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MEMORANDUM

TO: DIANNE R. NIELSON, Director
Division of Oil, Gas and Mining

FROM: BARBARA W. ROBERTS
Assistant Attorney General

DATE: February 27, 1984

RE: Relocation of public road at Plateau Mining Company's
operation

I have reviewed the requirements of UMC 761.12(d) with regard to relocation of public roads and have concluded that the Board need only make the written finding required by UMC 761.12(d)(4). The necessary approvals required by UMC 761.12(d)(1) have been obtained and, since Carbon County has held a public hearing with more than 30 days published notice, the notice and opportunity for a public hearing on this subject have been complied with.

The written finding by the Board should recite that no member of the public participated in the County hearing and that the interests of the public and affected landowners will not be harmed by the relocation of the road.

If I can be of further assistance to you on this matter, please contact me.

BWR/dp