



C/015/0019  
Task ID #4597

P. O. Box 310  
15 No Main Street  
Huntington, UT 84528

June 9, 2014

Electronically Submitted

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

**Subj: Clean Copy Submittal to the Amendment to Update the Legal and Financial Volume's Appendix G – Cottonwood Mine Permit Boundary Description, PacifiCorp, 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 the clean copy to the approved amendment to revise the permit boundary description of the Cottonwood/Wilberg Mine.

One electronic copy of the text section and Appendix G, CTW-1 thru CTW-2 of the Legal and Financial Volume is being submitted for incorporation into the permit. A C2 form is included for correct placement of these pages into the permit. If you have any questions concerning this action, please contact myself at 435-687-4712 or Dennis Oakley at 435-687-4825.

Sincerely,

*for* Kenneth Fleck  
Geology and Environmental Affairs Manager

Cc: file



**PacifiCorp**  
**Energy West Mining Company**  
**Legal and Financial Information**

**Cottonwood C/015/0019, Deer Creek Mine C/015/0018, Des Bee Dove Mine C/015/0017,  
Trail Mountain Mine C/015/0009**

This application for a mining and/or reclamation permit is submitted to the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining, in accordance with the Utah Coal Mining and Reclamation Act, Title 40, Chapter 10, U.C.A., 1953 (as amended); the applicable rules and regulations adopted thereunder; the Surface Mining Control & Reclamation Act of 1977, and applicable regulations adopted thereunder (30 CFR 770, et seq.), the Cooperative Agreement between the State of Utah and the United States Secretary of Interior, and other applicable laws and regulations. The information divulged in the following sections is common to the four said permits held by PacifiCorp. Any information specific to a particular permit is listed under the related permit name.

R645-301-112: Identification of Interests

PacifiCorp, an Oregon Corporation, was incorporated on August 11, 1987. On January 9, 1989, Utah Power & Light Company (UP&L), a Utah Corporation, and PacifiCorp, a Maine Corporation, were merged with and into PacifiCorp, an Oregon Corporation. At that time, all outstanding shares of Capital Stock of PacifiCorp (Maine) and UP&L were converted into shares of capital stock of PacifiCorp (Oregon). UP&L became a Division of PacifiCorp (Oregon). On October 1, 1990, Energy West Mining Company, a wholly owned subsidiary of PacifiCorp, replaced the UP&L Mining Division as operator of the Utah mining operations. PacifiCorp now owns the following mines in Utah: the Deer Creek Mine, the Cottonwood Mine, the Trail Mountain Mine and the Des-Bee-Dove Mine (currently sealed and under reclamation).

The following background information is provided on the changes in ownership of PacifiCorp. On November 29, 1999, PacifiCorp was acquired by Scottish Power. Later on, effective as of March 21, 2006, MidAmerican Energy Holdings Company (MEHC) acquired PacifiCorp from Scottish Power. MEHC is a global energy company based in Des Moines, Iowa. With this change, PacifiCorp retains its original corporate identity within the MEHC organizational

structure. PacifiCorp, an Oregon corporation, remains the same Oregon corporation today as when initially incorporated on August 11, 1987. PacifiCorp continues to operate as a public utility providing electric service to customers in the six western states of Oregon, California, Washington, Idaho, Utah and Wyoming.

#### MEHC Organization Structure

Currently all PacifiCorp shares are owned by PPW Holdings LLC, which is a wholly-owned subsidiary of MEHC. In turn, MEHC is a majority-owned subsidiary of Berkshire Hathaway Inc. Based on information and belief, none of PPW Holdings LLC, MEHC nor Berkshire Hathaway Inc. or any of their respective corporate officers or directors, owns or controls or previously owned or controlled a coal mining and reclamation operation in the United States within the five years preceding the date of this filing, except as follows:

- (1) Walter Scott, Jr. is a Director of both Berkshire Hathaway Inc. and MEHC. Mr. Scott also serves in Board of Directors capacities on behalf of the companies listed immediately below which own or control, or previously owned or controlled, coal mining and reclamation operations in the United States within the five years preceding the date of this filing:

*Level 3 Communications, Inc.* – Mr. Scott serves as the Chairman of the Board of Directors for Level 3 Communications, Inc., a Delaware corporation, which engages in coal mining operations through a subsidiary, KCP, Inc. In turn, KCP, Inc. has a 50% interest in two coal mines: (i) Decker Coal Company in southwestern Montana; and (ii) Black Butte Coal Company in southwestern Wyoming.

*Peter Kiewit Sons, Inc.* – Mr. Scott serves as a Director of Peter Kiewit Sons, Inc., a Delaware corporation, which engages in coal mining operations through a subsidiary, Kiewit Mining Group, Inc. which operates two coal mines: (i) Decker Coal Company in southwestern Montana; and (ii) Black Butte Coal Company in southwestern Wyoming. Kiewit Mining Group, Inc. also engages in further mining operations through a subsidiary, Buckskin Mining Company, which owns and operates the Buckskin Mine in northeast Wyoming. In addition, Peter Kiewit Sons, Inc. engages in coal mining

operations through a subsidiary, Walnut Creek Mining Company, which owns and operates the Calvert Mine in eastern Texas.

- (2) William Henry Gates, III is a Director of Berkshire Hathaway, Inc. Mr. Gates also is the owner of Cascade Investment, LLC which, in turn, owns approximately 10% of Magnum Coal Company. The Magnum Coal Company owns and operates the following coal complexes in West Virginia: Apogee, Hobet, Catenary, Jupiter, Remington, Dakota and Panther.

The information required by the regulations with respect to PacifiCorp and its officers and directors is contained herein as part of Appendix A.

R645-301-112.210: Applicant

PacifiCorp 1407 West North Temple Suite 310 Salt Lake City, Utah 84116 (801)220-4140	The operator is: Energy West Mining Company PO Box 310 Huntington, Utah 84528 (435) 687-9821
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R645-301-112.220 Applicant's Resident Agent:

The Resident Agent who will accept Service of Process is Kenneth S. Fleck, PacifiCorp, Energy West Mining Company, PO Box 310, Huntington, Utah 84528, (435) 687-4712.

R645-301-112.230: Responsibility for Reclamation Fee

PacifiCorp, an Oregon Corporation, with an office located at 1407 West North Temple, Suite 310, Salt Lake City, Utah 84116, telephone number (801) 220- 4140, will be responsible for the payment of the reclamation fee. Due to the fact that PacifiCorp is a corporation, no one individual can be held responsible for payment of the reclamation fee.

R645-301-112.300: Corporate Directors and Officers

See **Appendix A** for complete list.

R645-301-112.400: Identification Names, Numbers, and Dates of Issuance

PacifiCorp has been issued mining permits for the coal mining operations listed below by the State of Utah, Division of Oil, Gas and Mining. The PacifiCorp Employer I.D. Number is 93-0246090.

PacifiCorp holds the following coal mining interests:

**Energy West Mining Company (100% Interest)**

Cottonwood/Wilberg Mine  
DOGM C/015/019 renewed July 6, 2009  
MSHA ID NO. 42-01211 issued May 5, 1996  
Emery County, Utah

Deer Creek Mine  
DOGM C/015/018 renewed February 7, 2011  
MSHA ID NO. 42-00121 issued March 19, 1973  
Emery County, Utah

Des-Bee-Dove Mines  
DOGM C/015/017 renewed August 30, 2010  
MSHA ID NO.  
Deseret 42-00988  
Beehive 42-00082                      Records abandoned March 27, 1987  
Little Dove 42-01393  
Emery County, Utah

Trail Mountain Mine  
DOGM C/015/009 renewed February 21, 2010  
MSHA ID NO. 42-01211 issued March 25, 1975  
Emery County, Utah

Employer ID No. for Energy West Mining Company is 87-0479159.

**Bridger Coal Company (66.67% Interest)**

Jim Bridger Mine - Employer ID No.: 93-0246090  
DEQ-LQD PERMIT NO. 338-T6 issued March 20, 2008  
MSHA ID NO. 48-00677 issued September 28, 1973  
Sweetwater County, Wyoming

**Glenrock Coal Company (100% Interest)**

Dave Johnston Mine  
DEQ-LQD PERMIT NO. 291-T7 issued May 27, 2008  
MSHA ID NO. 48-00085 issued February 3, 1976  
Converse County, Wyoming

**Trapper Mining Company (21.4% Interest)**

Trapper Mine - Employer ID: 522071379  
CO Dept. of Mineral and Geology Permit No.: C-81-010 issued January 1, 2008  
MSHA ID No.: 05-02838 issued 12/01/80  
Moffat County, Colorado

For miscellaneous licenses, permits and approvals obtained by the applicant for each mining operation, see Appendix B.

PacifiCorp commits to any special conditions issued by the Division of Oil, Gas, and Mining. PacifiCorp does reserve the right to apply for changes to these special conditions as data collection information dictates.

PacifiCorp commits to comply with any and all United States Forest Service and Bureau of Land Management's requirements for permit issuance and lease stipulations.

**R645-301-112.500: Surface and Subsurface Owners of Record of the Area to be Mined/****R645-301-114: Right of Entry Information**

See Appendix C for information regarding surface and subsurface ownership and right of entry to underground coal mining operations. All leases and rights of entry for the respective mine permits are currently held in the name of PacifiCorp. For coal ownership, see Plate 1-1 in each respective permit. For surface owners see Plate 1-2. The information provided in the table below summarizes the total underground right of entry acres for each PacifiCorp coal mine.

		Right of Entry Acres	Permit Acres*
<b>Cottonwood/Wilberg</b>	Federal Coal Leases	3,945.00	
	State Coal Leases		
	Private Coal Leases	100.00	
	<b>Total</b>	<b>4,045.00</b>	<b>4,034.18</b>
<b>Deer Creek</b>	Federal Coal Leases	18,717.34	
	State Coal Leases		
	Private Coal Leases	1,020.00	
	<b>Total</b>	<b>19,737.34</b>	<b>19,936.88</b>
<b>Des Bee Dove</b>	Federal Coal Leases		
	State Coal Leases		
	Private Coal Leases	1,000.00	
	<b>Total</b>	<b>1,000.00</b>	<b>133.90</b>
<b>Trail Mountain</b>	Federal Coal Leases	720.00	
	State Coal Leases		
	Private Coal Leases	53.50	
	<b>Total</b>	<b>773.50</b>	<b>3538.98</b>

\* Refer to Appendix G for permit boundary legal description and acreage.

R645-301-112.600: Surface and Subsurface Owners of Record Contiguous to the Permit Area

The following states the owners of land (surface and subsurface) that surround the PacifiCorp permit areas. Refer to the maps in each respective permit which show all contiguous surface and sub-surface owners of record.

<b>Cottonwood/Wilberg Mine</b>	
PacifiCorp 1407 West North Temple Suite 310 Salt Lake City, Utah 84116 (801)220-4140	Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints c/o Natural Resource Section 50 East North Temple, 12 <sup>th</sup> Floor Salt Lake City, Utah 84150-0001
US Department of the Interior Bureau of Land Management (BLM) 324 South State Street, Suite 301 Salt Lake City, Utah 84111-2303 (Subsurface)	US Forest Service Manti-LaSal National Forest 599 Price River Dr. Price, Utah 84501 (Surface)
Karl A. Seely P.O. Box 934 Castle Dale, Utah 84513	

<b>Deer Creek Mine</b>	
PacifiCorp 1407 West North Temple Suite 310 Salt Lake City, Utah 84116 (801)220-4140	C.O.P. Coal Development Corp. 3753 South State Salt Lake City, Utah 84115
US Department of the Interior Bureau of Land Management (BLM) 324 South State Street, Suite 301 Salt Lake City, Utah 84111-2303 (Subsurface)	State of Utah School and Institutional Trust Lands Administration (SITLA) 675 East 500 South, Suite 500 Salt Lake City, Utah 84102-2818
US Forest Service Manti-LaSal National Forest 599 Price River Dr. Price, Utah 84501 (Surface)	Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints c/o Natural Resource Section 50 East North Temple, 12 <sup>th</sup> Floor Salt Lake City, Utah 84150-0001
Stanley G. & James W. Jensen P.O. Box 415 Castle Dale, Utah 84513 (Surface)	The Malcolm McKinnon Estate Zions First National Bank Trustee Salt Lake City, Utah 84111
Andalex Resources - 50% Intermountain Power Agency - 50% c/o Genwall Resources P.o. Box 1420 Huntington, Utah 84528	Dick N. & Quinevere A. Nielson c/o Kristie N. Ligon 4819 Mandel Str. Houston, Texas 77006
Ina Lee J. Magnuson 495 North 100 East Castle Dale, Utah 84513 (Surface)	Scott N. & Laural S. Johansen P.O. Box 1099 Castle Dale, Utah 84513
Karl A. Seely P.O. Box 934 Castle Dale, Utah 84513	Lavar J. & Phyllis G. Jensen Trustees P.O. Box 207 Elmo, Utah 84521
Johansen Herefords LLC P.O. Box 48 Castle Dale, Utah 84513	
<b>Des Bee Dove Mine</b>	
PacifiCorp 1407 West North Temple Suite 310 Salt Lake City, Utah 84116 (801)220-4140	US Forest Service Manti-LaSal National Forest 599 Price River Dr. Price, Utah 84501 (Surface)
US Department of the Interior Bureau of Land Management (BLM) 324 South State Street, Suite 301 Salt Lake City, Utah 84111-2303 (Subsurface)	State of Utah School and Institutional Trust Lands Administration (SITLA) 675 East 500 South, Suite 500 Salt Lake City, Utah 84102-2818

<b>Trail Mountain Mine</b>	
State of Utah School and Institutional Trust Lands Administration (SITLA) 675 East 500 South, Suite 500 Salt Lake City, Utah 84102-2818	US Forest Service Manti-LaSal National Forest 599 Price River Dr. Price, Utah 84501 (Surface)
	Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints c/o Natural Resource Section 50 East North Temple, 12 <sup>th</sup> Floor Salt Lake City, Utah 84150-0001

R645-301-112.700: MSHA Numbers of Mine Structures

See Section R645-301-112.400: Identification Names, Numbers, and Dates of Issuance for MSHA mine numbers of each individual mine. MSHA numbers for structures are as follows:

**Cottonwood/Wilberg Mine**

North Sediment Pond - 1211-UT-09-02052-02

South Sediment Pond - 1211-UT-09-02052-03

Waste Rock Site - 1211-UT-09-02052-04

**Deer Creek Mine**

Waste Rock Site - 1211-UT-09-00121-02

**Des Bee Dove Mine**

Records abandoned March 27, 1987

**Trail Mountain Mine**

Waste Rock Site - 1211-UT-09-02052-04 (Included with Cottonwood/Wilberg WRS)

R645-301-112.800: Statement of all Lands Contiguous to the Permit Area

The Applicant is the owner of fee surface and coal rights and the holder of leases contiguous to the permit area and related to the Cottonwood/Wilberg Coal Mine, Deer Creek Coal Mine, Des-Bee-Dove Coal Mine and the Trail Mountain Coal Mine.

To the best of applicant's knowledge there are no holders of record of any leasehold interest in areas to be affected by surface operations of facilities or coal mined other than oil and gas leases and grazing permits.

To the best of applicant's knowledge there are no purchasers of record under a real estate contract of areas to be affected by surface operations and facilities or coal to be mined.

#### R645-301-113: Violation Information

The applicant has never had a federal or state mining permit suspended or revoked nor forfeited a mining bond or similar security deposited in lieu of bond.

#### R645-301-113.300: Notice of Violation Received by Applicant

See Appendix D for current NOV list.

#### R645-301-114: Right of Entry Information (Surface)

The following State and Federal agreements upon which PacifiCorp bases its right to perform coal mining and reclamation operations have all been assigned to PacifiCorp.

#### **Surface Right of Entry Information\*:**

<b>Permit/Grant/Lease</b>	<b>Acreage</b>	<b>Date Issued</b>	<b>Permitted Use</b>	<b>Description</b>
<b>Cottonwood/Wilberg Mine</b>				
Forest Service Special Use Permit	4.78 acres	11/6/86	Sediment ponds and soil storage	<u><b>T17S, R7E, S.L.B.&amp;M</b></u> Part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27
Forest Service Special Use Permit	1.3 acres	11/9/76	8" waste water pipeline	<u><b>T17S, R7E, S.L.B.&amp;M</b></u> Sec. 26 and Sec 27
BLM Right of Way U-37641	3.7 acres	8/31/77	Sewer line and absorption field	<u><b>T17S, R7E, S.L.B.&amp;M</b></u> Beginning S 52°06'48" W, 1664.59 ft. from the Sec. corners of 34, 27, 26, and 35, thence, S 15°23'50" E, 193.05 feet; thence,N 9°13'28" W, 354.72 feet; thence,N 14°04'20" W, 185.61 feet; thence,N 29°53'51" E, 488.38 feet; thence,N 00°47'31" E, 474.97 feet; thence,E, 30 feet; thence,S 00°47'31" W, 421.50 feet; thence,S 04°55'10" E, 598.80 feet, to the point of beginning. Said parcel contains 3.70 acres more or less.
BLM Right of Way U-37642	34.56 acres	11/6/81	Waste Rock Site (old) Northern Parcel	<u><b>T17S, R7E, S.L.B.&amp;M</b></u> Beginning S 08°10'26" E from the east 1/4 corner of Sec. 34;

Permit/Grant/Lease	Acreage	Date Issued	Permitted Use	Description
<p>thence, S 32°35'06" E, 333.34 feet; thence, S 25°37'57" E, 113.14 feet; thence, S 25°27'00" W, 117.42 feet; thence, S 72°20'00" W, 214.90 feet; thence, S 62°54'12" W, 69.67 feet; thence S 54°05'38" W, 334.79 feet; thence, N 31°22'00" W, 421.95 feet; thence, N 24°13'43" W, 219.34 feet; thence, N 16°11'43" W, 669.30 feet; thence, N 4°04'29" E, 168.18 feet; thence, S 54°11'25" E, 887.95 feet to the point of beginning. Said parcel contains 16.11 acres more or less.</p>				
			Waste Rock Site (old) Southern Parcel	<b>T17S, R7E, S.L.B.&amp;M</b> Beginning at a point S 32°35'06" E, 582.18 feet from the east 1/4 corner of Sec. 34;
<p>thence, S 32°35'06" E, 1296.31 feet; thence, S 55°31'08" W, 411.69 feet; thence, N 48°03'42" W, 656.18 feet; thence, N 46°38'41" W, 472.77 feet; thence, N 37°57'15" W, 229.19 feet; thence, N 31°22'00" W, 90.38 feet; thence, S 72°32'03" E, 65.63 feet; thence, N 50°27'20" E, 295.51 feet; thence, N 69°41'04" E, 398.55 feet to the point of beginning. Said parcel contains 18.45 acres more or less.</p>				
BLM Right of Way U-65027	25.85 acres	1/7/00	Waste Rock Site (new)	<b>T17S, R7E, S.L.B.&amp;M</b> Beginning at point N82°39'28"W, 809.58 feet from the east 1/4 corner of Sec. 34;
<p>thence, S 74°09'46" W, 246.23 feet; thence, S 27°14'28" W, 647.59 feet; thence, S 46°59'05" W, 165.64 feet; thence, S 76°41'51" W, 264.72 feet; thence, N 72°09'12" W, 670.20 feet; thence, S 06°10'47" W, 105.57 feet; thence, S 23°08'12" W, 35.27 feet; thence, S 36°59'41" W, 71.59 feet; thence, S 40°44'45" W, 114.04 feet; thence, S 23°37'34" W, 93.77 feet; thence, S 60°40'32" W, 113.86 feet; thence, S 05°17'52" E, 108.19 feet; thence, S 23°20'37 E, 105.29 feet; thence, S 24°38'51" W, 61.70 feet; thence, S 31°19'19" E, 129.90 feet; thence, S 29°19'58" E, 80.45 feet; thence, S 24°11'44" E, 104.97 feet; thence, S 47°47'54" E, 168.95 feet; thence, S 40°17'54" E, 87.31 feet; thence, S 17°50'49" W, 43.32 feet; thence, S 72°11'49" E, 213.13 feet; thence, S 78°08'28" E, 287.64 feet; thence, N 11°43'23" E, 86.24 feet; thence, N 73°40'14" E, 120.87 feet; thence, N 17°04'33" E, 74.31 feet; thence, N 14°20'36" W, 65.70 feet; thence, N 17°05'06" E, 75.21 feet; thence, N 09°13'24" W, 65.92 feet; thence, N 12°54'35" W, 99.73 feet; thence, N 02°44'30" W, 82.47 feet; thence, N 08°32'17" W, 85.51 feet; thence, N 01°39'36" W, 104.82 feet; thence, N 17°50'48" E, 218.03 feet; thence, N 76°41'51" E, 353.88 feet; thence, N 27°14'28" E, 629.52 feet; thence, N 50°42'06" E, 123.74 feet; thence, N 74°09'48" E, 113.70 feet; thence, N 15°50'13" W, 150.00 feet; to the point of beginning. Said parcel contains 25.85 acres more or less.</p>				
<b>Deer Creek Mine</b>				
Forest Service Special Use Permit	5.85 acres	3/7/79	Mine Parking and storage yard	<b>T17S, R7E, S.L.B.&amp;M</b> Beginning on E1/4 corner of Section 10; thence N 300'; thence W 850'; thence S 300'; thence E 850' to the point of beginning.
BLM Right of Way U-52401	1.84 acres	12/16/06	Overland Coal Conveyor	<b>T17S, R7E, S.L.B.&amp;M</b> Sec 2: Portions of SE¼SE¼SW¼
Special Use Lease Agreement #1382	160 acres	8/1/2002	Overland Coal Conveyor	<b>T17S, R7E, S.L.B.&amp;M</b> Sec 2: SE¼
PacifiCorp Private Land	31.92 acres		Waste Rock Site	<b>T17S, R8E, S.L.B.&amp;M</b> Beginning 10 ft. south of NE corner of Section 6, thence, S 89°52'00" W, 1272.000 feet; thence, S 0°08'00" E, 600.000 feet; thence, S 83°28'43" E, 302.035 feet; thence, S 72°54'35" E, 314.083 feet; thence, S 63°06'41" E, 224.508 feet; thence, S 48°18'17" E, 268.404 feet; thence, S 20°06'29" W, 1066.848 feet; thence, S 39°24'03" W, 855.358 feet; thence, S 41°10'40" E, 100 feet; thence, N 43°39'42" E, 1635.000 feet; thence, N 31°02'18" E, 412.959 feet; thence, N 22°58'45" E, 1310.908 feet; thence, N 89°40'41", 740.000 feet; to the point of beginning. Said parcel contains 31.92 acres more or less.

PacifiCorp Private Land	5.6 acres		C2 Beltline	<b><u>T17S, R7E, S.L.B.&amp;M</u></b>
Beginning at a point S 0°22' E, 142.4 feet from the SW corner of NW¼ of Section 1, T17S, R7E, SLB&M; thence, N 49°53'23" E, 2395.4 feet; thence, S 40°10'42" E, 101.94 feet; thence, S 49°52'03" W, 2481.12 feet; thence, N 0°22' W, 276.25 feet to the point of beginning. 5.6 acres more or less.				
<b>Des Bee Dove Mine</b>				
Forest Service Special Use Permit	80.00 acres	3/16/2001	Former Surface Facilities (reclaimed 6/03)	<b><u>T17S, R7E, S.L.B.&amp;M</u></b> Sec 25: NW¼ SW¼, N½ SW¼ SW¼. Sec 26: NE¼ SE¼.
State Right of Way No. 3137	3.24 acres	4/2/86	Road Right of Way (Pond)	<b><u>T17S, R7E, S.L.B.&amp;M</u></b> Located within Sec 36: NW¼SW¼, SW¼NW¼, NW¼NW¼. See Plate 1-1.
BLM Right of Way U-57134	0.37 acres	8/8/2004	Road Right of Way (Pond) (reclaimed 1/06)	<b><u>T17S, R7E, S.L.B.&amp;M</u></b> Located within Sec 35: SE¼ NE¼. See Plate 1-1.
State of Utah Special Use Lease Agreement No. 1195	40.00 acres	11/1/1998	Sediment Pond (reclaimed 1/06)	<b><u>T17S, R7E, S.L.B.&amp;M</u></b> Sec 36: NW¼ NW¼.
<b>Trail Mountain Mine</b>				
The surface at the Trail Mountain Mine site is owned by PacifiCorp.				

\*Also see **R645-301-112.500/R645-301-114** for detailed underground right of entry information:

#### R645-301-115: Status of Unsuitability Claims

In consultation with concerned federal land agencies and the Division of Oil, Gas and Mining, no lands within or adjacent to the permit area have been identified as qualifying under R645-103-300 as areas unsuitable for surface effects of underground coal mining activities.

#### References:

Land Management Plan  
Ferron-Price Planning Unit  
Manti-LaSal National Forest

Division of Oil, Gas, and Mining  
Salt Lake City, Utah

US Forest Service  
Manti-LaSal National Forest  
Ferron, Utah

Bureau of Land Management  
Price, Utah

No other facilities or operations will be conducted within 300 feet of an occupied dwelling.

#### R645-301-116: Permit Term

Each respective mine's permit are for a five (5) year permit term; however, schedules for mining coal are included in the mining plan narrative and are tabulated for the life of the lease.

#### R645-301-117.100: Certificate of Liability

The liability insurance coverage required is provided by a policy issued to applicant. Applicant will insure that such insurance coverage is maintained in "full force" and effect during the life of

the permit and through completion of reclamation, or will provide evidence that the self-insurance requirements of R645-301-890.100 have been satisfied by it. See Appendix E for certificates of liability.

R645-301-117.200: Proof of Publication

See Appendix F for publication proof of permit applications.

Miscellaneous

For mine permit boundary descriptions and acreage's see Appendix G.

For information relating to partial relinquishment of the permit areas, see Supplemental Volume 1 pertaining to lease relinquishment. This volume includes subsidence and drill hole information, as well as, an informational assessment of the hydrological and biological systems of East Mountain.

## Cottonwood/Wilberg Permit Boundary Description

### T17S, R6E, SLB&M Emery County, UT

Section	Description	Acreage
Sec 13:		
	E½SW¼	80.00
	SE¼	160.00
Sec 24:	E½W½	160.00
	E½	320.00
Sec 25:	N½NE¼	80.00
	Beginning at the Southeast corner of the NE¼ of the SE¼ of Section 25; thence N 160 rods; thence W 116 rods, more or less, to the center line of Cottonwood Creek; thence in a Southerly direction along the center line of said Cottonwood Creek to a point 84 rods, more or less, W of the beginning; thence E 84 rods, more or less, to the point of beginning. Containing 100 acres, more or less of fee lands.	
		100.00
<b>Total for Township</b>		<b>900.00</b>

### T17S, R7E, SLB&M Emery County, UT

Section	Description	Acreage
Sec 15:	E½SW¼	80.00
	E½W½SW¼	40.00
Sec 16:	S½S½SW¼	40.00
	SW¼SW¼SE¼	10.00
Sec 17:	E½SW¼	80.00
	W½SW¼	80.00
	S½SW¼SE¼	20.00
	S½SE¼SE¼	20.00
Sec 18:	Lots 3 and 4	47.10
	SE¼	160.00
Sec 19: (ALL)	Lots 1 - 4	92.67
	E½	320.00
Sec 20: (ALL)	W½	320.00
	W½E½	160.00
	E½E½	160.00
Sec 21:	N½NW¼	80.00
	SE¼NW¼	40.00
	N½SW¼NW¼	20.00
	W½W½W½NE¼	20.00
	SW¼SW¼	40.00
	S½SE¼	80.00
	W½W½NW¼SE¼	10.00
	E½SW¼	80.00
	NW¼SW¼	40.00
	S½SW¼NW¼	20.00
	NE¼NW¼	40.00
Sec 22:	E½NW¼NW¼	20.00
	E½SW¼NW¼	20.00
	E½NW¼SW¼	20.00
	SE¼NW¼	40.00
	SW¼SW¼	40.00
	W½SE¼	80.00
	E½SW¼	80.00
Sec 27:	S½NW¼	80.00
	NW¼NE¼	40.00
	N½NE¼	80.00
	SW¼SW¼ (USFSSUP)	40.00
Sec 28:	E½NE¼NW¼	20.00
	S½NE¼	80.00
	E½SE¼NW¼	20.00
	NW¼NE¼	40.00
Sec 29:	N½NW¼	80.00
	Lots 1 - 3	63.00
Sec 30:	N½NE¼	80.00
	SW¼NE¼	40.00
	NW¼SE¼	40.00

## Cottonwood/Wilberg Permit Boundary Description

Sec 34:

**Sewer Absorption Field:** Beginning S52°06'48"W, 1664.59 ft. from the Sec. corners of 34, 27, 26, and 35, thence, S15°23'50"E, 193.05 feet; thence, N69°13'28"W, 354.72 feet; thence, N14°04'20"W, 185.61 feet; thence, N29°53'51"E, 488.38 feet; thence, N00°47'31"E, 474.97 feet; thence, E, 30 feet; thence, S00°47'31"W, 421.50 feet; thence, S04°55'10"E, 598.80 feet, to the point of beginning.

Said parcel contains 3.70 acres more or less.

3.70

Rock and Soil Storage Area -Beginning at a point S 08°10,26" E, 758.72 feet from the east 1/4 corner of section 34, T. 17S., R.7E., SLB&M; thence, S 46° 00'31" W, 377.65 feet; thence N 45°52'24" W, 139.17 feet; thence N 32°54'05" W, 74.56 feet; thence N 23°41'14" E, 40.14 feet; thence N 50°27'20" E, 295.51 feet; thence N 69°41'04" E, 36.66 feet; thence S 44°45'52" E, 189.90 feet to the point of beginning. Said parcel contains 1.86 acres more or less.

1.86

**New Waste Rock Site:** Beginning at point N82°39'28"W, 809.58 feet from the east 1/4 corner of Sec. 34; thence, S 74 09' 46" W, 246.23 feet; thence, S 27 14' 28" W, 647.59 feet; thence, S 46 59' 05" W, 165.64 feet; thence, S 76 41' 51" W, 264.72 feet; thence, N 72 09' 12" W, 670.20 feet; thence, S 06 10' 47" W, 105.57 feet; thence, S 23 08' 12" W, 35.27 feet; thence, S 36 59' 41" W, 71.59 feet; thence, S 40 44' 45" W, 114.04 feet; thence, S 23 37' 34" W, 93.77 feet; thence, S 60 40' 32" W, 113.86 feet; thence, S 05 17' 52" E, 108.19 feet; thence, S 23 20' 37" E, 105.29 feet; thence, S 24 38' 51" W, 61.70 feet; thence, S 31 19' 19" E, 129.90 feet; thence, S 29 19' 58" E, 80.45 feet; thence, S 24 11' 44" E, 104.97 feet; thence, S 47 47' 54" E, 168.95 feet; thence, S 40 17' 54" E, 87.31 feet; thence, S 17 50' 49" W, 43.32 feet; thence, S 72 11' 49" E, 213.13 feet; thence, S 78 08' 28" E, 287.64 feet; thence, N 11 43' 23" E, 86.24 feet; thence, N 73 40' 14" E, 120.87 feet; thence, N 17 04' 33" E, 74.31 feet; thence, N 14 20' 36" W, 65.70 feet; thence, N 17 05' 06" E, 75.21 feet; thence, N 09 13' 24" W, 65.92 feet; thence, N 12 54' 35" W, 99.73 feet; thence, N 02 44' 30" W, 82.47 feet; thence, N 08 32' 17" W, 85.51 feet; thence, N 01 39' 36" W, 104.82 feet; thence, N 17 50' 48" E, 218.03 feet; thence, N 76 41' 51" E, 353.88 feet; thence, N 27 14' 28" E, 629.52 feet; thence, N 50 42' 06" E, 123.74 feet; thence, N 74 09' 48" E, 113.70 feet; thence, N 15 50' 13" W, 150.00 feet; to the point of beginning. Said parcel contains 25.85 acres more or less.

25.85

Total for Township

3,134.18

**Total Permit Acres**

**4,034.18**

The Cottonwood/Wilberg Permit Area contains the areas as described above. The area within the described boundary is approximately 4034.18 acres. The total disturbed area at the mine is 45.32 acres. The disturbance is distributed as follows:

**Disturbed Area Reconciliation Table**

Type Area	Area Name	Reclamation Completion Date	Original Disturbed Acreage	Phase I Bond Release Date	Phase II Bond Release Date	Phase III Bond Release Date	Remaining Disturbed Acreage
Mine Site	Cottonwood/Wilberg Main Mine	N/A	20.46				20.46
Mine Site	Leach Field	N/A	3.70				3.70
Storage Area	Rock and Soil Storage Area - AKA Cottonwood/Wilberg/Trail/DesBee Dove Old Waste Rock Site		15.62	Jul-99	Jul-09	Jul-09	1.86
Waste Rock Site	Cottonwood/Trail/DesBeeDove Waste Rock Site - New	N/A	17.44				17.44
Remote Portal	Cottonwood Canyon Area - AKA Fan Portal Area	Nov-98	9.33	Mar-04	Sep-10	Sep-10	1.86
Remote Portal	Miller Canyon Portal Area	Jun-99	0.02	Jun-02	Oct-10	Oct-10	0.00
<b>Total</b>			<b>66.57</b>				<b>45.32</b>

Refer to Surface and Subsurface ownership maps in Volume 3.