



United States Department of the Interior

OFFICE OF SURFACE MINING

Reclamation and Enforcement

P.O. Box 46667

Denver, Colorado 80201-6667

UT-0001

UT-0015

UT-0016

IN REPLY REFER TO:

July 11, 2006

Utah Division of Oil, Gas, & Mining
Coal Regulatory Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Lucas
cc: C/015/0017
C/015/0018
C/015/0019
2546

RE: PacifiCorp "Cottonwood/Wilberg, Des-Bee-Dove, and Deer Creek" Mines - Application for a Permit Revision, Revised Hydrology Section, Task ID No. ~~25446~~

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) June 9, 2006, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Revised Hydrology Section, has determined that it proposes to add the Rilda Canyon - Huntington Cleveland Irrigation agreement and the Little Bear Spring mitigation agreement to Volume 9 of the approved permit application package for the Cottonwood/Wilberg mine, Utah State permit C/015/019, the Des-Bee-Dove mine, Utah State permit C/015/017, and the Deer Creek mine, Utah State permit C/015/018..

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Revised Hydrology Section, with other Federal agencies for compliance with other Federal regulations.

RECEIVED
JUL 17 2006
DIV. OF OIL, GAS & MINING

OSM also electronically transmitted the June 9, 2006, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

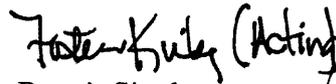
In an electronic submittal dated June 14, 2006, the U.S. Forest service stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

The Bureau of Land Management did not provide any comments in the thirty day time frame established by the Federal regulations under 30 CFR 944.30, Article VI. D.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please ~~contact~~ Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

A handwritten signature in black ink that reads "Ranvir Singh (Acting)". The signature is written in a cursive, somewhat stylized font.

Ranvir Singh
Manager, Northwest Branch

cc: BLM - Utah State Office
BLM - Price Field Office
USFS - Manti-La Sal NF
Denver Field Division