

0010

C/007/020 Incoming  
cc: Dave  
AK



# United States Department of the Interior

OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
P.O. Box 46667  
Denver, Colorado 80201-6667

IN REPLY REFER TO:

UT-0077

March 18, 2008

RECEIVED

MAR 21 2008

DIV. OF OIL, GAS & MINING

Utah Division of Oil, Gas, & Mining  
Coal Regulatory Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

RE: Hidden Splendor Resources "Horizon" Mine - Application for a Permit Revision, Paved Areas, Task ID No 2922

Dear Sir or Madam:

This in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) February 12, 2008, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Paved Areas, has determined that it revises the text of the approved permit application to for the Horizon mine, Utah State permit C/007/0020, to update the reclamation costs associated with the recent paving of an access road and parking areas.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR PART 740 and PART 746. Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Paved Areas, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the February 12, 2008, request to the Bureau of Land Management and the USDA Forest Service for their review and comment.



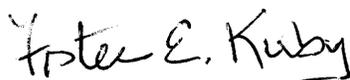
In an electronic submittal dated February 12, 2008, the USDA Forest Service stated it had no comments regarding the application for a permit revision.

The Bureau of Land Management did not provide any comments in the thirty day time frame established by the Federal regulations under 30 CFR 944.30, Article VI. D.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 293-5038.

Sincerely,



Foster E. Kirby  
Acting Manager, Northwest Branch

cc: BLM - Utah State Office  
BLM - Price Field Office  
USFS - Manti-La Sal NE  
Denver Field Division