

UNITED STATES
DEPARTMENT OF THE INTERIOR

This mining plan approval document is issued by the United States of America to:

PacifiCorp
Deer Creek Mine
1407 West North Temple, Suite 110
Salt Lake City, Utah 84116

for a mining plan modification for Federal Coal Leases UTSL-051221 and UTSL-050862 at Deer Creek Mine, Utah State Permit No. C/015/0018. PacifiCorp is hereinafter referred to as the operator. This approval is subject to the following conditions.

1. Statutes and Regulations: This mining plan approval is issued pursuant to Federal Coal Leases UTSL-051221 and UTSL-050862; the Mineral Leasing Act of 1920, as amended (30 U.S.C. §§ 181 *et seq.*); and in the case of acquired lands, the Mineral Leasing Act for Acquired Lands of 1947, as amended (30 U.S.C. §§ 351 *et seq.*). This mining plan approval is subject to all applicable laws and regulations of the Secretary of the Interior that are now or hereafter in force; and all such laws and regulations are made part hereof. The operator must comply with the provisions of the Federal Water Pollution and Control Act (33 U.S.C. §§ 1251 *et seq.*), the Clean Air Act (42 U.S.C. §§ 7401 *et seq.*), and other applicable Federal laws.
2. This document approves the mining plan modification for Federal Coal Leases UTSL-051221 and UTSL-050862 at Deer Creek Mine and authorizes a postmining land use change from wildlife habitat and grazing to “developed water resource” on that part of the federal leases within the area of the mining plan approval. This authorization expands the approved mining plan area into the following federal land:

Township 16 South, Range 7 East
Irregularly spread across
Section 28: SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$
0.51 acres.

These lands in Federal leases UTSL-051221 and UTSL-050862 encompass approximately 0.51 acres and are shown on the map appended hereto referred as Attachment A and B.

3. The operator must conduct coal development, mining, and reclamation operations only as described in the complete permit application package and approved by the Utah Division of Oil, Gas & Mining (DOG M) except as otherwise directed in any conditions of any valid mining plan, including this mining plan modification.

4. The operator must comply with the terms and conditions of the Federal coal lease, this mining plan modification approval, and the requirements of Utah DOGM Permit C/015/0018 issued under Utah State program approved pursuant to the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. §§ 1201 *et seq.*). The Secretary retains the authority and jurisdiction to modify or cancel this approval for failure to comply with any of these items or other applicable laws and regulations.
5. This mining plan approval is binding on any person conducting coal development or mining operations under the approved mining plan and will remain in effect until superseded, canceled, or withdrawn.
6. If, during surface coal mining and reclamation operations, unidentified prehistoric resources are discovered, the operator must ensure that the resources are not disturbed and must notify Utah DOGM and Office of Surface Mining Reclamation and Enforcement (OSM). The operator must take such actions as are required by Utah DOGM in coordination with the OSM.
7. The Secretary retains jurisdiction to modify or cancel this approval, as required, on the basis of further consultation with the U.S. Fish and Wildlife Service pursuant to section 7 of the Endangered Species Act, as amended, 16 U.S.C. §§ 1531 *et seq.*

Date _____

Lanny E. Erdos
Director, Office of Surface Mining Reclamation and Enforcement
Exercising Authority of Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior