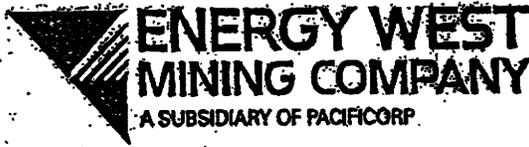


0016

6/15/09 Incoming

#3224
OK



Huntington Office
PO Box 310
15 N. Main Street
Fax: (435) 687-2695
Purchasing Fax: (435) 687-9092
Phone: (435) 687-9821

Deer Creek Mine
Fax: (435) 687-2285
Phone: (435) 687-2317

Fax

To: Daron Haddock From: Oakley

Fax: _____ Pages: _____

Phone: _____ Date: _____

Re: _____ CC: _____

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

• Comments:

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JUN 18 2009
DIV. OF OIL, GAS & MINING

**COTTONWOOD/WILBERG MINE
C/015/0019**

AFFIDAVIT OF PUBLICATION

PERMIT RENEWAL APPLICATION

STATE OF UTAH)

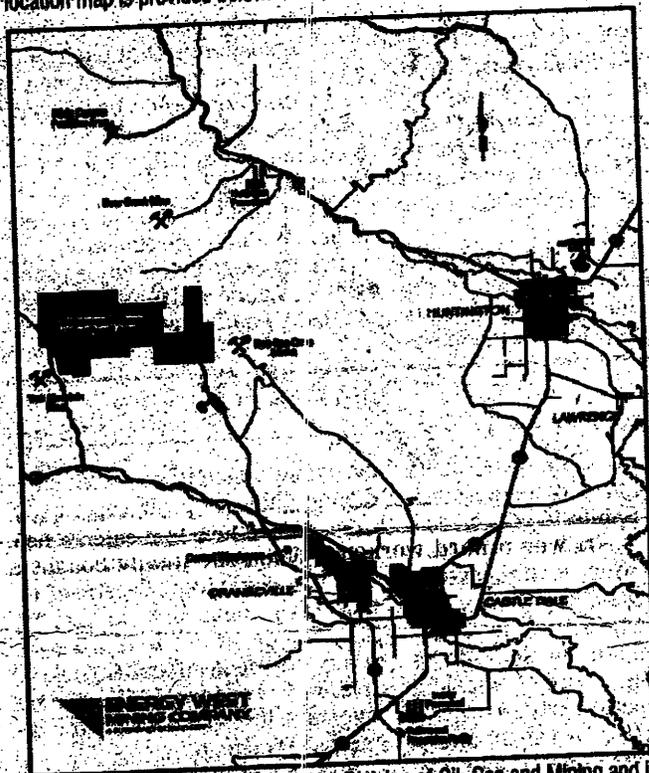
Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

ss.

County of Emery,)

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company (AEnergy 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.

I, Richard Shaw, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and that the first publication was on the 31st day of March, 2009 and that the last publication of such notice was in the issue of such newspaper dated the 21st day of April, 2009.



Richard Shaw

Richard Shaw - Publisher

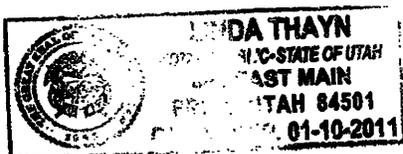
Subscribed and sworn to before me this 21st day of April, 2009.

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 (DOG M), and the Office of Surface Mining Reclamation and Enforcement (OSM).

Linda Thayne

Notary Public My commission expires January 10, 2011 Residing at Price, Utah
Publication fee, \$ 500.64

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 March 31, April 7, 14 and 21, 2009.

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