



Suzanne Steab <suzannesteab@utah.gov>

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## FW: Deer Creek Waste Rock Site - Special Warranty Deed

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Jaren Jorgensen <JJorgensen@rhinolp.com>  
To: Suzanne Steab <suzannesteab@utah.gov>

Tue, Dec 4, 2018 at 6:41 AM

Suzanne,

Sorry for the delay. Here is the Special Warranty Deed from PacifiCorp.

Thanks,

*Jaren Jorgensen*

Jaren Jorgensen

Engineer



Castle Valley Mining LLC

P.O. Box 475

5550 W. Bear Canyon Rd.

Huntington, Utah 84528

(435) 687-2178

[jjorgensen@rhinolp.com](mailto:jjorgensen@rhinolp.com)

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**From:** Morgan, Bret [<mailto:Bret.Morgan@pacificorp.com>]  
**Sent:** Tuesday, November 20, 2018 3:27 PM  
**To:** Chad Hunt  
**Cc:** Richard Hall ([rrhall@stoel.com](mailto:rrhall@stoel.com)); Semborski, Chuck; Child, Scott; Whitney Kegley; Jaren Jorgensen  
**Subject:** RE: Deer Creek Waste Rock Site - Special Warranty Deed

Chad – Attached please find the signed and notarized Special Warranty Deed for the Waste Rock Site. Per your instructions noted in your email below, I will send the original to Jaren Jorgensen in Huntington. I would request that once Jaren gets the Special Warranty Deed recorded with Emery County that he sends us a copy of the recorded deed for our files. In addition to the Special Warranty Deed, I have also attached a copy of a survey map completed by Johansen & Tuttle Engineering of the waste rock site for your files. I appreciate all of the time & effort put forth by individuals from Rhino Energy working with our people to allow for this smooth transfer to take place. Please contact me with any questions. Thanks, Bret

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**From:** Chad Hunt [mailto:[CHunt@rhinolp.com](mailto:CHunt@rhinolp.com)]  
**Sent:** Friday, November 16, 2018 8:22 AM  
**To:** Morgan, Bret <[Bret.Morgan@pacificorp.com](mailto:Bret.Morgan@pacificorp.com)>  
**Cc:** Richard Hall ([rrhall@stoel.com](mailto:rrhall@stoel.com)) <[rrhall@stoel.com](mailto:rrhall@stoel.com)>; Semborski, Chuck <[Charles.Semborski@pacificorp.com](mailto:Charles.Semborski@pacificorp.com)>; Child, Scott <[Scott.Child@pacificorp.com](mailto:Scott.Child@pacificorp.com)>; Whitney Kegley <[wkegley@rhinolp.com](mailto:wkegley@rhinolp.com)>; Jaren Jorgensen <[JJorgensen@rhinolp.com](mailto:JJorgensen@rhinolp.com)>  
**Subject:** [INTERNET] RE: Deer Creek Waste Rock Site - Special Warranty Deed

**\*\* STOP. THINK. External Email \*\***

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Bret, This looks fine to us. Please execute it send a copy to me via email and mail the original to the address below for Jaren to record in Emery County.

Castle Valley Mining LLC

Attn: Jaren Jorgensen

P.O. Box 475

Huntington, Utah 84528

Thanks,

Chad



R. Chad Hunt, P.E.  
SVP & Chief Administrative Officer  
424 Lewis Hargett Circle  
Lexington, Kentucky 40503

Office: (859) 519-3623

Fax: (859) 389 -6588

E-mail: [chunt@rhinolp.com](mailto:chunt@rhinolp.com)

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**From:** Morgan, Bret [<mailto:Bret.Morgan@pacificorp.com>]  
**Sent:** Wednesday, November 14, 2018 5:21 PM  
**To:** Chad Hunt  
**Cc:** Richard Hall ([rrhall@stoel.com](mailto:rrhall@stoel.com)); Semborski, Chuck; Child, Scott  
**Subject:** Deer Creek Waste Rock Site - Special Warranty Deed

Chad – Hope you are well! Congratulations on receiving your approved permit supporting the Waste Rock site. I am attaching a word file which contains the proposed Special Warranty Deed. Please review the document and let me know if you have any issues or concerns. Upon hearing from you, I will have the Special Warranty Deed executed and notarized and will send you the original deed allowing you to record it with the Emery County's Recorder's Office. Please contact me with any questions. Thanks, Bret

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**2 attachments**



**Snto110kmc318112013300.pdf**  
116K



**Energy West to Bowie Waste Rock-Layout1.pdf**  
449K

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Castle Valley Mining, LLC  
424 Lewis Hargett Circle, Suite 250  
Lexington, KY 40503  
Attn: General Counsel

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(Space Above For Recorder's Use)

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**SPECIAL WARRANTY DEED**

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**Waste Rock Site Parcel**

PACIFICORP, an Oregon corporation, having a mailing address of 1407 W. North Temple, Salt Lake City, Utah 84116, as "**Grantor**", hereby conveys and warrants, against all those claiming by, through or under Grantor, but not otherwise, to CASTLE VALLEY MINING LLC, a Delaware limited liability company, having a mailing address of 424 Lewis Hargett Circle, Suite 250, Lexington, Kentucky 40503, as "**Grantee**," for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, that certain parcel of real property located in Emery County, State of Utah, together with any and all interests, rights and appurtenances thereto, as well as any and all improvements thereon (if any), as more particularly described in Exhibit A attached hereto (described hereinafter as the "**Real Property**").

Subject to: (i) any state of facts that an accurate and complete ALTA/ACSM Land Title Survey might disclose, (ii) all zoning regulations, restrictions, rules and ordinances, land use regulations, building restrictions, and other laws and regulations now in effect or hereafter adopted by any governmental authority having jurisdiction, and (iii) reservations, easements, rights-of-way, declarations, covenants, conditions, restrictions, encroachments, liens, and encumbrances and all other matters of record or enforceable at law or in equity.

IN WITNESS WHEREOF, the said Grantor has executed this Special Warranty Deed as of this 20<sup>th</sup> day of November, 2018.

PACIFICORP,  
an Oregon corporation



By: DANA M. RALSTON

Its: SUP THERMAL GEN + MOUNDG

STATE OF UTAH )  
 :SS  
COUNTY OF SALT LAKE )

The forgoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 2018, by Dana Ralston, the Senior Vice President of PACIFICORP, an Oregon corporation.

Witness my hand and official seal.

Candace Dixon  
Notary Public

My Commission expires: December 19, 2020 Residing at: \_\_\_\_\_



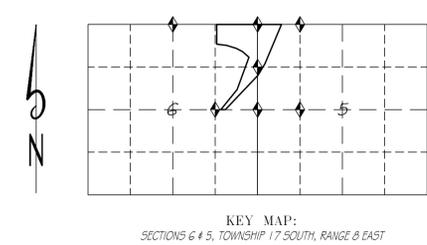
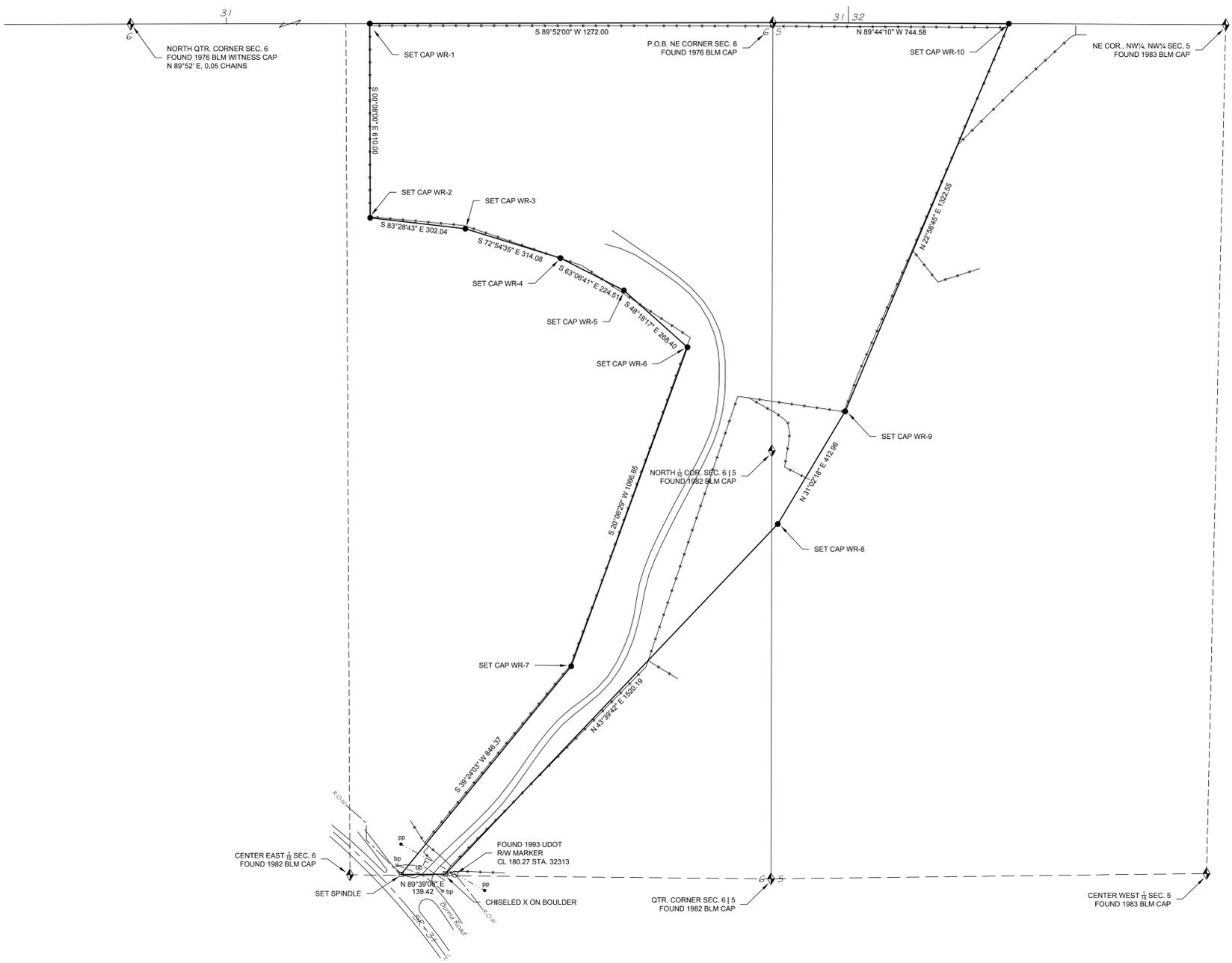
## Exhibit A

### Waste Rock Site Parcel Legal Description

That certain parcel of land located in Emery County, State of Utah, as more particularly described as follows:

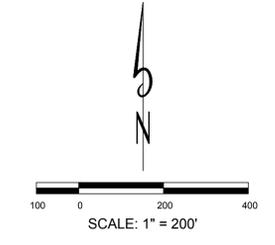
Beginning at the Northeast corner of Section 6, Township 17 South, Range 8 East, SLB&M, and running thence S 89°52'00" W, 1272.00 feet along Section line; thence S 00°08'00" W, 610.00 feet; thence S 83°28'43" E, 302.04 feet; thence S 72°54'35" E, 314.08 feet; thence S 63°06'41" E, 224.51 feet; thence S 48°18'17" E, 268.40 feet; thence S 20°06'29" W, 1066.85 feet; thence S 39°24'03" W, 846.37 feet, more or less to the Northerly right-of-way of SR-31; thence N 89°39'06" E, 139.42 feet along said right-of-way; thence N 43°39'42" E, 1520.19 feet; thence N 31°02'18" E, 412.96 feet; thence N 22°58'45" E, 1322.55 feet to the North line of Section 5, Township 17 South, Range 8 East, SLB&M.; thence N 89°44'10" W, 744.58 feet along Section line to the point of beginning.

Containing 49.05 acres more or less



**LEGEND**

	Property line
	Chainlink fence
	Wire fence
	Water line
	Road
	Overhead power
	Buried power
	Power pole
	Buried Power Marker



**CERTIFICATE**

I, LEE M. SWASEY, A PROFESSIONAL LAND SURVEYOR HOLDING UTAH CERTIFICATE NO. 163634, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN PREPARED FROM A FIELD SURVEY MADE UNDER MY DIRECTION AND CORRECTLY SHOWS THE DIMENSIONS AND MONUMENTS OF THE PROPERTY DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

**LOCATION OF SURVEY:**  
 Located within the East half of the Northeast quarter of Section 6 and the West half of the Northwest quarter of Section 5, T. 17 S., R. 8 E., SLB&M.

**PROPERTY DESCRIPTION:**  
 Beginning at the Northeast corner of Section 6, Township 17 South, Range 8 East, SLB&M, and running thence S 89°52'00" W, 1272.00 feet along Section line; thence S 00°08'00" W, 610.00 feet; thence S 83°28'43" E, 302.04 feet; thence S 72°54'35" E, 314.08 feet; thence S 63°06'41" E, 224.51 feet; thence S 48°18'17" W, 268.40 feet; thence S 20°06'29" W, 1066.85 feet; thence S 39°24'03" W, 846.37 feet, more or less to the Northerly right-of-way of SR-31; thence N 89°39'06" E, 139.42 feet along said right-of-way; thence N 43°39'42" E, 1520.19 feet; thence N 31°02'18" E, 412.96 feet; thence N 22°58'45" E, 1322.55 feet to the North line of Section 5, Township 17 South, Range 8 East, SLB&M; thence N 89°44'10" W, 744.58 feet along Section line to the point of beginning.  
 Containing 49.05 acres more or less

**BASIS OF BEARING:**  
 Basis of Bearing: S 89°52'00" W between the Northeast corner and the North quarter corner of Section 6, T. 17 S., R. 8 E., SLB&M.

**PURPOSE OF SURVEY:**  
 Surveyed at the request of PacifiCorp to locate, monument and describe the parcel of land shown hereon.  
 The survey was based on instructions in the field by PacifiCorp representatives, found survey markers and found Section Corner monuments, the Section was subdivided in accordance with the BLM Manual of Instructions.

**MONUMENTS FOUND:**

- ◆ Denotes Section monument found.
- Denotes Survey Marker found.

**MONUMENTS SET:**

- Denotes a #5 rebar with a 1 1/2" aluminum cap set on top marked LMS J&T ENG LS 163634 and additionally stamped as shown on drawing.
- Denotes other monument set.

DESIGNED	DRAWN	SURVEYED	R.O.W.	CHECKED	BHT	04-15	04-15
	LMS	JLK			LMS		
PROJECT FILE				PROJECT FILE			
LEE M. SWASEY				LEE M. SWASEY			
PROFESSIONAL LAND SURVEYOR 163634				PROFESSIONAL LAND SURVEYOR 163634			
PACIFICORP DEER CREEK WASTE SITE				PACIFICORP DEER CREEK WASTE SITE			
SECTION	TOWNSHIP	RANGE	DATE	SCALE			
6 & 5	17 S.	8 E.	5/5/2015	1" = 200'			
LOTS	BLOCK	SURVEY	DRAWN BY	LMS			
PROJECT No.				PROJECT No.			
SHEET No.				SHEET No.			
1				1			

Johnsen & Tuttle  
 ENGINEERING, INC.  
 P.O. Box 487, Castle Dale, UT 84513  
 (435) 381-2523 Fax (435) 381-2522 e-mail jlt@jst.net