



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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July 6, 1999

J. Craig Smith, Esq.  
Nielson & Senior  
60 East South Temple, Suite 1100  
Salt Lake City, Utah 84111

Re: Permit Renewal Application, PacifiCorp, Cottonwood/Wilberg Mine, ACT/015/019-RN99, File #2, Emery County, Utah

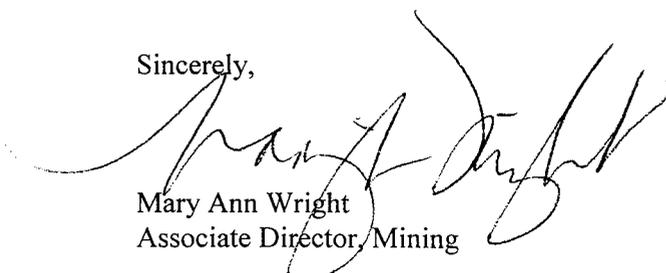
Dear Mr. Smith:

I am in receipt of your letter dated June 28, 1999, regarding the permit renewal for this mine. Since your comments seem to center around the May 17, 1999, US Forest Service letter from Janette Kaiser to Mary Ann Wright, please refer back to that letter to see that the issue being discussed in that letter is being associated with the Deer Creek Mine and not the Cottonwood/Wilberg mine. The reason for this is that Pacificorp did not mine the coal seam in the lease with which the concern of hydrologic impacts is generally trying to be associated. Therefore, this Division is proceeding with Permit Renewal of the Cottonwood/Wilberg mine permit since we cannot find that your stated concern is materially related to this mine permit.

Should you wish to resubmit this concern in relation to the appropriate mine, please be advised that this Division has already conducted an extensive and lengthy review of the data available (from May 1998 through October 1998) and was not able to make any definitive finding of a connection between mining and alleged hydrologic impacts, nor were we able to make a finding of material damage at this site.

Thank you for your letter of concern.

Sincerely,

  
Mary Ann Wright  
Associate Director, Mining