



IN REPLY REFER TO:

## United States Department of the Interior

OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
P.O. Box 46667  
Denver, Colorado 80201-6667

April 8, 2008

John R. Baza  
Division of Oil, Gas and Mining  
1594 West North Temple  
P.O. Box 145801  
Salt Lake City, Utah, 84114-5801

Dear Mr. Baza,

We have received your proposed timetable for the "valid existing rights" required rule changes (received April 1, 2008). The timetable indicates that you intend to draft the proposed rules informally by June 30, advise the Board and distribute informally for comment by September 30, and conduct the formal rulemaking process with the Board by January 28, 2009. Thank you for your prompt response to our February 1, 2008 letter.

Your proposed timetable lists an effective date of January 28, 2009 for the revised VER rules. 30 CFR 723.17(g) states that "whenever changes to laws or regulations that make up the approved State program are proposed by the State, the State shall immediately submit the proposed changes to the Director as an amendment. No such change to laws or regulations shall take effect for purposes of a State program until approved as an amendment." Please note that these rule changes would become effective only upon publication of a final rule notice in the Federal Register.

Please contact Christine Belka at (303) 293-5020, if you have any questions.

Sincerely,

*James F. Fulton*  
James F. Fulton, Chief  
Denver Field Division



**RECEIVED**

**APR 08 2008**

**DIV. OF OIL, GAS & MINING**  
*(via e-mail)*