

From: Wayne Hedberg
To: leslie@co.emery.ut.us
Date: 9/8/2005 4:16:23 PM
Subject: Lila Canyon Road Agreement

Dear Ms. Bolinder:

I recently sent (8/30/05) an email request to Commissioner Hatch (see below) requesting information regarding the Lila Canyon Road Agreement. I'm not sure if Commissioner Hatch received my email or not, as I have not received a response to date. If possible, would you please check with him (or whomever the appropriate person may be) and ask if there is any updated information in this regard? We have a target date of early next week to complete our technical analysis of the coal mining permit application. I need to complete my road findings documentation by then as well. Any assistance you could provide in this regard would be appreciated. Thank you.

Sincerely,
D. Wayne Hedberg
Permit Supervisor
Coal Regulatory Program
Utah Division of Oil, Gas & Mining

From: Wayne Hedberg
To: commission@co.emery.ut.us
Date: 8/30/2005 2:22:55 PM
Subject: Lila Canyon Road Agreement

Dear Commissioner Hatch:

I work for the State Division of Oil, Gas & Mining and have the responsibility to re-evaluate the original road findings on the Lila Canyon Road as related to Utah American Energy, Inc. (UEI) Lila Canyon Coal Mine permit application. I have spoken with Rex Funk of the Emery County Road Department, Mark Mackiewicz of the Price BLM office and Mr. Jay Marshall of UEI regarding the road status as well. I am contacting you to request any updated information you may have regarding the status of the October 19, 1999 signed Agreement between Emery County and Utah American Energy, Inc. regarding the reconstruction and use of the Lila Canyon Road (#126).

By letter dated October 29, 2004, to Commissioner Drew Sitterud, I forwarded a similar inquiry regarding the status of this Agreement. Commissioner Sitterud responded by letter dated November 30, 2004, that the County considered the Agreement to still be in effect. Because nearly 9 months have transpired since that time, and we are getting closer to issuing a permit for the mine, I want to make sure that nothing has changed that might otherwise require an adjustment to our original road findings document.

I am aware that the County (through Johansen & Tuttle) has recently filed an amended right-of-way application with the BLM to address some minor road alignment changes and a borrow area for road fill. I was also informed that the original Agreement might need to be amended to add some language to include the Special Services District #1. Obviously, we want to make sure that no significant changes are proposed to the original Agreement between Emery County and UEI that might alter our original findings.

I would appreciate any insight or updated information you could provide in this regard at your earliest convenience. Thank you for your time and consideration of this request.

Respectfully yours,

D. Wayne Hedberg
Permit Supervisor
Coal Regulatory Program
Division of Oil, Gas & Mining

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CC: Pam Grubaugh-Littig; Sheila Morrison