



southern  
utah  
wilderness  
alliance

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DIV OF OIL, GAS &amp; MINING

**HAND DELIVERED**

November 18, 2005

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

*Escamero*  
*11/18/05*

Re: *Horse Canyon Mine, Lila Canyon Extension C/007/013*  
*Southern Utah Wilderness Alliance Additional Comments and Objections*

Greetings:

Southern Utah Wilderness Alliance (SUWA) appreciates the additional time to review and comment on the 2004-2005 records recently placed in the public information center. Based on our review of these records, we raise the following points for your consideration:

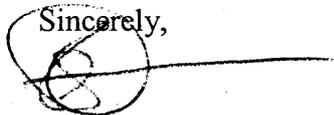
- An e-mail exchange in late September and early October, 2005 between Division of Oil, Gas, and Mining (DOG M) staff and Diana Whittington (U.S. Fish and Wildlife Service) regarding the potential impacts of depletions to the Colorado River system (Price River) further amplifies SUWA's concerns identified as point #10 (water consumption) in our November 8, 2005 letter. [This exchange is identified as 2005 Incoming File Record #0033]. Specifically, the PAP does not indicate – as the correspondence between DOGM and U.S. Fish and Wildlife Service states – that the planned depletions have been identified as a having “may affect, likely to adversely affect” to the four listed Colorado River fish or that DOGM and the Service have completed consultation. Indeed, correspondence between DOGM and the Service on August 31, 2005 does not mention Price River depletions or the “affects” to Colorado River fish. [Identified as 2005 Outgoing File Record #0018]. An earlier letter between DOGM and the Service on August 17, 2005, mentions the depletions, but not the “may affect, likely to adversely affect” finding. [Identified as 2005 Outgoing File Record # 0015].

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Salt Lake City, Utah 84111  
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Website: www.suwa.org

- In addition, because UEI and the Division have miscalculated the amount of water to be consumed (as 74 acre-feet rather than 112 acre-feet), DOGM must consult with the U.S. Fish and Wildlife Service regarding this "large depletion," and UEI must make payment to the Colorado River Fish Recovery Implementation Program.

Feel free to contact me with any questions: (801) 486-3161.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Bloch", is written over a circular stamp. A horizontal line extends to the right from the end of the signature.

Stephen Bloch  
Staff Attorney