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

Michael O. Leavitt
Governor
Kathleen Clarke
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Salt Lake City, Utah 84114-5801
801-538-5340
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801-538-7223 (TDD)

April 18, 2001

TO: Internal File

THRU: Dave Darby, Project Lead
Daron Haddock, Permit Supervisor

FROM: Paul Baker, Reclamation Biologist

RE: Lila Canyon Cultural Resources, Utah American Energy, Horse Canyon Mine,
C/007/013-SR98(1), Internal File

On April 18, 2001, I went to the office of the Utah Division of State History and obtained copies of three letters the Division of Oil, Gas and Mining (Division) has sent concerning the Lila Canyon Tract of the Horse Canyon Mine. The Division has determined there will be no effects on historic properties and sought concurrence from the State Historic Preservation Office (SHPO). SHPO received the letters September 22, 1999; March 15, 2001; and March 29, 2001.

I met briefly with Jim Dykman, the compliance officer for SHPO, who told me that a non-reply from SHPO on a project of this nature is considered concurrence. He also reviewed the letters and said he felt there should be a determination of no effect based on no historic properties. Therefore, the Division can consider this issue to be resolved.

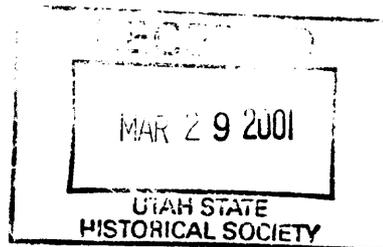


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March 27, 2001



Max J. Evans, Director
Utah Division of State History
300 Rio Grande
Salt Lake City, Utah 84101

Re: Lila Canyon Cultural Resources, Utah American Energy, Inc., Horse Canyon Mine, C/007/0103-SR98(1), Outgoing File

Dear Mr. Evans:

The Division of Oil, Gas and Mining is in the process of reviewing a significant revision for the Horse Canyon Mine called the Lila Canyon Tract. This proposal, although a revision to an existing mining and reclamation plan, includes plans for building new surface facilities and mining in about 4700 acres of federal coal leases that were not previously permitted.

The permit application package includes a cultural resources survey of the area that would be disturbed. This survey was done by Montgomery Archaeological Consultants under State of Utah Antiquities Permit No. U-98-MQ-0399b. The survey located one isolated find, a chert secondary flake which the consultant considered not to be eligible for listing in the National Register of Historic Places. The consultant recommended a determination of no effect. No other surface disturbance is planned at this time.

Based on the information provided, the Division of Oil, Gas and Mining also recommends there would be no effect on significant cultural resources. In order for us to proceed with the permitting process we need to receive your concurrence. Please let us know as soon as possible if you can agree with this determination.

Thank you for your help. If you have any questions, please call me at 801-538-5325 or Paul Baker at 801-538-5261.

Sincerely,

Daron R. Haddock
Permit Supervisor

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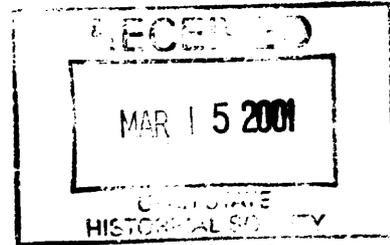
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March 8, 2001

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Max J. Evans, Director
Utah Division of State History
300 Rio Grande
Salt Lake City, Utah 84101

Re: Lila Canyon Cultural Resources, Utah American Energy, Inc., Horse Canyon Mine, C/007/0103-98(1), Outgoing File

Dear Mr. Evans:

According to our records, we sent you a letter on September 22, 1999, requesting your concurrence on the Lila Canyon Tract of the Horse Canyon Mine. A copy of the letter is enclosed. Although we believe we received a response agreeing with our assessment that there would be no effect on any known significant cultural resources, we have been unable to find a copy of your letter.

If you have a copy of your original letter to us about this project, we would appreciate receiving another copy. If you do not, could you please let us know whether you concur with our determination?

Thank you for your help. If you have any questions, please call me at 801-538-5325 or Paul Baker at 801-538-5261.

Sincerely,

Daron R. Haddock
Permit Supervisor

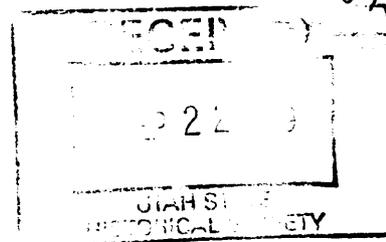
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September 22, 1999

Max Evans, Director
Utah Division of State History
300 Rio Grande
Salt Lake City, Utah 84101

Re: Lila Canyon Cultural Resources, Utah American Energy, Inc., Horse Canyon Mine,
ACT/007/0103-98-1, File #3, Carbon and Emery Counties, Utah

Dear Mr. Evans:

On March 5, 1999, the Division of Oil, Gas and Mining sent you a determination of administrative completeness for a significant revision to the Horse Canyon mining and reclamation plan. This revision involves building a new mine at the mouth of Lila Canyon in Emery County.

The permit application package includes a cultural resources survey of the area that would be disturbed. This survey was done by Montgomery Archaeological Consultants under State of Utah Antiquities Project Permit No. U-98-MQ-0399b. The survey located one isolated find, a chert secondary flake, and the consultant considered this was not eligible for listing in the National Register of Historic Places. The consultant recommended a determination of no effect. No other surface disturbance is planned at this time.

Based on the information provided, the Division of Oil, Gas and Mining also recommends there would be no effect on significant cultural resources and would like to receive your concurrence. Please let us know if you can agree with this determination.

Sincerely,

Daron R. Haddock
Permit Supervisor