

0004

C/015/019
cc: Ingrid

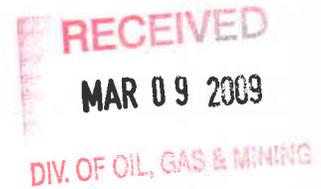
Incoming
R



Energy West Mining Company
P.O. Box 310
15 No Main Street
Huntington, Utah 84528

March 4, 2009

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



Re: Permit Renewal for the PacifiCorp, Cottonwood Mine, C/015/0019, Emery County, Utah.

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits an application for permit renewal for the Cottonwood Mine. The current permit term expires July 6, 2009. The said application conforms to the requirements set forth in R645-300-120 and R645-303-230 of the State of Utah R645-Coal Mining Rules and Regulations, revised August 1, 2006.

As required in R645-303-232.250 and R645-301-830.300, the Means Historical Cost Index has been escalated to the year 2012 as the result of the mid-term review in 2007. A surety bond is held (payable to the Division) in the amount of \$3,252,000.00. Enclosed with this application is a proposed public notice, proof of liability insurance, updated NOV list and evidence of a performance bond to remain in effect for the operation required by R645-303-232.

Enclosed are three (3) copies of the permit renewal application with the required C1 Form. If you have any questions or concerns regarding this application, please contact me at (435) 687-4712 or Dennis Oakley at (435) 687-4825.

Sincerely,

A handwritten signature in blue ink that reads "Kenneth S. Fleck".

Kenneth Fleck
Manager of Geology and Environmental Affairs

Enclosures - Public Notice
Certificate of Liability
Evidence of Performance Bond
NOV List

Cc: Scott Child (IMC w/enclosures)
File

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: PacifiCorp

Mine: Cottonwood/Wilberg Mine

Permit Number: C/015/0019

Title: Permit Renewal for the PacifiCorp, Cottonwood Mine, C/015/0019, Emery County, Utah

Description, Include reason for application and timing required to implement:
Cottonwood/Wilberg Mine permit expires on July 6, 2009.

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Kenneth Fleck
 Print Name

Kenneth S. Fleck
 Sign Name, Position, Date

Manager of Environmental Affairs 3/05/09

Subscribed and sworn to before me this 5th day of March, 2009

Jenene Hansen
 Notary Public
 My commission Expires: 4-17 - 2012
 Attest: State of Utah } ss:
 County of Emery



For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining

RECEIVED
MAR 09 2009
 DIV. OF OIL, GAS & MINING



Cottonwood/Wilberg Mine

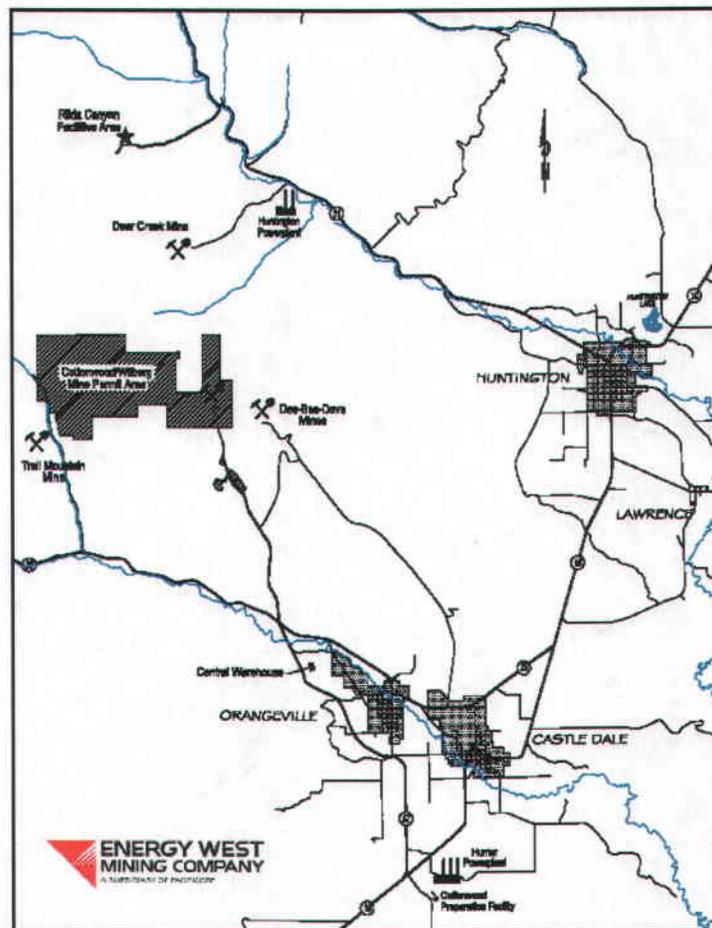
Public Notice

**PacifiCorp
Cottonwood/Wilberg Mine
C/015/0019**

Permit Renewal Application

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

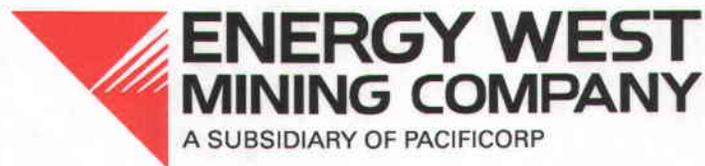
PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits an application for a permit renewal of the Cottonwood/Wilberg Mine for the purposes of conducting underground coal mining and related surface activities. The mine is currently in temporary cessation and has been since May, 2001. The permit area encompasses approximately 4,128.43 acres located in Township 17 South, Range 6 East, in the portions of Sections 13, 24, and 25; Township 17 South, Range 7 East, in the portions of Sections 15 through 18, 21, 22, 27 through 30, and 34, and totaling encompassing all of Sections 19 and 20. The total disturbed area of the mine is 62.24 acres. Contact the address above for detailed locations information. For convenience, a general location map is provided below.



A surety bond is filed with the Division of Oil, Gas and Mining and is payable to the State of Utah, Division of Oil, Gas and Mining (DOGGM), and the Office of Surface Mining Reclamation and Enforcement (OSM).

A copy of the permit renewal application may be examined at the office of the Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801 and also at the Records Office located in the Emery County Courthouse in Castle Dale, Utah. Written comments, objections, or requests for an informal conference may be submitted to the Division of Oil, Gas, and Mining address above. Said comments must be submitted thirty (30) days from the date of the last publication of this notice. This notice is being published to comply with the Surface Mining Control and Reclamation Act of 1977, and State and Federal regulations promulgated pursuant to said Act.

Published in the Emery County Progress on XX, XX, XX, and XX.



Cottonwood/Wilberg Mine

Certificates of Liability



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

COPY

HAND DELIVERED

August 28, 2008

Daron Haddock
Permit Supervisor
Division of Oil, Gas & Mining
Utah Department of Natural Resources
1594 West North Temple - Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-145801

**RE: Certificates of Liability Insurance, Policy No.X0720A1A08,
Des-Bee-Dove Mine C/015/0017, Deer Creek Mine C/015/0018,
Cottonwood Mine C/015/0019, Trail Mountain Mine C/015/0009
Policy Period from 8-28-2008 to 8-28-2009; Folder #2, Emery County, Utah**

Dear Daron:

Enclosed are replacement certificates of liability insurance for the referenced coal mine operations for the policy period of 8-28-2008 to 8-28-2009. Should you have any questions or need any additional information, please feel free to contact me at 801-220-4612.

Sincerely,

Scott M. Child
Manager, Lands & Regulatory Affairs

Enclosures

SMC\EnergyWest\DOGM 2008-01(certs).doc

cc: D. Smaldone, C. Pollastro – IMC w/copy encl.
E. Snow, K. Fleck, D. Oakley – EWMC w/copy encl.
J. Rothenhoefer – LCT 1800 w/copy
M. Reed – NTO 120

RECEIVED

AUG 28 2008

DIV. OF OIL, GAS & MINING

CERTIFICATE OF LIABILITY INSURANCE

**Issued to:
State of Utah
Department of Natural Resources
Division of Oil, Gas, and Mining**

THIS IS TO CERTIFY THAT:

Associated Electric & Gas Insurance Services Limited
(Name of Insurance Company)

ARGUS Insurance Building, 12 Wesley St. P.O. Box BM 1064, Hamilton, Bermuda
(Home Office Address of Insurance Company)

HAS ISSUED TO:

PacifiCorp (Successor in interest to Utah Power & Light)
(Name of Permittee)

COTTONWOOD/WILBERG
(Mine Name)

C/015/019
(Permit Number)

CERTIFICATE OF INSURANCE:

X0720A1A08
(Policy Number)

8/28/2008– 8/28/2009
(Effective Date)

UNDER THE FOLLOWING TERMS AND CONDITIONS:

Per R645-301-890 Terms and Conditions for Liability Insurance:

- A. The DIVISION Shall require the PERMITTEE to submit as part of its permit application a certificate issued by an insurance company authorized to do business in the State of Utah certifying that the applicant has a public liability insurance policy in force for the surface coal mining and reclamation operations for which the permit is sought. Such policy shall provide for personal injury and property damage protection in an amount adequate to compensate any person's injury or property damage as a result of the surface coal mining and reclamation operations, including the use of explosives and who are entitled to compensation under the applicable provisions of state law. Minimum insurance coverage for bodily injury and property damage shall be \$300,000 for each occurrence and \$500,000 aggregate.
- B. The policy shall be maintained in full force during the life of the permit or any renewal thereof, including the liability period necessary to complete all reclamation operations under this chapter.

C. The policy shall include a rider requiring that the insurer notify the Division whenever substantive changes are made in the policy including any termination or failure to renew.

IN ACCORDANCE WITH THE ABOVE TERMS AND CONDITIONS, and the Utah Code Annotated 40-10-1 et seq., the Insurance Company hereby attests to the fact that coverage for said Permit Application is in accordance with the requirements of the State of Utah and agrees to notify the Division of Oil, Gas, and Mining in writing of any substantive changes, including cancellation, failure to renew, or other material change. No change shall be effective until at least thirty (30) days after such notice is received by the Division. Any change unauthorized by the Division is considered breach of the RECLAMATION AGREEMENT and the Division may pursue remedies thereunder.

UNDERWRITING AGENT:

Kevin Hartnett
(Agent's Name)

201-508-2791
(Phone)

AEGIS Insurance Services
(Company Agent's Name)

1 Meadowlands Plaza
(Mailing Address)

East Rutherford, NJ 07073
(City, State, Zip Code)

The undersigned affirms that the above information is true and complete to the best of his/her knowledge and belief, and that he or she is an authorized representative of the above-named insurance company. (An Affidavit of Qualification must be completed and attached to this form for each authorized agent of officer).

Sandra A. Johnson 8/19/08
(Date, Signature and Title of Authorized Agent of Insurance Company)

Signed and sworn before me by Sandra A. Johnson

This 19th day of August 2008

[Signature]
(Signature)

IVETTE BRITO
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JULY 20, 2009

My commission Expires: 7/20/09
(Date)

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/15/2008

PRODUCER
Aon Risk Services Central, Inc.
fka Aon Risk Services, Inc. of Nebraska
Insurance Services CA License #0E16975
11213 Davenport
Suite 201
Omaha NE 68154 USA
PHONE: (402) 697-1400 FAX: (402) 697-0017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
PacifiCorp
db Pacific Power, Rocky Mountain Power
and PacifiCorp Energy
825 NE Multnomah, #1800
Portland OR 97232 USA

INSURERS AFFORDING COVERAGE		NAIC #
INSURER A:	Assoc Electric & Gas Ins Serv Ltd -AEGIS	00152L
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		

COVERAGES STR May Apply

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. LIMITS SHOWN ARE AS REQUESTED

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X0720A1A08 \$35M Excess Liability	08/28/08	08/28/09	EACH OCCURRENCE	\$2,000,000
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT	
						OTHER THAN AUTO ONLY: EA ACC	
						AGG	
A		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION	X0720A1A08 \$35M Excess Liability	08/28/08	08/28/09	EACH OCCURRENCE	\$35,000,000
						AGGREGATE	\$35,000,000
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS	OTHER
						E.L. EACH ACCIDENT	
						E.L. DISEASE-EA EMPLOYEE	
						E.L. DISEASE-POLICY LIMIT	
		OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
 Damage due to the use of explosives and subsidence is covered. Insurance company will notify the State of Utah of any changes to the cancellation.
 Re: Cottonwood/Wilburg: C/015/019

CERTIFICATE HOLDER
 State of Utah, Dept of Natural Resources, Division of Oil, Gas & Mining
 1594 W. North Temple, Ste. 1210
 Salt Lake City UT 84180-1203 USA

CANCELLATION
 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE *Sandra X. Johnson*

Holder Identifier :
Certificate No : 570030099498



ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED
Hamilton, Bermuda

CERTIFICATE OF INSURANCE
(Excess Liability)

This Certificate is furnished to the Certificate Holder named below as a matter of information only. Neither this Certificate nor the issuance hereof modifies the policy of insurance identified below (the "Policy") in any manner. The Policy terms are solely as stated in the Policy or in any endorsement thereto. Any amendment, change or extension of the Policy can only be effected by a specific endorsement issued by the Company and attached to the Policy.

The undersigned hereby certifies that the Policy has been issued by Associated Electric & Gas Insurance Services Limited (the "Company") to the Named Insured identified below for the coverage described and for the policy period specified.

Notwithstanding any requirements, terms or conditions of any contract or other document with respect to which this Certificate may be issued or to which it may pertain, the insurance afforded by the Policy is subject to all of the terms of the Policy.

NAME OF INSURED: PacifiCorp dba Pacific Power, Rocky Mountain Power and PacifiCorp Energy

PRINCIPAL ADDRESS: 825 NE Multnomah, #1800, Portland, Oregon 97232

POLICY NUMBER: X0720A1A08 **POLICY From:** August 28, 2008
PERIOD: To: August 28, 2009

DESCRIPTION OF COVERAGE: Excess Liability Policy covering claims for Bodily Injury, Property Damage and Personal Injury arising from the operations described below.

LIMIT OF LIABILITY: \$ 20,000,000 per occurrence and in the aggregate, where applicable.

ADDITIONAL INSURED: The Certificate Holder is an additional Insured under the Policy but only:
(i) to such extent and for such Limits of Liability (subject always to the terms and Limits of Liability of the Policy) as the Named Insured has agreed to provide insurance for the Certificate Holder under the following contract:
Cottonwood/Wilberg: C/015/019
and (ii) with respect to the following operations:
Damage due to the use of explosives and subsidence is covered. Insurance Company will notify State of Utah of any changes or cancellation.

Should the Policy be cancelled, assigned or changed in a manner that is materially adverse to the Insured(s) under the Policy, the undersigned will endeavor to give 45 days advance written notice thereof to the Certificate Holder, but failure to give such notice will impose no obligation or liability of any kind upon the Company, the undersigned or any agent or representative of either.

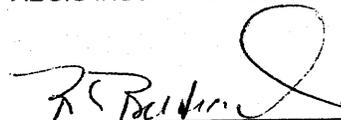
DATE: August 10, 2008

ISSUED TO: The State of Utah, Dept. of Natural Resources ("Certificate Holder")
Division of Oil, Gas & Mining

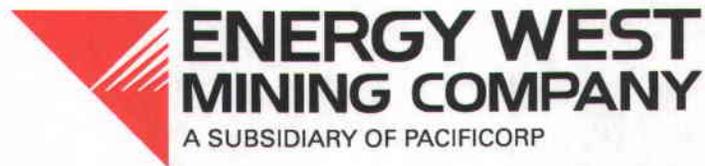
ADDRESS: 1594 West North Temple, Suite 1210, Salt Lake City, UT 84114-5801

AEGIS INSURANCE SERVICES, INC.

BY:



At East Rutherford, New Jersey



Cottonwood/Wilberg Mine

Evidence of Performance Bond



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

HAND DELIVERED

July 31, 2007

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Division of Oil, Gas & Mining
Utah Department of Natural Resources
1594 West North Temple - Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-145801

**RE: Reclamation Bond Increase Rider – Cottonwood Mine Permit
C/015/0019, Emery County, Utah**

Dear Pam:

In response to the letter dated May 22, 2007, from the Division of Oil, Gas & Mining (DOGM) addressed to Ken Fleck of Energy West Mining Company, enclosed is a increase rider bond to Travelers Bond No. 103771497 increasing the amount from \$3,082,587 to \$3,252,000 as a result of DOGM's mid-term review of the Cottonwood mine permit. With this transmittal, we are providing the following to update the Cottonwood Mine Reclamation Agreement accordingly:

1. Revised Exhibit "A" (Bonded Area Legal Descriptions) together with 6 (six) updated bond maps.
2. Exhibit "B" (Rider Bond to Travelers Bond No. 103771497 increasing the amount from \$3,082,587 to \$3,252,000).
3. Exhibit "D" (Stipulation to Revise Reclamation Agreement) noting the purpose of this bonding change.

A complete copy of this information has been sent to our Energy West Mining Company offices located in Huntington, Utah.

RECEIVED
AUG 01 2007
DIV. OF OIL, GAS & MINING

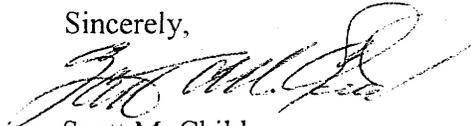
Pamela Grubaugh-Littig

July 31, 2007

Page 2

Should you have any questions or need any additional information, please feel free to contact Ken Fleck or Dennis Oakley of Energy West Mining Company at 435-687-4712 or 435-687-4825 (respectively) or myself at 801-220-4612.

Sincerely,



Scott M. Child

Manager, Lands & Regulatory Affairs

Enclosures

SMC\EnergyWest\DOGM 2007-03(COTIncreaseRiderBond).doc

cc: IMC w/o encl. – N. Getzelman
EWMC w/encl. – E. Snow, K. Fleck, D. Oakley
PacifiCorp Risk Mgmt. w/encl. LCT 1800 – Kathie Reinhart (B-SUR-747)
Aon Risk Services – Claudia Rathbun w/encl.
5000 Central Park Drive, Suite 204
Lincoln, NE 68504

B-SUR-747

Bond No. 103771497

Amount of Bond \$3,082,587.00

Principal PACIFICORP

Hereby increased to \$3,252,000.00

Obligee STATE OF UTAH

As of the 15th day of June , 2007, the amount of the above described bond is increased from the sum of \$3,082,587.00 to the sum of \$3,252,000.00 , and the aggregate liability for any and all acts and defaults, whenever committed, shall in no event exceed the sum last named, it being the intent hereof to preclude cumulative liability. This certificate, when signed by the Principal, shall become a part of the said bond.

Signed, sealed and dated this 15th day of June . 2007.

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

By: Claudia A. Rathbun
Claudia A. Rathbun Attorney-in-Fact

I hereby consent to the above increase.

Witness my hand and seal this 31st day of July , 2007.
PACIFICORP

Jeffery B. Erb
Attest
Jeffery B. Erb
Assistant General Counsel

William J. Fehrman
Principal (Seal)
William J. Fehrman
President, PacificCorp Energy

INSTRUCTIONS TO AGENTS — IMPORTANT

Do not deliver this certificate to the Obligee until it has been dated and signed by the Principal. One signed copy must be returned to the Surety.

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. 217696

Certificate No. 001150868

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, S. P. Eberhart, Claudia A. Rathbun, and Barbara Lorimor

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 September, 2006.

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: *George W. Thompson*
George W. Thompson, Senior Vice President

On this the 5th day of September, 2006, 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.



Marie C. Tetreault
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of 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

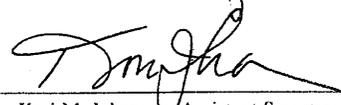
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing 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 15th day of June, 2007


Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.stpaultravelersbond.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.



Cottonwood/Wilberg Mine

NOV List

PacifiCorp NOV List
Last Revised
03/04/2009

Company	NOV Date	Pit/Mine	Permit #	NOV #	Agency	Nature of NOV	Assessment	Status	Status Date	Comments	MSHA # and Date of Issuance
Energy West Mining Company	02/08/2006	Deen Creek Mine	C/015/0018	06-39-1-1	DOGM	Failed to submit water quality information in required time period	\$ 242.00	Abated	06/23/2006	Paid Penalty	42-00121 (March 19, 1973)
Energy West Mining Company	08/13/2008	Deer Creek Mine	C/015/0018	10029	DOGM	Failure to allow DOGM to review and approve prior to conducting exploration activities	\$ 3,300.00	Vacated	11/12/2008	No Penalty Assessed	42-00121 (March 19, 1973)
Bridger Coal Company	08/01/2007	Jim Bridger Mine	338-T6	4123-07	WDEQ-WQD	Failure to obtain Permit to Construct prior to drilling water well	\$ 4,000.00	Terminated	10/26/2007	Paid Penalty	48-01645 (1/23/2004)
Bridger Coal Company	01/29/2009	Jim Bridger Mine	338-T6	100370	WDEQ-LQD	Failed to submit responses to agency review comments on 2007 Annual Report in reasonable time	\$0	Abatement in progress	03/04/2009	No Penalty Assess; third round review comments being answered	48-00677 (9/28/1973) 48-01645 (1/23/2004)