

**OGMCOAL - Fwd: Utah Coal Properties, LLC - Sevier County, UT**

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**From:** Daron Haddock  
**To:** OGMCOAL  
**Date:** 10/19/2010 11:56 AM  
**Subject:** Fwd: Utah Coal Properties, LLC - Sevier County, UT

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>>> "Jay Smyth" <jds@lswattorneys.com> 10/19/2010 9:37 AM >>>



MEMORANDUM

TO: Mr. Daron Haddock  
Permitting Supervisor  
Utah Division of Oil, Gas and Mining  
1594 West North Temple; Suite 1210  
Salt Lake City, Utah 84114-5801  
Office Telephone: 801.538.5325

DT: October 19, 2010

RE: Utah Coal Properties, LLC  
Salina Creek Reserve Property – Sevier County, Utah

CC: Mr. Phil Reeves  
Dr. Robert Cox  
Tony Hubbard, Esquire  
Albert G. Lewis, III, Esquire

Dear Daron,

Thanks so much for talking with me and my partner, Tony Hubbard, this morning. As we told you, our client Utah Coal Properties, LLC has received expressions of interest in the possible purchase and development of its Salina Creek Reserve (coal) property which is located in Sevier County, Utah. As a part of these initial discussions, we have naturally evaluated the prospective timelines involved with the proper collection of adequate baseline data and, subsequently thereto, the permitting process. This project will involve the development and exploitation of both privately held fee coal as well as federal coal. Accordingly, the client recognizes that there will be a number of different state and federal agencies involved in this matter and the prospective purchasers are sensitive to the NEPA (and other) compliance issues which will obviously come into play.

Recognizing that neither the (Utah) DOGM nor the (federal) OSM makes any recommendations or “endorsements” of area environmental or engineering firms, we would appreciate it if you could advise us of some of the Utah firms that your Department works with on a regular and recurring basis and which do a good and credible job assisting with the development of coal mining permit applications. You mentioned a couple of firms, **EarthFax Engineering, Inc.** of

Midvale, UT and **JBR Environmental Consultants, Inc.** of St. George and Sandy, UT. Both of these firms appear to be well recognized experts in the field and, based on our conversation with you today, they both appear to enjoy a good working relationship with your agency.

If you would be kind enough to provide us with the names and contact information of any other recognized engineering and environmental firms which do regular business with the DOGM as part of the coal mining permitting process, it would be most appreciated. Again, we realize that your provision of names is not a referral or recommendation, but that you are merely putting us in contact with Utah firms with which you are familiar and which have a good business relationship with your agency or department.

Thanks so much for your assistance. We look forward to talking with you further as this process continues to unfold.

With best regards, I am,

Very truly yours,

Jay Smyth

**JUSTICE D. SMYTH, III**

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