



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

April 28, 1995

Sun Advocate  
Emery County Progress  
76 West Main  
P. O. Box 870  
Price, Utah 84501

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Thursday the 4th day of May, 1995, in both the Sun Advocate and Emery County Progress. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

A handwritten signature in black ink, appearing to read 'Victoria A. Bailey', written over a horizontal line.

Victoria A. Bailey  
Executive Secretary

vb  
Attachment





State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

April 28, 1995

Newspaper Agency Corporation  
Legal Advertising  
143 South Main  
P. O. Box 45838  
Salt Lake City, Utah 84145

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Wednesday, the 3rd day of May, 1995. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

A handwritten signature in black ink, appearing to read 'Victoria A. Bailey'.

Victoria A. Bailey  
Executive Secretary

vb  
Attachment



BEFORE THE DIVISION OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

---ooOoo---

IN THE MATTER OF AMAX : NOTICE OF PUBLIC HEARING  
COAL COMPANY, CASTLE :  
GATE MINE, CARBON COUNTY : CAUSE NO. ACT/007/004-95B  
UTAH :

---ooOoo---

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE-ENTITLED  
MATTER.

Notice is hereby given that the Division of Oil, Gas and Mining will conduct a Public Hearing on Thursday, May 11, 1995, at 3:00 p.m. in the Carbon County Courthouse, Carbon County Commission Chambers, 120 East Main, Price, Utah. This Notice is supplemental to Cause No. PRO/007/038, Cyprus Plateau Mining Company's proposed Willow Creek Mine.

The Public Hearing will be conducted in accordance with the Utah Code Ann. § 40-10-24(4)(c), and Utah Administrative Code Rule R. 645-103-234 (1995).

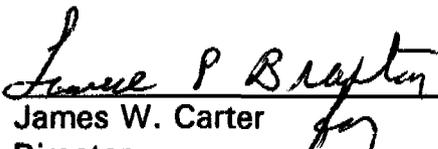
Pursuant to Utah Code Ann. § 40-10-24(4)(c), Amax Coal Company has requested a public hearing regarding their plan to conduct coal mining operations within 100 feet, measured horizontally, of the outside right-of-way line of a public road, Highway 191, in Willow Creek Canyon, Carbon County, Utah. This hearing will be held simultaneously with the Willow Creek Public Hearing, notice of April 17, 1995.

Persons interested in this matter may participate pursuant to Utah Administrative Code Rule R. 645-103-234. The request for public hearing, and any subsequent information, may be inspected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Janice Brown at 538-5340, at least three working days prior to the hearing date.

DATED the 27<sup>th</sup> day of April, 1995.

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING

  
\_\_\_\_\_  
James W. Carter  
Director

**AMAX COAL COMPANY  
CASTLE GATE MINE  
ACT/007/004  
(4-27-95)**

**PUBLICATION OF NOTICE:**

Newspaper Agency Corporation  
Sun Advocate  
Emery County Progress

Salt Lake City Office - Posted  
Price Field Office - Posted  
Carbon County Courthouse - Posted

**CERTIFIED NOTICES SENT TO THE FOLLOWING:**

John Pappas  
Amax Coal Company  
P. O. Drawer PMC  
Price, Utah 84501

*Certified Return Receipt* P 074 976 193

**NOTICES MAILED TO THE FOLLOWING:**

THOMAS E EHMETT ACTING DIR  
ALBUQUERQUE FIELD OFFICE  
OFFICE OF SURFACE MINING R & E  
505 MARQUETTE NW STE 1200  
ALBUQUERQUE NM 87102

RICHARD E DAWES CHIEF  
DIV OF FEDERAL PRGMS  
OFFICE OF SURFACE MINING  
1999 BROADWAY STE 3320  
DENVER CO 80202-5733

MARK BAILEY AREA MNGR  
PRICE RIVER RESOURCE AREA  
BUREAU OF LAND MNGMNT  
P O BOX AB  
PRICE UT 84501

ALAN RABINOFF CHIEF  
MINING LAW 7 SOLID MNRLS  
BUREAU OF LAND MNGMNT  
P O BOX 45155  
SALT LAKE CITY UT 84145-0155

ROBERT D WILLIAMS ASST FLD  
SUP  
U S FISH & WILDLIFE SERV  
ECO SERV  
LINCOLN PLAZA  
145 E 1300 S STE 404  
SALT LAKE CITY UT 84115

AARON HOWE ACTING FRST SUP  
U S FOREST SERV  
MANTI-LASAL NTNL FRST  
599 W PRICE RIVER RD  
PRICE UT 84501

ROBERT MORGAN STATE ENGR  
UTAH DIV OF WATER RIGHTS  
DEPT OF NATURAL RESOURCES  
CAPITOL MAIL

BRENT BRADFORD DPTY DIR  
OFFICE OF THE EX DIR  
DEPT OF ENVIR QULTY  
CAPITOL MAIL

ROBERT VALENTINE DIR  
UTAH DIV OF WILDLIFE RESOURCES  
CAPITOL MAIL

MAX J EVANS DIR  
UTAH DIV OF STATE HISTORY  
CAPITOL MAIL

SCOTT HIRSCHI DIR  
SCHOOL & INSTNL TRUST LNDS ADM  
CAPITOL MAIL

BILL HOWELL EX DIR  
SOUTHEASTERN UTAH ASSOC  
OF LOCAL GVRNMNTS  
P O BOX 297  
PRICE UT 84501

DAVID LEVANGER  
CARBON CNTY PLNNG & ZNG  
120 E MAIN  
PRICE UT 84501

BRYANT ANDERSON  
EMERY CNTY PLNNG & ZONING  
P O BOX 297  
CASTLE DALE UT 84513

RONALD P PARKIN  
STATE MINE INSPECTOR  
INDUSTRIAL COMM OF UT  
COLLEGE OF EASTERN UT  
451 E 400 N  
PRICE UT 84501

ALEX JORDAN  
UTAH MINING ASSOC  
KEARNS BLDG  
136 S MAIN STE 825  
SALT LAKE CITY UT 84101

RANDOLPH GAINER ENVR CHR  
GENWAL RESOURCES INC  
P O BOX 1420  
HUNTINGTON UT 84528

CAROLYN B WRIGHT RESEARCH  
ANALYST  
OFFICE OF PLANNING & BUDGET  
STATE PLANNING COORDINATOR  
OFFICE  
CAPITOL MAIL

MIKE SCHWINN DST ENGR  
U S ARMY CORPS OF ENGINEERS  
1403 S 600 W  
BOUNTIFUL UT 84010

GARY L ROEDER  
DISTRICT CONSERVATIONIST  
U S SOIL CONSERVATION SERVICE  
350 N 400 E  
PRICE UT 84501

WILLIAM P YELLOWTAIL JR  
REGIONAL ADMINISTRATOR  
ENVIRONMENTAL PROTECTION  
AGENCY  
999 18TH ST  
DENVER PL STE 500  
DENVER CO 80202-2405

TED STEWART EX DIR  
DEPARTMENT OF NATURAL  
RESOURCES  
BUILDING MAIL

DEPT OF TRANSPORTATION  
PRICE DISTRICT  
ROUTE 3 BOX 75C5  
PRICE UT 84501-0903

DAVE D LAURISKI CHAIRMAN  
2115 E HUNTERS GLEN  
LAYTON UT 840414

143 SOUTH MAIN ST.  
 P.O. BOX 45838  
 SALT LAKE CITY, UTAH 84145  
 FED. TAX I.D. # 87-0217663

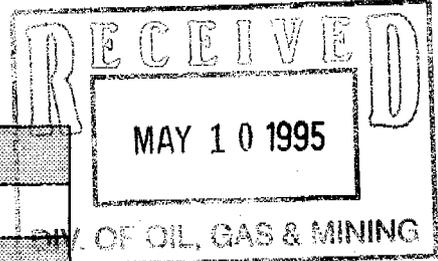
**Newspaper Agency Corporation**  
*The Salt Lake Tribune* **DESERET NEWS**

CUSTOMER'S COPY

*Library*

**PROOF OF PUBLICATION**

<b>CUSTOMER NAME AND ADDRESS</b>	<b>ACCOUNT NUMBER</b>
DIV OF OIL, GAS & MINING 355 WEST NORTH TEMPLE 3 TRIAD CENTER #350 SLC, UT 84180	D5385340L-07 05/05/95



<b>ACCOUNT NAME</b>	
DIV OF OIL, GAS & MINING	
<b>TELEPHONE</b>	<b>INVOICE NUMBER</b>
801-538-5340	TL528200601
<b>SCHEDULE</b>	
START 05/05/95 END 05/05/95	
CUST. REF. NO.	

**NOTICE OF HEARING**  
 CAUSE NO. ACT/007/004-95B  
 BEFORE THE DIVISION OF OIL, GAS AND MINING  
 DEPARTMENT OF NATURAL RESOURCES, STATE OF UTAH

THE MATTER OF AMAX COAL COMPANY, CASTLE GATE MINE,  
 CARBON COUNTY, UTAH.

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE  
 TITLED MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining will conduct a Public Hearing on Thursday, May 11, 1995, at 10 p.m. in the Carbon County Courthouse, Carbon County Commission Chambers, 120 East Main, P.O. Box 100, Panguitch, Utah. This Notice is supplemental to Cause No. PRO/007/038, Cyprus Plateau Mining Company's proposed Willow Creek Mine.

The Public Hearing will be conducted in accordance with Utah Code Ann., ss 40-10-24(4)(c), and Utah Administrative Code Rule R.645-103-234 (1995).

Pursuant to Utah Code Ann., ss 40-10-24(4)(c), Amax Coal Company has requested a public hearing regarding their plan to conduct coal mining operations within 100 feet, measured horizontally, of the outside right-of-way line of a public road, Highway 191, in Willow Creek Canyon, Carbon County, Utah. A hearing will be held simultaneously with the Willow Creek Mine Hearing, notice of April 17, 1995.

Persons interested in this matter may participate pursuant to Utah Administrative Code Rule R.645-103-234. The request for a hearing, and any subsequent information, may be processed in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Janice L. Brown at 801-5340, at least three working days prior to the hearing date.

DATED this 27th day of April, 1995.

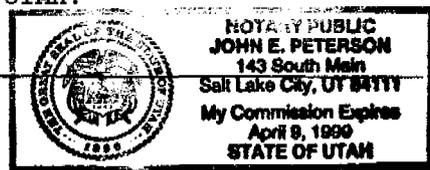
STATE OF UTAH  
 DIV. OF OIL, GAS AND MINING  
 James W. Carter  
 Director  
 52820060

<b>CAPTION</b>	
NOTICE OF HEARING CAUSE NO. ACT	
<b>SIZE</b>	
47 LINES	2.00 COLUMN
	<b>RATE</b>
	1.64
<b>CHARGES</b>	<b>AD CHARGES</b>
	154.16
	<b>TOTAL COST</b>
	154.16

**AFFIDAVIT OF PUBLICATION**

BY CORPORATION LEGAL BOOKKEEPER, I CERTIFY THAT THE ATTACHED NOTICE OF HEARING CAUSE NO. ACT \_\_\_\_\_ FOR \_\_\_\_\_, GAS & MINING \_\_\_\_\_ WAS PUBLISHED BY THE NEWSPAPER AGENCY \_\_\_\_\_ FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH.

PUBLISHED ON START 05/05/95 END 05/05/95  
 SIGNATURE *[Signature]*  
 DATE 05/05/95



**THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"  
 PLEASE PAY FROM BILLING STATEMENT.**

*2841 fee*

BEFORE THE DIVISION OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

---oo0oo---

IN THE MATTER OF CYPRUS	:	PUBLIC HEARING
PLATEAU MINING COMPANY	:	
PROPOSED WILLOW CREEK	:	
MINE, CARBON COUNTY, UTAH	:	CAUSE NO. PRO/007/038

---oo0oo---

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE-ENTITLED MATTER.

Notice is hereby given that the Division of Oil, Gas and Mining ("Division"), State of Utah, will conduct a Public Hearing on Thursday, May 11, 1995, at 3:00 p.m. in the Carbon County Courthouse, Carbon County Commission Chambers, 120 East Main, Price, Utah.

The Public Hearing will be conducted in accordance with the Utah Code Ann. § 40-10-24(4)(c), and Utah Administrative Code Rule R645-103-234 (1995).

Pursuant to Utah Code Ann. § 40-10-24(4)(c), Cyprus Plateau Mining ("Cyprus") has requested a public hearing regarding their plan to conduct coal mining operations within 100 feet, measured horizontally, of the outside right-of-way line of a public road, Highway 191, in Willow Creek Canyon, Carbon County, Utah.

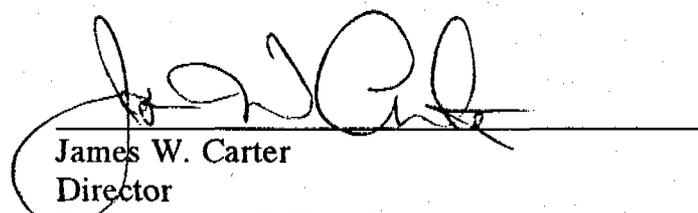
Persons interested in this matter may participate pursuant to Utah Administrative Code Rule R645-103-234. The request for public hearing, and any subsequent information, may be inspected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Janice Brown at 538-5340, at least three working days prior to the hearing date.

Page 2  
Public Hearing  
Cause No. PRO/007/038

DATED this 17<sup>th</sup> day of April, 1995.

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING



---

James W. Carter  
Director  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
(801) 538-5340

CYPRUS PLATEAU MINING COMPANY  
WILLOW CREEK MINE  
PRO/007/038

PUBLICATION OF NOTICE:

Newspaper Agency Corporation  
Sun Advocate  
Emery County Progress

Salt Lake City Office - Posted  
Price Field Office - Posted  
Carbon County Courthouse - Posted

CERTIFIED NOTICES SENT TO THE FOLLOWING:

Ben Grimes  
Cyprus Plateau Mining Company  
P. O. Drawer PMC  
Price, Utah 84501

CERTIFIED NO. P. 074977 558

NOTICES MAILED TO THE FOLLOWING:

THOMAS E EHMETT ACTING DIR  
ALBUQUERQUE FIELD OFFICE  
OFFICE OF SURFACE MINING R & E  
505 MARQUETTE NW STE 1200  
ALBUQUERQUE NM 87102

RICHARD E DAWES CHIEF  
DIV OF FEDERAL PRGMS  
OFFICE OF SURFACE MINING  
1999 BROADWAY STE 3320  
DENVER CO 80202-5733

MARK BAILEY AREA MNGR  
PRICE RIVER RESOURCE AREA  
BUREAU OF LAND MNGMNT  
P O BOX AB  
PRICE UT 84501

ALAN RABINOFF CHIEF  
MINING LAW 7 SOLID MNRLS  
BUREAU OF LAND MNGMNT  
P O BOX 45155  
SALT LAKE CITY UT 84145-0155

ROBERT D WILLIAMS ASST FLD  
SUP  
U S FISH & WILDLIFE SERV  
ECO SERV  
LINCOLN PLAZA  
145 E 1300 S STE 404  
SALT LAKE CITY UT 84115

AARON HOWE ACTING FRST SUP  
U S FOREST SERV  
MANTI-LASAL NTNL FRST  
599 W PRICE RIVER RD  
PRICE UT 84501

ROBERT MORGAN STATE ENGR  
UTAH DIV OF WATER RIGHTS  
DEPT OF NATURAL RESOURCES  
CAPITOL MAIL

BRENT BRADFORD DPTY DIR  
OFFICE OF THE EX DIR  
DEPT OF ENVIR QULTY  
CAPITOL MAIL

ROBERT VALENTINE DIR  
UTAH DIV OF WILDLIFE RESOURCES  
CAPITOL MAIL

MAX J EVANS DIR  
UTAH DIV OF STATE HISTORY  
CAPITOL MAIL

SCOTT HIRSCHI DIR  
SCOOL & INSTNL TRUST LNDS ADM  
CAPITOL MAIL

BILL HOWELL EX DIR  
SOUTHEASTERN UTAH ASSOC  
OF LOCAL GVRNMNTS  
P O BOX 297  
PRICE UT 84501

DAVID LEVANGER  
CARBON CNTY PLNNG & ZNG  
120 E MAIN  
PRICE UT 84501

BRYANT ANDERSON  
EMERY CNTY PLNNG & ZONING  
P O BOX 297  
CASTLE DALE UT 84513

RONALD P PARKIN  
STATE MINE INSPECTOR  
INDUSTRIAL COMM OF UT  
COLLEGE OF EASTERN UT  
451 E 400 N  
PRICE UT 84501

CAROLYN B WRIGHT RESEARCH  
ANALYST  
OFFICE OF PLANNING & BUTGET  
STATE PLANNING COORDINATOR  
OFFICE  
CAPITOL MAIL

MIKE SCHWINN DST ENGR  
U S ARMY CORPS OF ENGINEERS  
1403 S 600 W  
BOUNTIFUL UT 84010

GARY L ROEDER  
DISTRICT CONSERVATIONIST  
U S SOIL CONSERVATION SERVICE  
350 N 400 E  
PRICE UT 84501

WILLIAM P YELLOWTAIL JR  
REGIONAL ADMINISTRATOR  
ENVIRONMENTAL PROTECTION  
AGENCY  
999 18TH ST  
DENVER PL STE 500  
DENVER CO 80202-2405

TED STEWART EX DIR  
DEPARTMENT OF NATURAL  
RESOURCES  
BUILDING MAIL

DEPT OF TRANSPORTATION  
PRICE DISTRICT  
ROUTE 3 BOX 75C5  
PRICE UT 84501-0903

DAVE D. LAURISKI CHAIRMAN  
2115 E HUNTERS GLEN  
LAYTON UT 840414



Post-It™ Fax Note	7671	Date	4/8/95	# of pages	2
To	Pam Littig		From	Ben Grimes	
Co./Dept.			Co.		
Phone #			Phone #	636-2227	
Fax #			Fax #		

April 4, 1995

Utah Coal Regulatory Program  
 Division of Oil, Gas and Mining  
 355 West North Temple  
 3 Triad Center, Suite 350  
 Salt Lake City, Utah 84180-1203

By Facsimile

*Copy Jim, Lowell*  
*Copy of PRO 007/038 #2*  
*Copy Aaron, ~~Jan Brown~~, Pam*  
*Victie*  
*Basley, (FAX)*

Dear Ms. Littig,

RE: PUBLIC HEARING REQUEST - R645-103-234, PUBLIC ROAD  
 FOR PROPOSED WILLOW CREEK MINE

This letter is a request to the Division to call a hearing to comply with R645-103-234. This regulation requires approval for conducting mining operations within 100 feet measured horizontally of the outside right-of-way line of a public road. The exception [40-10-24(4)(c)] provided in the aforementioned regulation states:

(4) After August 3, 1977, and subject to valid existing rights, no surface coal mining operations, except those which exist on that date, shall be permitted:

(c) Within 100 feet of the outside right-of-way line of any public road, except where mine access roads or haulage roads join this right-of-way line and except that the division may permit these roads to be relocated or the area affected to lie within 100 feet of the road, if after public notice and opportunity for public hearing in the locality a written finding is made that the interests of the public and the landowners affected thereby will be protected; or

Cyprus Plateau Mining Company is planning to conduct coal mining operations within 100 feet of the outside right-of-way line of Highway 191 in Willow Creek Canyon consisting of a Willow Creek Stream relocation section approximately 270 feet long, a Willow Creek Stream relocation section approximately 450 feet long, an office trailer building, and a section of mine access road approximately 750 feet long. In addition, three access roads joining the highway are planned, two for mine access and one ancillary road for access to mine water storage tanks.

Ben Grimes  
Page 2  
April 4, 1995

We request the hearing be held in Price as soon as practicable but, before May 15, 1995. After the hearing, the Division will make findings as per R645-103-234.400.

I have been discussing the new mine project with personnel from the UDOT office in Price for the past year. According to R645-103234.100 the applicant (Cyprus) is required "... to obtain necessary approvals from the authority with the jurisdiction over the public road." Driveway applications will be submitted to UDOT in the near future to cover the entrances to the mine site. These driveway permits will constitute the necessary UDOT approvals.

Please let me know as soon as possible what maps or plans are needed for the hearing.

Respectfully,

Ben Grimes  
Project Manager

cc: J. Borla  
G. Walker

File: WCENG 12.14  
Chron: BG950403



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor  
Ted Stewart  
Executive Director  
James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

01/18/1995  
ACT 1007/038

April 17, 1995

Sun Advocate  
Emery County Progress  
76 West Main  
P. O. Box 870  
Price, Utah 84501

Gentlemen:

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Thursday the 27th day of April, 1995, in both the Sun Advocate and Emery County Progress. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Victoria A. Bailey  
Executive Secretary

vb  
Attachment





State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

ACT/007/038

April 17, 1995

Newspaper Agency Corporation  
Legal Advertising  
143 South Main  
P. O. Box 45838  
Salt Lake City, Utah 84145

Gentlemen:

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published **ONCE ONLY** as soon as possible, but no later than Wednesday, the 26th day of April, 1995. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Victoria A. Bailey  
Executive Secretary

vb  
Attachment



BEFORE THE DIVISION OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

--ooOoo--

IN THE MATTER OF CYPRUS : FINDINGS  
PLATEAU MINING COMPANY, :  
PROPOSED WILLOW CREEK : CAUSE NO. PRO/007/038  
MINE, AND AMAX COAL COMPANY, : CAUSE NO. ACT/007/004-95B  
CASTLE GATE MINE, CARBON :  
COUNTY, UTAH :

--ooOoo--

On May 11, 1995, a public hearing was held before Lowell P. Braxton, Division of Oil, Gas and Mining, Department of Natural Resources, in accordance with Utah Admin. R. 645-103-234 and Utah Code Ann. § 40-10-24(4)(c) at the Carbon County Courthouse, Price, Utah.

The hearing was requested by Cyprus Plateau Mining Company and AMAX Coal Company to seek public comment in the matter of conducting mining operations within 100 feet of the outside right-of-way of Highway 191 in Willow Creek Canyon, as documented in permit applications designated PRO/007/038 and ACT/007/004-95B, respectively.

Notice of the public hearing was appropriately given and a stenographic record was made by a registered professional reporter.

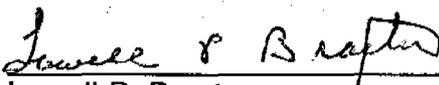
The hearing commenced at 3:00 p.m. and concluded at 4:02 p.m.

No comments regarding conduct of mining within 100 feet of Highway 191 were made at the hearing.

Based on appropriate notice and lack of adverse public comment, the Division finds that the interests of the public and affected landowners will be protected from the mining activities proposed to take place within 100 feet of the outside right-of-way of Highway 191.

DATED this 6th day of July, 1995.

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING

  
\_\_\_\_\_  
Lowell P. Braxton  
Associate Director, Mining

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
IN AND FOR THE STATE OF UTAH

IN THE MATTER OF CYPRUS )  
PLATEAU MINING COMPANY PROPOSED )  
WILLOW CREEK MINE, CARBON ) CAUSE NO. PRO/007/038  
COUNTY, UTAH )  
\_\_\_\_\_ )

THURSDAY, MAY 11, 1995, COMMENCING AT THE HOUR OF 3:00  
P.M., A PUBLIC HEARING WAS HELD IN THE ABOVE MATTER BEFORE  
LOWELL P. BRAXTON, DEPARTMENT OF NATURAL RESOURCES,  
DIVISION OF OIL, GAS, AND MINING, AT THE CARBON COUNTY  
COURTHOUSE, PRICE, UTAH.

INTERMOUNTAIN COURT REPORTERS  
5980 South Fashion Blvd.  
Murray, Utah 84107  
801 263-1396

FILE NO. 51195

REPORTED BY:  
DANA M. MORSE, CSR, RPR

COPY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES:

FOR THE DIVISION OF	LOWELL P. BRAXTON
OIL, GAS & MINING:	Department of Natural Resources
	Division of Oil, Gas and Mining
	3 Triad Center, Suite 350
	Salt Lake City, Utah 84180-1203

1 PRICE, UTAH, THURSDAY, MAY 11, 1995, 3:00 P.M.

2 P R O C E E D I N G S

3 MR. BRAXTON: This is a public hearing that  
4 addresses two causes. The first is Cause No.  
5 ACT/007/004-95B. This is in the matter of Amax Coal  
6 Company, Castle Gate Mine, Carbon County, Utah.

7 The opportunity here is for public comment, and we  
8 are accepting public comment in response to Amax Coal  
9 Company's request for a public hearing to address their  
10 plan to conduct coal mining operations within 100 feet  
11 measured horizontally of the outside right-of-way line  
12 of a public road. The road in this case is Highway 191  
13 in Willow Creek Canyon, Carbon County, Utah.

14 We are also holding a hearing under Cause No.  
15 PRO/007/038. The issue is identical to the one that I  
16 just noticed. We're going to accept public comments  
17 again on Cyprus Plateau Mining Company's request for a  
18 public hearing. The issue again is their intent to  
19 conduct coal mining operations within 100 feet measured  
20 horizontally of the outside right-of-way line of a  
21 public road. This is again Highway 191 in Willow Creek  
22 Canyon, Carbon County, Utah.

23 What I would ask is that any of you that have  
24 comments state your name, your address and your  
25 affiliation for the record, and then read the comments

1 or give your comments to us. Is there anybody that  
2 would like to offer to go first? Thank you.

3 MR. GRIMES: No. I'm just making a record of the  
4 whole project.

5 MR. BRAXTON: So we have an audience but nobody that  
6 wishes to provide comment. I think what we want to do  
7 then is go off the record for the moment and I will keep  
8 this public hearing open until 4 o'clock and if there  
9 are no comments before 4 o'clock we will close the  
10 hearing. I want to thank everybody for coming and we'll  
11 just go off the record at this time.

12 (Whereupon a recess was taken.)

13 MR. BRAXTON: It's now 4 o'clock on 5-11-95, an  
14 opportunity for public comment has been given. There  
15 were approximately eight persons attending the hearing,  
16 none of them wished to comment and so at that juncture  
17 -- or at this juncture I'm going to close the hearing.

18 (Whereupon the hearing was concluded at 4:02 pm.)  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

STATE OF UTAH )  
 ) ss.  
COUNTY OF SALT LAKE )

I, DANA MARIE MORSE, a Certified Shorthand Reporter, Registered Professional Reporter, and Notary Public within and for the county of Salt Lake, State of Utah do hereby certify:

That the above hearing was taken before me pursuant to notice at the time and place therein set forth.

That all objections made and all proceedings had at the time of the hearing were recorded stenographically by me and were thereafter transcribed, and I hereby certify that the foregoing transcript is a full, true, and correct record of my stenographic notes so taken;

I further certify that I am neither counsel for or related to any party to said action in anywise interested in the outcome thereof.

IN WITNESS WHEREOF, I have subscribed my name this 12th day of May 1995.

*Dana Marie Morse*

DANA MARIE MORSE  
Certified Shorthand Reporter,  
Registered Professional Reporter,  
and Notary Public in and for the  
County of Salt Lake, State of Utah.

My Commission Expires:  
June 13, 1998

