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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

November 28, 2012

Kenneth S. Fleck, Manager of Geology and Environmental Affairs  
Energy West Mining Company  
P.O. Box 310  
Huntington, Utah 84528

Subject: Conditional Approval of Update Legal & Financial, Deer Creek Mine, PacifiCorp, C/015/0018, Task ID #4203

Dear Mr. Fleck:

The above-referenced amendment is approved conditioned upon receipt of 2 clean copies prepared for incorporation. These clean copies must include corrections to typos on page 6, inclusion of Underground Right of Entry Information for the Trail Mountain mine, and a correction to the typo in the Disturbed Area Reconciliation Table for the Des Bee Dove Mine in Appendix G. Also, the acreages on page CTW-2 of Appendix G need to be corrected. Please submit these copies by December 26, 2012. Once we receive these copies, final approval will be granted.

A stamped incorporated copy of the approved plans will also be returned to you at that time, for insertion into your copy of the Mining and Reclamation Plan. This modification does not necessitate an update to the Technical Analysis.

If you have any questions, please call me at (801) 538-5325 or (James Owen) at (801) 538-5306.

Sincerely,

Daron R. Haddock  
Coal Program Manager

DRH/JCO/sqs  
Attachment  
cc: Price Field Office  
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# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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November 27, 2012

TO: Internal File ADZ

THRU: Daron Haddock, Permit Supervisor

FROM: James Owen, Lead JO

RE: Update Legal & Financial, Energy West Mining Company, Deer Creek Mine, C/015/0018, Task #4203

## **SUMMARY:**

On October 22, 2012 the Utah Division of Oil Gas & Mining received an application for an amendment to the Mining & Reclamation Plan (MRP) of the Deer Creek Mine. An adjustment to the amendment was submitted November 5, 2012. The application seeks approval to update the Legal and Financial Volume. This memo addresses the application's compliance with the administrative (R645-301-100) sections of the Utah Coal Mining Rules.

**TECHNICAL MEMO**

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**TECHNICAL ANALYSIS:**

**GENERAL CONTENTS**

**IDENTIFICATION OF INTERESTS**

Regulatory Reference: 30 CFR 773.22; 30 CFR 778.13; R645-301-112

**Analysis:**

Pages 1-12 of the Legal and Financial Section provide details and identification of interests, organization structure, resident agent, corporate directors & officers, names, numbers, dates of issuance, surface owners, subsurface owners, right of entry, MSHA numbers, violation information, status of unsuitability claims, permit term, certificate of liability, and proof of publication.

Permit renewal dates were updated on pages 4 & 5 for interests held.

Surface and subsurface ownership information was updated on page 7.

**Findings:**

Contents and information provided are sufficient enough to meet the minimum requirements of this section of the Utah Coal Mining Rules.

**RIGHT OF ENTRY**

Regulatory Reference: 30 CFR 778.15; R645-301-114

**Analysis:**

Pages 6 of the Legal and Financial Section provides of the right of entry acreages and the permit acreages for Cottonwood/Wilberg, Deer Creek, Des Bee Dove, and Trail Mountain. Three typos were identified on page 6: Permit acreage for Cottonwood/Wilberg should be 4,114.18, right of entry acreage for Des Bee Dove should total 1000. And the permit acreage for Trail Mountain should be left at 3538.98

Underground Right of Entry Information for the Trail Mountain mine needs to be included with the submittal to verify the number provided on page 6.

**Findings:**

Contents and information provided are conditionally sufficient enough to meet the minimum requirements of this section of the Utah Coal Mining Rules. Typos need correction.

**PERMIT TERM**

Regulatory References: 30 CFR 778.17; R645-301-116.

**Analysis:**

Pages 1-12 of the Legal and Financial Section provide details on the permit term information for the Deer Creek Mine & its interests.

The application includes a Disturbed Area Reconciliation Table for the Des Bee Dove Mine in Appendix G. The table has the total disturbed acreage at 36.02, which is a typo needing to be corrected and changed to 40.9 acres. Also, the acreages on page CTW-2 of Appendix G need to be corrected.

**Findings:**

Contents and information provided are conditionally sufficient enough to meet the minimum requirements of this section of the Utah Coal Mining Rules. Typos need correction.

**RECOMMENDATIONS:**

Conditional approval is recommended at this time based on receipt of clean copies with corrections of typos on page 6, additions for Trail Mountain in Appendix C, and correction of a typo in Appendix G.

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