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# State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

Outgoing  
C0070013  
#3815  
R

May 19, 2011

Jay Marshall, Resident Agent  
UtahAmerican Energy, Inc.  
P.O. Box 910  
East Carbon, Utah 84520-0910

Subject: Update Plate 5-2, Task ID # 3815, Utah American Energy, Inc., Horse Canyon Mine, C/007/0013

Dear: Mr. Marshall:

The Division has reviewed your application to Update Plate 5-2. The Division has determined that there are some deficiencies that must be addressed before a determination can be made that the requirements of the R645 Coal Mining Rules have been met and an approval can be granted.

Those deficiencies are listed in an attachment to this letter. Each deficiency identifies its author by their initials in parentheses so that your staff can directly communicate with that individual should any questions arise relative to the preparation of UtahAmerican Energy, Inc.'s response to the deficiencies.

[PWB]	Priscilla Burton	435-613-3733
[JCO]	James Owen	801-538-5306

The plan as submitted is denied. Please resubmit the entire application.

Sincerely,

James D. Smith  
Permit Supervisor

JDS/sqs  
Attachment  
cc: Price Field Office  
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**Deficiency List**  
**Task No. 3815**  
**Update Plate 5-2**

The members of the review team include the following individuals:

Priscilla Burton [PWB]  
James Owen [JCO]

**R-645-301-526.111**, - The applicant must either move the planned location for the surface facility #25 - Equipment & Supplies Storage Area, or re-define the area as disturbed. [JCO]

**R645-301-232**, - The map presented with the 2009 report map and the existing Plate 5-2 both show the location of the proposed "cat trail" in an area of undisturbed ground. This undisturbed area must be correctly identified on Plate 5-2 and have topsoil salvaged prior to disturbance by a cat trail. (Pete Hess recalls that topsoil was salvaged from the area to the north in 2010. I recall that the topsoil and subsoil was cut from the area to the east for the construction of bent structures in 2010.) If the area has already had topsoil salvaged, please review soil salvage records and provide an update to the 2009 annual report Table of Volumes for soils salvaged during 2010 and include a revision of the Topsoil Removal Map. [PWB]

**R645-301-521.141**, - The 2010 annual report indicates that no further topsoil salvage occurred beyond that reported in Feb 2010 ( provided with the 2009 annual report) , therefore all revisions of Plate 5-2 needs to continue to show all undisturbed areas within the permit boundary in the legend and on the plate. [PWB]