BOND <i>(See instructions on reverse)</i>	DATE BOND EXECUTED <i>(Must be same or later than date of contract)</i> 4/25/2008	OMB No.: 9000-0045
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Public reporting burden for this collection of information is estimated to average 25 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVR), Federal Acquisition Policy Division, GSA, Washington, DC 20405

PRINCIPAL <i>(Legal name and business address)</i> PACIFICORP % ENERGY WEST MINING COMPANY P.O. Box 310 Huntington, UT 84628	TYPE OF ORGANIZATION <i>("X" one)</i> <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> JOINT VENTURE <input checked="" type="checkbox"/> CORPORATION STATE OF INCORPORATION
---	---

SURETY(IES) <i>(Name(s) and business address(es))</i> TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA One Tower Square Hartford, CT 06183	PENAL SUM OF BOND <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:25%;">MILLION(S)</th> <th style="width:25%;">THOUSAND(S)</th> <th style="width:25%;">HUNDRED(S)</th> <th style="width:25%;">CENTS</th> </tr> <tr> <td></td> <td style="text-align: center;">76</td> <td style="text-align: center;">400</td> <td style="text-align: center;">00</td> </tr> </table> CONTRACT DATE: _____ CONTRACT NO.: _____ Road Use Permit #0410-03-48 - Manti-LaSal National Forest	MILLION(S)	THOUSAND(S)	HUNDRED(S)	CENTS		76	400	00
MILLION(S)	THOUSAND(S)	HUNDRED(S)	CENTS						
	76	400	00						

OBLIGATION:

We, the Principal and Surety(ies), are firmly bound to the United States of America (hereinafter called the Government) in the above penal sum. For payment of the penal sum, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally. However, where the Sureties are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" as well as "severally" only for the purpose of allowing a joint action or actions against any or all of us. For all other purposes, each Surety binds itself, jointly and severally with the Principal, for the payment of the sum shown opposite the name of the Surety. If no limit of liability is indicated, the limit of liability is the full amount of the penal sum.

CONDITIONS:

The Principal has entered into the contract identified above.

THEREFORE:

The above obligation is void if the Principal -

(a)(1) Performs and fulfills all the undertakings, covenants, terms, conditions, and agreements of the contract during the original term of the contract and any extensions thereof that are granted by the Government, with or without notice to the Surety(ies), and during the life of any guaranty required under the contract, and (2) performs and fulfills all the undertakings, covenants, terms conditions, and agreements of any and all duly authorized modifications of the contract that hereafter are made. Notice of those modifications to the Surety(ies) are waived.

(b) Pays to the Government the full amount of the taxes imposed by the Government, if the said contract is subject to the Miller Act, (40 U.S.C. 270a-270e), which are collected, deducted, or withheld from wages paid by the Principal in carrying out the construction contract with respect to which this bond is furnished.

WITNESS:

The Principal and Surety(ies) executed this performance bond and affixed their seals on the above date.

PRINCIPAL			
SIGNATURE(S)	1. PACIFICORP % ENERGY WEST MINING COMPANY <i>Dean Brockbank</i> (Seal)	2. _____ (Seal)	3. _____ (Seal)
NAME(S) & TITLE(S) <i>(Typed)</i>	1. DEAN S. BROCKBANK V.P. & GEN. COUNSEL	2. _____	3. _____
Corporate Seal			

INDIVIDUAL SURETY(IES)			
SIGNATURE(S)	1. _____ (Seal)	2. _____ (Seal)	3. _____ (Seal)
NAME(S) & TITLE(S) <i>(Typed)</i>	1. _____	2. _____	3. _____

CORPORATE SURETY(IES)			
SURETY A	NAME & ADDRESS	TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA One Tower Square Hartford CT 06183	STATE OF INC. LIABILITY LIMIT CT \$ 100%
	SIGNATURE(S)	1. <i>Claudia A. Rathbun</i>	
	NAME(S) & TITLE(S) <i>(Typed)</i>	1. Claudia A. Rathbun Attorney-in-Fact	
Corporate Seal			

Don Wilcox
Forest Service Special-Use and Road Use Permit Applications
April 6, 2011
Page 2

Current Surety Bonds

Travelers bond no. in the amount of \$76,400.

This bond was issued on 4/25/2008.



P.O. Box 310
15 North Main Street
Huntington, Utah 84528

January 26, 2011
Mr. Don Wilcox
U.S. Forest Service
Manti-LaSal National Forest
599 West Price River Drive
Price, Utah 84501

**Re: Energy West Mining Company Coal Exploration (2011 Drilling)
Road Use Plan Update RUP #0410-03-48**

Dear Mr. Wilcox,

I have attached an updated yearly plan for Road Use Permit #0410-03-48, with road use activity projected for Energy West's 2011 exploration drilling project this summer (Exploration License UTU-88021). As mentioned in the plan, we would like to add about three miles of East Mountain access roads, FDR 244 and FDR 145, to the plan for this year's exploration program. Let me know if this addition can be added to the existing RUP (preferred), or if a new RUP will need to be issued.

If you require any additional information, please call me at (435) 687-4712.

Thank you for your assistance in this matter.

Sincerely,

Kenneth S. Fleck
Geology and Environmental Affairs Manager

Enclosures

cc: Darren Olson, U.S.F.S. Ferron Office
Scott Child, Interwest Mining
Chuck Semborski
File

Don Wilcox
Forest Service Special-Use and Road Use Permit Applications
April 6, 2011
Page 3

MAP

APPENDIX A – YEARLY OPERATION PLAN
2011 Exploration Drilling Program

Road Use Permit #0410-03-48 – Manti – LaSal National Forest

Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

Responsible Official:
Ken Fleck
Geology and Environmental Affairs Manager
435-687-4712

Contractor Companies:

Lancaster Drilling Company
Ron Lancaster
21338 H Road
Delta, CO 81416
970-874-6849

Skydance Helicopters, Inc.
Jeff Cane
101 Wass Way
Minden, NV 89423
775-782-4047

2011 Exploration Drilling Program Introduction:

The purpose of this Road Use Permit Appendix is to provide a yearly update to the Road Use Permit (expires 10/01/12) held by Energy West Mining Company to operate sufficient mobile transport equipment including pickup trucks with trailers and a dump truck to support a helicopter-assisted drilling program in Mill Fork and Cottonwood Canyons in the spring and summer of 2011. The Manti-LaSal National Forest already has a copy of the drill plan applications (Exploration License Application #UTU-088021, Notice of Intention to Conduct Minor Coal Exploration, and Special Use Permit Application (2010)). Three miles of FDR 145, from Cottonwood Canyon to the top of East Mountain, need to be added to the Road Use Permit.

Two of the drill sites (#1 and #11) are located alongside FDR 145 and will be accessed first without the aid of a helicopter, but will use the same portable equipment brought in by truck. This drilling equipment will then be staged to the remote off-road drill sites above Cottonwood and Mill Fork Canyons. Once the initial mobilization of drill equipment to the drill sites is completed, crew transport to and from the staging areas in Cottonwood and Mill Fork Canyons once per day will be the only road activity until the program is completed, an estimated 60 days. At the completion of the project, the drills and support equipment will be dis-assembled and transported by helicopter back down to the staging areas to be loaded on trailers to be transported off Forest lands.

The main staging area for this drilling project is located about 2 miles up the Mill Fork road (Forest Road #245) at the old turnoff to the Beaver Creek #4 mine loadout. There is

sufficient room at this site for equipment loading not to interfere with traffic. Mill Fork is a dead-end road; very little traffic has been observed through this area in past years drilling programs. The Mill Fork road is a former coal haul road that is graveled and will not rut when wet. During drilling operations, large yellow warning signs indicating helicopter drilling operations will be posted several hundred feet on both sides of the staging area. A secondary staging area will be in Cottonwood Canyon, in the SE ¼ NE ¼ of Section 27, T16S, R6E, on the east side of Forest Road #040.

The other road segments in this application, the Indian Canyon and Crandall Canyon roads, are alternate access routes to staging areas that might be needed in emergency circumstances or if the Mill Fork and Cottonwood staging areas cannot be used for some reason, including weather or helicopter operation factors.

Operation Plan:

Start-Up Date: (Tentative) June 1, 2011

FDR 244, 145	East Mountain Access Road	3 Miles
FDR 040	Cottonwood Creek Road	7 Miles
FDR 245	Mill Fork Canyon Road	2 Miles
Contingency Roads:		
FDR 248	Crandall Canyon Road	1.5 Miles
FDR 017	Indian Creek Road	2 Miles

Plan is to use the Cottonwood Canyon Road FDR 040 and East Mountain Road FDR 145 for initial access and mobilization of drilling equipment by road. Then the drill equipment will be moved by helicopter to the remote sites. The other roads designated are for secondary or contingency landing and staging areas.

Estimated Project Duration – 60 days (may include wildlife buffer delays)

Day 1 – Mobilize Rig #1 – Set up rig at site #11 on switchback - FDR 040 + FDR 145

2 Pickup trucks with trailers (Drilling Contractor)	1 trip each
1 Drill truck	1 trip
2 Pickup trucks (Energy West, Contractors)	2 trips each

Day 2 – Mobilize Rig #2 – Set up rig at site #1 along FDR 040 + FDR 145

2 Pickup trucks with trailers (Drilling Contractor)	1 trip each
1 Drill	1 trip
2 Pickup trucks (Energy West, Contractors)	2 trips each

Day 3 – Transport water hose by road to both sites – FDR 040 + FDR 145

1 Pickup truck with trailer (Drilling Contractor) 1 trip
2 Pickup trucks (Energy West, Contractors) 2 trips each

Day 4 – 10 – Access drill sites by road – FDR 040 + FDR 145

2 Pickup truck (Drilling Contractor) 1 trip
2 Pickup truck (Energy West) 1 trip

Day 11 – Move Rig #1 to remote drill site by helicopter - FDR 040 + FDR 145

2 Pickup trucks with trailers (Drilling Contractor) 2 trips each
1 Pickup truck with trailer (Helicopter Contractor) 1 trip
2 Pickup trucks (Energy West, Contractors) 2 trips each

Day 12 – Move Rig #1 to remote drill site by helicopter- FDR 040 + FDR 145

2 Pickup trucks with trailers (Drilling Contractor) 2 trips each
1 Pickup truck with trailer (Helicopter Contractor) 1 trip
2 Pickup trucks (Energy West, Contractors) 2 trips each

Day 13 – 27 Stage from Cottonwood Canyon road FDR 040 and/or Mill
Fork Road FDR 245

2 Pickup trucks with trailers (Drilling Contractor) 2 trips each
1 Pickup truck with trailer (Helicopter Contractor) 1 trip
2 Pickup trucks (Energy West, Contractors) 2 trips each

Day 28 – De-Mobilize Rig #1 - Stage to Cottonwood Canyon Road FDR 040

2 Pickup trucks with trailers (Drilling Contractor) 2 trips each
1 Dump truck 1 trip
1 Pickup truck with trailer (Helicopter Contractor) 1 trip
2 Pickup trucks (Energy West, Contractors) 2 trips each

Day 29 – De-Mobilize Rig #2 - Stage to Cottonwood Canyon Road FDR 040 and/or Mill
Fork Road FDR 245

2 Pickup trucks with trailers (Drilling Contractor) 2 trips each
1 Dump truck 1 trip
1 Pickup truck with trailer (Helicopter Contractor) 1 trip
2 Pickup trucks (Energy West, Contractors) 2 trips each

Day 30 – Transport water hose to Cottonwood Canyon Road FDR 040

1 Pickup truck with trailer (Drilling Contractor)	2 trips
1 Dump truck	1 trip
1 Pickup truck with trailer (Helicopter Contractor)	1 trip
2 Pickup trucks (Energy West, Contractors)	2 trips each

Total # of trips:

Pickup with trailer (Drilling Contractor)	23 trips
Dump truck	3 trips
Rig truck	2 trips
Pickup for crew transport (Drilling Contractor)	94 trips
Pickup for helicopter crew transport (Helicopter)	25 trips
Pickup for Energy West crew transport	118 trips

Total Estimated Number of Trips	262

Application for Permit Non-Federal Commercial Use of Roads Restricted by Order

(Reference FSM 7730)

NOTE: This report form is authorized by Acts of June 30, 1914; April 24, 1950; June 12, 1960, and October 14, 1964 (USC 478, 572, 530 and 532-38). No permit may be issued unless a completed Form 7700-40 is received.

FOR OFFICIAL USE ONLY					DATE OF APPLICATION
REGION 4	STATE Utah	COUNTY Emery	FOREST Manti-LaSal	RANGER DISTRICT Price/Ferron	April 8, 2008

1. APPLICANT (Name, address, and Zip code) TELEPHONE NUMBER

PacifiCorp
c/o Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

Ken Fleck
(435)687-4712

2. DESCRIPTION AND MILEAGE OF ROAD(S) OR ROAD SEGMENT(S) TO BE USED (as shown on attached map)

FDR 245	2.0 Miles	Mill Fork Canyon Road	PacifiCorp/USFS Road Improvement Project		
FDR 040	8.0 Miles	Cottonwood Creek Road	FDR 244	3.5 Miles	East Mountain Access Road
FDR 017	2.0 Miles	Indian Creek Road	FDR 190	4.0 Miles	Mill Canyon Road

3. PURPOSE OF USE

HAULING LOGS OR LUMBER

N/A
(Quantity) MBF

HAULING OTHER MATERIALS

N/A
(Quantity) TONS

DESCRIBE MATERIALS Equipment, supplies and personnel to support helicopter assisted coal exploration

located in Crandall Canyon and Mill Fork Canyon by PacifiCorp

and its affiliated subsidiary, Energy West Mining Company and/or contractors.

4. USE SCHEDULE

SEASON	NUMBER OF DAYS OF USE	TYPE OF TRUCK(S) TO BE USED	TYPE OF LOADING TO BE USED
Summer 2008	Less than 90 days	Flat Bed Truck	Helicopter Assisted
		Pickup Trucks	
		Semi-Truck	
		See Attached Usage Schedule	

5. PLANS FOR FUTURE USE (Not applied for on this application)

HAULING LOGS OR LUMBER

N/A
(Estimated Quantity) MBF

HAULING OTHER MATERIALS

N/A
(Estimated Quantity) TONS

DESCRIBE MATERIALS

ESTIMATED PERIOD OF USE FROM June 1, 2008 TO September 1, 2008

SIGNATURE OF APPLICANT

DATE

April 8, 2008

(OVER)

Mill Fork Helicopter Supported Coal Exploration Program

Truck - Pickups	<u>Cottonwood Canyon/Indian Creek FDR #040/017</u> Daily use – 2 Trucks June 1 – September 1 <u>Mill Fork Canyon FDR #245</u> Daily use – 1 Truck June 1 - September 1
Dump - 2 ton (6-wheeler)	<u>Mill Fork Canyon FDR #245</u> Single Trip Twice Between June 1 and September 1
Tractor Trailers - Semi-trailer	<u>Mill Fork Canyon FDR #245</u> Single Trip June 1 and September 1

GENERAL DESCRIPTION AND ADAPTABILITY OF ROAD(S) FOR PROPOSED USE. (Show road(s) on 1/8" Forest Transportation Map)

IMPROVEMENTS OR BETTERMENT WORK NEEDED ON ROAD(S) TO SAFELY ACCOMMODATE THE ADDITIONAL TRAFFIC

IMPROVEMENTS OR BETTERMENT WORK DESIRED

RECOMMENDATIONS OR COMMENTS. (Include any factors which might affect the granting of the hauling permit or future use of the road(s)).

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB #0598-0016), Washington, D.C. 20503.

REPORT SUBMITTED	NAME AND SIGNATURE	TITLE	DATE
REPORT APPROVED	NAME AND SIGNATURE	TITLE	DATE

PacifiCorp - Energy West Mining Company

Road Use Permit Application: April 8, 2008

Road Use Plan Update: January 25, 2011



**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

**APPENDIX 4
WATER RIGHTS APPROVAL**

April, 2011

PacifiCorp



GARY R. HERBERT
Governor
GREG BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director *State Engineer/Division Director*

ORDER OF THE STATE ENGINEER

For Temporary Change Application Number 93-243 (t37115)

Temporary Change Application Number 93-243 (t37115) in the names of Huntington Cleveland Irrigation Company, and PacifiCorp-Energy West Mining Co., was filed on January 31, 2011, to change the point of diversion, places of use, and uses of 0.86 acre-foot (af) of water as evidenced by Water Right Number 93-243. Heretofore, the water has been diverted from a surface source located North 1740 feet and East 160 feet from the S¼ Corner of Section 9, T17S, R8E, SLB&M. The water has been used for the irrigation of 0.215 acre from April 1 to October 31. The water was used in the service area for the Huntington-Cleveland Irrigation Company.

Hereafter, it is proposed to divert 0.86 acre-foot of water to points of diversion changed to: (1) Surface - South 1126 feet and East 1012 feet from the NW Corner of Section 25, T16S, R6E, SLB&M; (2) Surface - South 133 feet and West 1336 feet from the NE Corner of Section 20, T16S, R7E, SLB&M. The water is to be used for other purposes (coal exploration drilling). The place of use of the water is being changed to all or portion(s) of Section 24, T16S, R6E, SLB&M; Section 25, T16S, R6E, SLB&M; Section 19, T16S, R7E, SLB&M; and Section 20, T16S, R7E, SLB&M.

Notice of this temporary change application was not published in a newspaper. It is the opinion of the State Engineer that it meets the criteria of Section 73-3-3 of the Utah Code for the approval of temporary change applications.

It is, therefore, **ORDERED** and Temporary Change Application Number 93-243 (t37115) is hereby **APPROVED** subject to all prior rights and the following conditions:

- 1) No more water may be diverted during the use period than is represented by the stock in the Huntington-Cleveland Irrigation Company, or the equivalent that is approved by the Company in times of shortage.
- 2) The water being changed shall be regulated by the Huntington Creek Commissioner at the expense of the applicants.
- 3) Continued ownership of the stock certificates, which represent the underlying right for this change application, shall be required in order to maintain this change application.
- 4) No change of point of diversion or place of use of that water covered by this change shall be made without first obtaining the approval of the State Engineer.

- 6) The annual diversion and depletion limits may not exceed 0.86 acre-foot and 0.54 acre-foot¹ of water respectively.
- 7) If historical resources such as human remains (skeletons), prehistoric arrowheads/spear points, waste flakes from stone tool production, pottery, ancient fire pits, historical building foundations/remains, artifacts (glass, ceramic, metal, etc.) are found during construction, call the Utah Division of State History at (801) 533-3555.1)

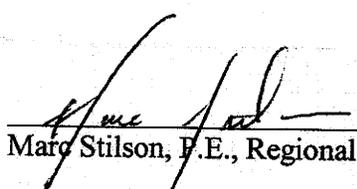
This application shall automatically expire one year from the date hereof.

It is the applicants' responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership.

Your contact with this office, should you need it, is with the Southeastern Regional Office. The telephone number is 435-613-3750.

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code which provide for filing either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Order. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this Order, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 7 day of FEBRUARY, 2011.



Marc Stilson, F.E., Regional Engineer

Mailed a copy of the foregoing Order this 7 day of FEBRUARY, 2011 to:

Huntington Cleveland Irrigation Company
P.O. Box 327
Huntington UT 84528

¹ Consumptive Use of Irrigated Crops in Utah," Research Report 145, Utah Agricultural Experiment Station, Utah State University, Logan, Utah, October 1994, Table 25 " Castle Dale Station.

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

**APPENDIX 5
MSDS SHEETS FOR PLATINUM PAC AND POLY
PLUS**

April, 2011

PacifiCorp

MATERIAL SAFETY DATA SHEET

MSDS NO. 12391

Trade Name: PLATINUM PAC*

Revision Date: 11/30/2004

1. CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

Trade Name: PLATINUM PAC*
Chemical Family: Polysaccharide
Product Use: Oil well drilling fluid additive.
Emergency Telephone (24 hr.): 281-561-1600

Supplied by: M-I HDD MINING & WATERWELL
A Business Unit of M-I L.L.C.
P.O. Box 42842
Houston, TX 77242
www.drilling-fluids.com

JOHN M.HOWA & SONS, INC.
651 N.CARBONVILLE ROAD
PRICE, UTAH 84501
(435) 637-2012

Telephone Number: 281-561-1512
Contact Person: Joanne Galvan, Product Safety Specialist

Revision Number: 0

HMIS Rating

Health: 1 Flammability: 1 Physical Hazard: 0 PPE: E

HMIS Key: 4=Severe, 3=Serious, 2=Moderate, 1=Slight, 0=Minimal Hazard. *Chronic effects - See Section 11. See Section 8 for Personal Protective Equipment recommendations.

2. HAZARDS IDENTIFICATION

Emergency Overview: Caution! May cause mechanical irritation of eyes, skin and respiratory tract. Long term inhalation of particulates may cause lung damage.

Canadian Classification:
UN PIN No: Not regulated

WHMIS Class: Not a controlled product.

Physical State: Powder, dust. Odor: Odorless Color: White to Light Yellow

Potential Health Effects:

Acute Effects

Eye Contact: May cause mechanical irritation
Skin Contact: May cause mechanical irritation.
Inhalation: May cause mechanical irritation.
Ingestion: May cause gastric distress, nausea and vomiting if ingested.

Carcinogenicity & Chronic Effects: See Section 11 - Toxicological Information.

Routes of Exposure: Eyes. Dermal (skin) contact. Inhalation.

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MATERIAL SAFETY DATA SHEET

Trade Name: PLATINUM PAC*

Revision Date: 11/30/2004

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MSDS NO. 12391

Target Organs/Medical
Conditions Aggravated by
Overexposure:

Eyes. Skin. Respiratory System.

3. COMPOSITION/INFORMATION ON INGREDIENTS

Ingredient	CAS No.	Wt. %	Comments:
Carboxymethylcellulose sodium salt	9004-32-4	100	No comments.

4. FIRST AID MEASURES

Eye Contact: Promptly wash eyes with lots of water while lifting eye lids. Continue to rinse for at least 15 minutes. Get medical attention if any discomfort continues.

Skin Contact: Wash skin thoroughly with soap and water. Remove contaminated clothing and launder before reuse. Get medical attention if any discomfort continues.

Inhalation: Move person to fresh air. If not breathing, give artificial respiration. If breathing is difficult, give oxygen. Get medical attention.

Ingestion: Dilute with 2 - 3 glasses of water or milk, if conscious. Never give anything by mouth to an unconscious person. If signs of irritation or toxicity occur seek medical attention.

General Notes: Persons seeking medical attention should carry a copy of this MSDS with them.

5. FIRE FIGHTING MEASURES

Flammable Properties

Flash Point: F (C): NA

Flammable Limits in Air - Lower (%): ND

Flammable Limits in Air - Upper (%): ND

Autoignition Temperature: F (C): ND

Flammability Class: NA

Other Flammable Properties: Particulate may accumulate static electricity. Dusts at sufficient concentrations can form explosive mixtures with air.

Extinguishing Media: Use extinguishing media appropriate for surrounding fire.

Protection Of Fire-Fighters:

Special Fire-Fighting Procedures: Do not enter fire area without proper personal protective equipment, including NIOSH/MSHA approved self-contained breathing apparatus. Evacuate area and fight fire from a safe distance. Water spray may be used to keep fire-exposed containers cool. Keep water run off out of sewers and waterways.

Hazardous Combustion Products: Oxides of: Carbon.

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Use personal protective equipment identified in Section 8.

Spill Procedures: Evacuate surrounding area, if necessary. Wet product may create a slipping hazard. Contain spilled material. Avoid the generation of dust. Sweep, vacuum, or shovel and place into closable container for disposal.

Environmental Precautions: Do not allow to enter sewer or surface and subsurface waters. Waste must be disposed of in accordance with federal, state and local laws.

MATERIAL SAFETY DATA SHEET

Trade Name: **PLATINUM PAC***

MSDS NO. 12391

Revision Date: 1/30/2004

Page 3/5

7. HANDLING AND STORAGE

Handling: Put on appropriate personal protective equipment. Avoid contact with skin and eyes. Avoid generating or breathing dust. Product is slippery if wet. Use only with adequate ventilation. Wash thoroughly after handling.

Storage: Store in dry, well-ventilated area. Keep container closed. Store away from incompatibles. Follow safe warehousing practices regarding palletizing, banding, shrink-wrapping and/or stacking.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Exposure Limits (TLV & PEL - 8H TWA):

Ingredient	CAS No.	Wt. %	ACGIH TLV	OSHA PEL	Other	Notes
Carboxymethylcellulose sodium salt	9004-32-4	100	NA	NA	NA	(1)

Notes

(1) Control as an ACGIH particulate not otherwise specified (PNOS): 10 mg/m³ (Inhalable); 3 mg/m³ (Respirable) and an OSHA particulate not otherwise regulated (PNOR): 15 mg/m³ (Total); 5 mg/m³ (Respirable).

Engineering Controls: Use appropriate engineering controls such as, exhaust ventilation and process enclosure, to ensure air contamination and keep workers exposure below the applicable limits.

Personal Protection Equipment

Eye/Face Protection: Dust resistant safety goggles.

Skin Protection: Not normally necessary. If needed to minimize irritation: Wear appropriate clothing to prevent repeated or prolonged skin contact. Wear chemical resistant gloves such as: Nitrile. Neoprene.

Respiratory Protection: If exposed to particulates/aerosols:
Use at least a NIOSH-approved N95 half-mask disposable particulate respirator. In work environments containing oil mist/aerosol use at least a NIOSH-approved P95 half-mask disposable or reuseable particulate respirator.
If exposed to organic vapors:
Use a NIOSH/MSHA-approved organic vapor respirator. CCROV: CCR with organic vapor cartridge.
A NIOSH/MSHA approved respirator with ammonia/methylamine cartridges should be used to protect against ammonia or amine inhalation exposure.

Refer to Exposure Limits table (Section 8) for component specific respiratory protection recommendations.

General Hygiene Considerations: Work clothes should be washed separately at the end of each work day. Disposable clothing should be discarded, if contaminated with product.

9. PHYSICAL AND CHEMICAL PROPERTIES

Color: White to Light Yellow
Odor: Odorless
Physical State: Powder, dust.
pH: 6.0 - 8.5 (1% solution)
Specific Gravity (H₂O = 1): 0.3 - 0.5
Solubility (Water): Soluble.
Flash Point: F (C): NA
Melting/Freezing Point: ND
Boiling Point: ND

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MATERIAL SAFETY DATA SHEET

Trade Name: PLATINUM PAC*

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MSDS NO. 12391

Vapor Pressure: NA
Vapor Density (Air=1): NA
Evaporation Rate: NA
Odor Threshold(s): ND

10. STABILITY AND REACTIVITY

Chemical Stability: Stable
Conditions to Avoid: Keep away from heat, sparks and flame.
Materials to Avoid: Oxidizers.
Hazardous Decomposition Products: For thermal decomposition products, see Section 5.
Hazardous Polymerization: Will not occur

11. TOXICOLOGICAL INFORMATION

Component Toxicological Data: Any adverse component toxicological effects are listed below. If no effects are listed, no such data were found.

Ingredient	CAS No.	Acute Data
Carboxymethylcellulose sodium salt	9004-32-4	Oral LD50: 27000 mg/kg (rat); Dermal LD50: >2000 mg/kg (rabbit); LC50: >5800 mg/m ³ /4H (rat)

Ingredient	Component Toxicological Summary
Carboxymethylcellulose sodium salt	Rats fed diets containing 2.5, 5 and 10% of this component for 3 months demonstrated some kidney effects. Effects were believed to be related to high sodium content of diet. (Food Chem. Toxicol.)

Product Toxicological Information:

Long term inhalation of particulate can cause irritation, inflammation and/or permanent injury to the lungs. Illnesses such as pneumoconiosis ("dusty lung"), pulmonary fibrosis, chronic bronchitis, emphysema and bronchial asthma may develop.

12. ECOLOGICAL INFORMATION

Product Ecotoxicity Data: Contact M-I Environmental Affairs Department for available product ecotoxicity data.
Biodegradation: ND
Bioaccumulation: ND
Octanol/Water Partition Coefficient: ND

13. DISPOSAL CONSIDERATIONS

Waste Classification: This product does not meet the criteria of a hazardous waste if discarded in its purchased form.
Waste Management: Under U.S. Environmental Protection Agency (EPA) Resource Conservation and Recovery Act (RCRA), it is the responsibility of the user to determine at the time of disposal, whether the product meets RCRA criteria for the hazardous waste. This is because product uses, transformations, mixtures, processes, etc., may render the resulting materials hazardous. Empty containers retain residues. All labeled precautions must be observed.
Disposal Method: Recover and reclaim or recycle, if practical. Should this product become a waste, dispose of in a permitted industrial landfill. Ensure that the containers are empty by the RCRA criteria prior to disposal in a permitted industrial landfill.

MATERIAL SAFETY DATA SHEET

Trade Name: **PLATINUM PAC***

Revision Date: 11/30/2004

MSDS NO. 12391

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14. TRANSPORT INFORMATION

U.S. DOT Shipping Description:	Not regulated for transportation by DOT, TDG, IMDG, ICAO/IATA.
Canada TDG Shipping Description:	Not regulated.
UN PIN No:	Not regulated.
IMDG Shipping Description:	Not regulated.
ICAO/IATA Shipping Description:	Not regulated.

15. REGULATORY INFORMATION

U.S. Federal and State Regulations

SARA 311/312 Hazard Categories: Not a SARA 311/312 hazard.

SARA 302/304, 313; CERCLA RQ, Note: If no components are listed below, this product is not subject to the referenced California Proposition 65: SARA and CERCLA regulations and is not known to contain a Proposition 65 listed chemical at a level that is expected to pose a significant risk under anticipated use conditions.

International Chemical Inventories

Australia AICS - Components are listed or exempt from listing.
Canada DSL - Components are listed or exempt from listing.
China Inventory - Components are listed or exempt from listing.
European Union EINECS - Components are listed or exempt from listing.
Japan METI ENCS - Components are listed or exempt from listing.
Korea TCCL ECL - Components are listed or exempt from listing.
Philippine PICCS - Components are listed or exempt from listing.
U.S. TSCA - Components are listed or exempt from listing.
U.S. TSCA - No components are subject to TSCA 12(b) export notification requirements.

Canadian Classification:

Controlled Products Regulations Statement: This product has been classified in accordance with the hazard criteria of the CPR and the MSDS contains all the information required by the CPR.

WHMIS Class: Not a controlled product.

16. OTHER INFORMATION

The following sections have been revised: New issue

NA - Not Applicable, ND - Not Determined.

*A mark of M-I L.L.C.

Disclaimer:

MSDS furnished independent of product sale. While every effort has been made to accurately describe this product, some of the data are obtained from sources beyond our direct supervision. We can not make any assertions as to its reliability or completeness; therefore, user may rely on it only at user's risk. We have made no effort to censor or conceal deleterious aspects of this product. Since we cannot anticipate or control the conditions under which this information and product may be used, we make no guarantee that the precautions we have suggested will be adequate for all individuals and/or situations. It is the obligation of each user of this product to comply with the requirements of all applicable laws regarding use and disposal of this product. Additional information will be furnished upon request to assist the user, however, no warranty, either expressed or implied, nor liability of any nature with respect to this product or to the data herein is made or incurred hereunder.

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(435) 637-2012



SAFETY DATA SHEET

POLY-PLUS (LIQUID)

1. IDENTIFICATION OF THE SUBSTANCE/PREPARATION AND COMPANY/UNDERTAKING

PRODUCT NAME: POLY-PLUS (LIQUID)

APPLICATIONS: Flocculant

SUPPLIER: M-I Drilling Fluids UK Ltd,
Pocra Quay,
Footdee,
Aberdeen. AB11 5DQ
Tel: 44 (0)1224 - 584336
Fax: 44 (0)1224 - 576119

EMERGENCY TELEPHONES: 001 281 561 1600 (USA)

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2. COMPOSITION/INFORMATION ON INGREDIENTS

NAME	EINECS Nr.:	CLASSIFICATION	CONTENT
DISTILLATES (PETROLEUM), HYDROTREATED LIGHT; KEROSENE - UNSPECIFIED	265-149-8	Xn R-65, 66	20-30 %
64742-47-8			

The Full Text for all R-Phrases are Displayed in Section 16

COMPOSITION COMMENTS: This product is classified as an irritant according to the EU Directives.

3. HAZARDS IDENTIFICATION

Irritating to skin.

4. FIRST AID MEASURES

INHALATION: Move the exposed person to fresh air at once. Keep the affected person warm and at rest. Get prompt medical attention.

INGESTION: DO NOT induce vomiting. Get medical attention immediately. Rinse mouth thoroughly with water and give large amounts of milk or water to people not unconscious.

SKIN: Wash off promptly and flush contaminated skin with water. Promptly remove clothing if soaked through and flush skin with water. Get medical attention if irritation persists after washing.

EYES: Promptly wash eyes with plenty of water while lifting the eye lids. Get medical attention promptly if symptoms occur after washing. Continue to rinse for at least 15 minutes.

5. FIRE FIGHTING MEASURES

EXTINGUISHING MEDIA: Water spray. Powder, foam or CO2.

SPECIAL FIRE FIGHTING PROCEDURES: Use water to keep fire exposed containers cool and disperse vapours. Use supplied air respirator if substance is involved in a fire.

HAZARDOUS COMBUSTION PRODUCTS: Fire or high temperatures create: Oxides of: Carbon. Nitrogen.

6. ACCIDENTAL RELEASE MEASURES

SPILL CLEANUP METHODS: Absorb in vermiculite, dry sand or earth and place into containers. Flush clean with lots of water. Be aware of potential for surfaces to become slippery. Do not let washing down water contaminate ponds or waterways.

7. HANDLING AND STORAGE

USAGE PRECAUTIONS: Avoid spilling, skin and eye contact. Ventilate well, avoid breathing vapours. Use approved respirator if air contamination is above accepted level.

STORAGE PRECAUTIONS: Keep in cool, dry, ventilated storage and closed containers. Keep in original container.

8. EXPOSURE CONTROLS AND PERSONAL PROTECTION

INGREDIENT NAME:	CAS No.:	STD	LT EXP 8 Hrs	ST EXP 15 Min
DISTILLATES (PETROLEUM), HYDROTREATED	64742-47-8	OES	5 mg/m3	10 mg/m3
LIGHT; KEROSENE - UNSPECIFIED				

PROTECTIVE EQUIPMENT:



VENTILATION: No specific ventilation requirements noted, but forced ventilation may still be required if air contamination exceeds acceptable level.

RESPIRATORS: Wear mask supplied with: Gas cartridge (organic substances).

PROTECTIVE GLOVES: Use protective gloves made of: Impermeable material. Rubber, neoprene or PVC.

EYE PROTECTION: Wear approved, tight fitting safety glasses where splashing is probable.

OTHER PROTECTION: Wear appropriate clothing to prevent any possibility of liquid contact and repeated or prolonged vapour contact. Provide eyewash station.

9. PHYSICAL AND CHEMICAL PROPERTIES

APPEARANCE: Liquid. Viscous

COLOUR:	White. Milky.		
ODOUR/TASTE:	Hydrocarbon. Ammonia.		
DENSITY/SPECIFIC GRAVITY (g/ml):	1 - 1.1	Temperature (°C):	
VAPOUR PRESSURE:	0.002 mmHg	Temperature (°C):	20
pH-VALUE, CONC. SOLUTION:	6 - 8		
SOLUBILITY DESCRIPTION:	Disperses.		
SOLUBILITY VALUE (g/100g H₂O 20°C):	5		
FLASH POINT (°C):	> 100	Method:	
AUTO IGNITION TEMP. (°C):	> 200		

10. STABILITY AND REACTIVITY

STABILITY:	Normally stable.
CONDITIONS TO AVOID:	Avoid extremes of temperature.
HAZARDOUS POLYMERIZATION:	Will not polymerize.
MATERIALS TO AVOID:	Strong oxidizing agents.
HAZARDOUS DECOMP. PRODUCTS:	Fire or high temperatures create: Oxides of: Carbon. Nitrogen.

11. TOXICOLOGICAL INFORMATION

TOXIC DOSE - LD 50:	> 5000 mg/kg (oral rat)
INHALATION:	Gas or vapour may irritate respiratory system.
INGESTION:	May cause discomfort if swallowed.
SKIN:	Irritating to skin. Acts as a defatting agent on skin. May cause cracking of skin, and eczema.
EYES:	Spray and vapour in the eyes may cause irritation and smarting.

12. ECOLOGICAL INFORMATION

Ecotoxicological data	Acute toxicity. LC50 fish > 100 mg/l Calculated
	Biodegradability. OECD-test. > 60% Mineral Oil
	Biodegradability. OECD-test. < 5% Polymer

13. DISPOSAL CONSIDERATIONS

DISPOSAL METHODS:

Recover and reclaim or recycle, if practical. Dispose of in accordance with Local Authority requirements. This material and its container must be disposed of as hazardous waste.

14. TRANSPORT INFORMATION

ROAD TRANSPORT NOTES: Not Classified
RAIL TRANSPORT NOTES: Not Classified.
SEA TRANSPORT NOTES: Not Classified.
AIR TRANSPORT NOTES: Not Classified.

15. REGULATORY INFORMATION**LABEL FOR SUPPLY:****RISK PHRASES:**

R-38 Irritating to skin.

SAFETY PHRASES:

S-26 In case of contact with eyes, rinse immediately with plenty of water and seek medical advice.
 S-28 After contact with skin, wash immediately with water and soap.
 S-23 Do not breathe gas/fumes/vapour/spray.

EU DIRECTIVES:

System of specific information relating to Dangerous Preparations. 91\155.

16. OTHER INFORMATION**USER NOTES:**

HMIS Health - 1 HMIS Flammability - 1 HMIS Physical Hazard - 1 J - Splash Goggles, Gloves, Synthetic Apron, Dust and Vapor Respirator.

INFORMATION SOURCES:

Sax's Dangerous Properties of Industrial Materials, 9th ed., Lewis, R.J. Sr., (ed.), VNR, New York, New York, (1997). Material Safety Data Sheet, Misc. manufacturers.

ISSUED BY:

Sarah Glover

REVISION DATE:

05-11-03

REV. No./REPL. SDS GENERATED:

4

PRINTING DATE:

2003-11-05

R-PHRASES (Full Text):

R-65 Harmful; may cause lung damage if swallowed. R-66 Repeated exposure may cause skin dryness or cracking.

DISCLAIMER:

MSDS furnished independent of product sale. While every effort has been made to accurately describe this product, some of the data are obtained from sources beyond our direct supervision. We cannot make any assertions as to its reliability or completeness; therefore, user may rely on it only at user's risk. We have made no effort to censor or conceal deleterious aspects of this product. Since we cannot anticipate or control the conditions under which this information and product may be used, we make no guarantee that the precautions we have suggested will be

adequate for all individuals and/or situations. It is the obligation of each user of this product to comply with the requirements of all applicable laws regarding use and disposal of this product. Additional information will be furnished upon request to assist the user; however, no warranty, either expressed or implied, nor liability of any nature with respect to this product or to the data herein is made or incurred hereunder.

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

**APPENDIX 6
CURRENT THREATENED AND ENDANGERED
SPECIES LIST
DIVISION OF WILDLIFE RESOURCES**

April, 2011

PacifiCorp

County Lists of Utah's Federally Listed Threatened(T), Endangered(E), and Candidate(C) Species

Disclaimer: This list was compiled using known species occurrences and species observations from the Utah Natural Heritage Program's Biodiversity Tracking and Conservation System (BIOTICS); other federally listed species likely occur in Utah Counties. This list includes both current and historic records. (Last updated on November 9, 2010).

Beaver County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Utah Prairie-dog	<i>Cynomys parvidens</i>	T

Box Elder County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Goose Creek Milkvetch	<i>Astragalus anserinus</i>	C
Least Chub	<i>lotichthys phlegethontis</i>	C
Lahontan Cutthroat Trout	<i>Oncorhynchus clarkii henshawii</i>	T
June Sucker	<i>Chasmistes liorus</i>	E
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C
Gray Wolf	<i>Canis lupus</i>	E

Cache County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Maguire Primrose	<i>Primula maguirei</i>	T
Ute Ladies' Tresses	<i>Spiranthes diluvialis</i>	LT
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C
Brown (Grizzly) Bear	<i>Ursus arctos</i>	T Extirpated
Canada Lynx	<i>Lynx canadensis</i>	T

Carbon County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Uinta Basin Hookless Cactus	<i>Sclerocactus wetlandicus</i>	T
Humpback Chub	<i>Gila cypha</i>	E
Bonytail	<i>Gila elegans</i>	E
Colorado Pikeminnow	<i>Ptychocheilus lucius</i>	E
Razorback Sucker	<i>Xyrauchen texanus</i>	E
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Black-footed Ferret	<i>Mustela nigripes</i>	E Extirpated
Gray Wolf	<i>Canis lupus</i>	E

Daggett County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	T
Humpback Chub	<i>Gila cypha</i>	E
Colorado Pikeminnow	<i>Ptychocheilus lucius</i>	E
Razorback Sucker	<i>Xyrauchen texanus</i>	E
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Black-footed Ferret	<i>Mustela nigripes</i>	E Extirpated
Brown (Grizzly) Bear	<i>Ursus arctos</i>	T Extirpated
Canada Lynx	<i>Lynx canadensis</i>	T

Davis CountyCommon Name

Least Chub
Yellow-billed Cuckoo

Scientific Name

Iotichthys phlegethontis
Coccyzus americanus

Status

C
C

Duchesne CountyCommon Name

Ute Ladies'-tresses
Shrubby Reed-mustard
Barneby Ridge-cress
Pariette Cactus
Uinta Basin Hookless Cactus
Greater Sage-grouse
Yellow-billed Cuckoo
Black-footed Ferret
Gray Wolf
Brown (Grizzly) Bear

Scientific Name

Spiranthes diluvialis
Glaucocarpum suffrutescens
Lepidium barnebyanum
Sclerocactus brevispinus
Sclerocactus wetlandicus
Centrocercus urophasianus
Coccyzus americanus
Mustela nigripes
Canis lupus
Ursus arctos

Status

T
E
E
T
T
C
C
E Experimental
E
T Extirpated

Emery CountyCommon Name

Jones Cycladenia
Maguire Daisy
Last Chance Townsendia
Barneby Reed-mustard
San Rafael Cactus
Winkler Pincushion Cactus
Wright Fishhook Cactus
Humpback Chub
Bonytail
Colorado Pikeminnow
Razorback Sucker
Greater Sage-grouse
Yellow-billed Cuckoo
Mexican Spotted Owl
Black-footed Ferret
Canada Lynx
Gray Wolf

Scientific Name

Cycladenia humilis var jonesii
Erigeron maguirei
Townsendia aprica
Schoenocrambe barnebyi
Pediocactus despainii
Pediocactus winkleri
Sclerocactus wrightiae
Gila cypha
Gila elegans
Ptychocheilus lucius
Xyrauchen texanus
Centrocercus urophasianus
Coccyzus americanus
Strix occidentalis lucida
Mustela nigripes
Lynx canadensis
Canis lupus

Status

T
T
T
E
E
T
E
E
E
E
C
C
T
E
E
E
E
C
C
T
E Extirpated
T
E

Garfield CountyCommon Name

Maguire Daisy
Ute Ladies'-tresses
Jones Cycladenia
Autumn Buttercup
Humpback Chub
Bonytail
Colorado Pikeminnow
Greater Sage-grouse
Mexican Spotted Owl
Utah Prairie-dog
Brown (Grizzly) Bear

Scientific Name

Erigeron maguirei
Spiranthes diluvialis
Cycladenia humilis var jonesii
Ranunculus aestivalis
Gila cypha
Gila elegans
Ptychocheilus lucius
Centrocercus urophasianus
Strix occidentalis lucida
Cynomys parvidens
Ursus arctos

Status

T
T
T
E
E
E
E
E
C
T
T
T Extirpated

Grand County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Jones Cycladenia	<i>Cycladenia humilis var jonesii</i>	T
Humpback Chub	<i>Gila cypha</i>	E
Bonytail	<i>Gila elegans</i>	E
Colorado Pikeminnow	<i>Ptychocheilus lucius</i>	E
Razorback Sucker	<i>Xyrauchen texanus</i>	E
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Gunnison Sage-grouse	<i>Centrocercus minimus</i>	C
Mexican Spotted Owl	<i>Strix occidentalis lucida</i>	T
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C
Black-footed Ferret	<i>Mustela nigripes</i>	E Extirpated

Iron County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Least Chub	<i>lotichthys phlegethontis</i>	C
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C
Mexican Spotted Owl	<i>Strix occidentalis lucida</i>	T
Utah Prairie-dog	<i>Cynomys parvidens</i>	T
Brown (Grizzly) Bear	<i>Ursus arctos</i>	T Extirpated

Juab County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Least Chub	<i>lotichthys phlegethontis</i>	C
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C

Kane County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Welsh's Milkweed	<i>Asclepias welshii</i>	T
Kodachrome Bladderpod	<i>Lesquerella tumulosa</i>	E
Siler Pincushion Cactus	<i>Pediocactus sileri</i>	T
Jones Cycladenia	<i>Cycladenia humilis var jonesii</i>	T
Kanab Ambersnail	<i>Oxyloma kanabense</i>	E
Coral Pink Sand Dunes Tiger Beetle	<i>Cicindela limbata albissima</i>	C
Humpback Chub	<i>Gila cypha</i>	E
Bonytail	<i>Gila elegans</i>	E
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Mexican Spotted Owl	<i>Strix occidentalis lucida</i>	T
Southwestern Willow Flycatcher	<i>Empidonax traillii extimus</i>	E
Utah Prairie-dog	<i>Cynomys parvidens</i>	T

Millard County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Least Chub	<i>lotichthys phlegethontis</i>	C
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Utah Prairie-dog	<i>Cynomys parvidens</i>	T

Morgan County

Common Name
 Greater Sage-grouse
 Yellow-billed Cuckoo
 Gray Wolf

Scientific Name
Centrocercus urophasianus
Coccyzus americanus
Canis lupus

Status
 C
 C
 E

Piute County

Common Name
 Greater Sage-grouse
 Utah Prairie-dog
 Brown (Grizzly) Bear

Scientific Name
Centrocercus urophasianus
Cynomys parvidens
Ursus arctos

Status
 C
 T
 T Extirpated

Rich County

Common Name
 Greater Sage-grouse
 Yellow-billed Cuckoo
 Black-footed Ferret

Scientific Name
Centrocercus urophasianus
Coccyzus americanus
Mustela nigripes

Status
 C
 C
 E Extirpated

Salt Lake County

Common Name
 Ute Ladies'-tresses
 Least Chub
 Greater Sage-grouse
 June Sucker
 Yellow-billed Cuckoo

Scientific Name
Spiranthes diluvialis
lotichthys phlegethontis
Centrocercus urophasianus
Chasmistes liorus
Coccyzus americanus

Status
 T
 C
 C
 E
 C

San Juan County

Common Name
 Navajo Sedge
 Humpback Chub
 Bonytail
 Colorado Pikeminnow
 Razorback Sucker
 Greater Sage-grouse
 Yellow-billed Cuckoo
 Mexican Spotted Owl
 Southwestern Willow Flycatcher
 Black-footed Ferret
 Gray Wolf

Scientific Name
Carex specuicola
Gila cypha
Gila elegans
Ptychocheilus lucius
Xyrauchen texanus
Centrocercus urophasianus
Coccyzus americanus
Strix occidentalis lucida
Empidonax traillii extimus
Mustela nigripes
Canis lupus

Status
 T
 E
 E
 E
 E
 C
 C
 T
 E
 E Extirpated
 E

Sanpete County

Common Name
 Heliotrope Milkvetch
 Greater Sage-grouse
 Utah Prairie-dog
 Brown (Grizzly) Bear
 Canada Lynx

Scientific Name
Astragalus montii
Centrocercus urophasianus
Cynomys parvidens
Ursus arctos
Lynx canadensis

Status
 T
 C
 T
 T Extirpated
 T

Sevier County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Last Chance Townsendia	<i>Townsendia aprica</i>	T
Wright Fishhook Cactus	<i>Sclerocactus wrightiae</i>	E
Heliotrope Milkvetch	<i>Astragalus montii</i>	T
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Utah Prairie-dog	<i>Cynomys parvidens</i>	T
Brown (Grizzly) Bear	<i>Ursus arctos</i>	T Extirpated
Canada Lynx	<i>Lynx canadensis</i>	T

Summit County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Brown (Grizzly) Bear	<i>Ursus arctos</i>	T Extirpated
Canada Lynx	<i>Lynx canadensis</i>	T
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C

Tooele County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	T
Least Chub	<i>lotichthys phlegethontis</i>	C
Bonytail	<i>Gila elegans</i>	E
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C

Uintah County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	T
Shrubby Reed-mustard	<i>Glaucocarpum suffrutescens</i>	E
Clay Reed-mustard	<i>Schoenocrambe argillacea</i>	T
Pariette Cactus	<i>Sclerocactus brevispinus</i>	T
Uinta Basin Hookless Cactus	<i>Sclerocactus wetlandicus</i>	T
White River Beardtongue	<i>Penstemon scariosus var albifluvis</i>	C
Humpback Chub	<i>Gila cypha</i>	E
Bonytail	<i>Gila elegans</i>	E
Colorado Pikeminnow	<i>Ptychocheilus lucius</i>	E
Razorback Sucker	<i>Xyrauchen texanus</i>	E
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C
Black-footed Ferret	<i>Mustela nigripes</i>	E Experimental
Brown (Grizzly) Bear	<i>Ursus arctos</i>	T Extirpated
Canada Lynx	<i>Lynx canadensis</i>	T

Utah County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	T
Deseret Milkvetch	<i>Astragalus desereticus</i>	T
Clay Phacelia	<i>Phacelia argillacea</i>	E
Least Chub	<i>lotichthys phlegethontis</i>	C
June Sucker	<i>Chasmistes liorus</i>	E
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C
Brown (Grizzly) Bear	<i>Ursus arctos</i>	T Extirpated

Wasatch CountyCommon Name

Ute Ladies'-tresses
 Clay Phacelia
 Greater Sage-grouse
 Yellow-billed Cuckoo
 Brown (Grizzly) Bear
 Canada Lynx

Scientific Name

Spiranthes diluvialis
Phacelia argillacea
Centrocercus urophasianus
Coccyzus americanus
Ursus arctos
Lynx canadensis

Status

T
 E
 C
 C
 T Extirpated
 T

Washington CountyCommon Name

Siler Pincushion Cactus
 Shivwits or Shem Milkvetch
 Holmgren Milkvetch
 Gierisch Mallow
 Dwarf Bearclaw-poppy
 Virgin Chub
 Woundfin
 Relict Leopard Frog
 Desert Tortoise
 Greater Sage-grouse
 Yellow-billed Cuckoo
 Mexican Spotted Owl
 Southwestern Willow Flycatcher
 Utah Prairie-dog
 Gray Wolf
 Brown (Grizzly) Bear

Scientific Name

Pediocactus sileri
Astragalus ampullarioides
Astragalus holmgreniorum
Sphaeralcea gierischii
Arctomecon humilis
Gila seminuda
Plagopterus argentissimus
Rana onca
Gopherus agassizii
Centrocercus urophasianus
Coccyzus americanus
Strix occidentalis lucida
Empidonax traillii extimus
Cynomys parvidens
Canis lupus
Ursus arctos

Status

T
 E
 E
 C
 E
 E
 E
 C Extirpated
 T
 C
 C
 T
 E
 T
 E
 T Extirpated

Wayne CountyCommon Name

Ute Ladies'-tresses
 Maguire Daisy
 Barneby Reed-mustard
 Winkler Pincushion Cactus
 Wright Fishhook Cactus
 Last Chance Townsendia
 San Rafael Cactus
 Humpback Chub
 Razorback Sucker
 Bonytail
 Colorado Pikeminnow
 Greater Sage-grouse
 Mexican Spotted Owl
 Yellow-billed Cuckoo
 Utah Prairie-dog

Scientific Name

Spiranthes diluvialis
Erigeron maguirei
Schoenocrambe barnebyi
Pediocactus winkleri
Sclerocactus wrightiae
Townsendia aprica
Pediocactus despainii
Gila cypha
Xyrauchen texanus
Gila elegans
Ptychocheilus lucius
Centrocercus urophasianus
Strix occidentalis lucida
Coccyzus americanus
Cynomys parvidens

Status

T
 T
 E
 T
 E
 T
 E
 E
 E
 E
 E
 C
 T
 C
 T

Weber County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	T
June Sucker	<i>Chasmistes liorus</i>	E
Greater Sage-grouse	<i>Centrocercus urophasianus</i>	C
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C
Gray Wolf	<i>Canis lupus</i>	E

DEFINITIONS

E

A taxon that is listed by the U.S. Fish and Wildlife Service as "endangered" with the probability of worldwide extinction.

E Experimental

An "endangered" taxon that is considered by the U.S. Fish and Wildlife Service to be "experimental and non-essential" in its designated use areas in Utah.

E, T, or C Extirpated

An "endangered," "threatened," or "candidate" taxon that is "extirpated" and considered by the U.S. Fish and Wildlife Service to no longer occur in Utah.

E or T Proposed

A taxon "proposed" to be listed as "endangered" or "threatened" by the U.S. Fish and Wildlife Service.

T

A taxon that is listed by the U.S. Fish and Wildlife Service as "threatened" with becoming endangered.

C

A taxon for which the U.S. Fish and Wildlife Service has on file sufficient information on biological vulnerability and threats to justify it being a "candidate" for listing as endangered or threatened.

Note: Please contact the U.S. Fish and Wildlife Service (801-975-3330) for the purpose of consultation under the Endangered Species Act.

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

**APPENDIX 7
ARCHAEOLOGICAL SURVEYS -
IN CONFIDENTIAL ENVELOPE
Hole #11 Survey Completed 2010
2011-1 and 2011-2 Survey Pending**

April, 2011

PacifiCorp

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

**APPENDIX 8
MAPS -**

**(RAPTOR & FLIGHT LINE MAP
IN CONFIDENTIAL ENVELOPE)**

April, 2011

PacifiCorp