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December 27, 2005

**VIA U.S. MAIL AND E-MAIL**

Pete Rutledge  
U.S. Department of the Interior  
Office of Surface Mining  
Western Regional Office  
P.O. Box 46667  
1999 Broadway, Suite 3320  
Denver, CO 80201-6667  
prutledg@osmre.gov

Pam Grubaugh-Littig  
Utah Division of Oil, Gas and Mining  
1594 West North Temple  
P.O. Box 145801  
Salt Lake City, UT 84114  
pamgrubauhittig@utah.gov

Re: Request for Consulting Party Status under Section 106 NHPA

Dear Mr. Rutledge and Ms. Grubaugh-Littig:

On behalf of UtahAmerican Energy, Inc. ("UEI"), applicant/permittee of the Horse Canyon Mine, Lila Canyon Extension C/007/13, the ("MRP"), UEI requests to participate as a "consulting party", pursuant to 36 C.F.R. § 800.2(c)(6) in any further proceedings relating to the MRP under Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470f, ("NHPA"). UEI understands that the Bureau of Land Management ("BLM"), as the federal land management agency, complied with the requirements of § 106 NHPA in issuing its October 27, 2000 FONSI/Decision Record ("BLM Decision") approving rights of way on public lands associated with the MRP.

Prior to issuing the BLM Decision, cultural resource inventories were conducted in the location of proposed mine surface facilities and associated rights of way, including an access road, telephone line and a 46 kV power line. The BLM Decision was upheld in Southern Utah Wilderness Alliance, 163 IBLA 192 (September 22, 2004) and is final and non-appealable.

DEC 28 2005

Pete Rutledge  
U.S. Department of the Interior  
Office of Surface Mining Reclamation & Enforcement  
Pam Grubaugh-Littig  
Utah Division of Oil, Gas and Mining  
December 27, 2005  
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UEI understands that the federal Office of Surface Mining ("OSM") and the Utah Division of Oil, Gas and Mining ("Division") are now involved in tribal consultation regarding the MRP under § 106 NHPA. UEI would appreciate receiving a copy of any correspondence regarding tribal consultation in this matter.

We appreciate your cooperation. Please forward any communication to UEI regarding this matter to my attention at the above address.

Very truly yours,



Denise A. Dragoo

DAD:hks

cc: Clyde Borrell  
Jay Marshall  
Steve Alder, Esq.  
Bob Comer, Esq.  
Advisory Council on Historic Preservation  
State Historic Preservation Office  
National Trust for Historic Preservation