



STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

Julie

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December 17, 1985

TO: Kenneth E. May, Associate Director, Mining

FROM: Lowell P. Braxton, Administrator, Mineral Resource  
Development and Reclamation Program

RE: Wildhorse Ridge Exploration Project, CEP/015/007,  
Emery County, Utah

LJB

Pursuant to our conversations, an evaluation of NEICO's application for postmining land use to fee acreage owned by NEICO was received December 9, 1985 and has been evaluated by members of the technical staff. Three areas evidently need further resolution.

1. The operator has been asked to contact the Emery County Planning Commission for support of the proposed postmining land use.
2. NEICO has been asked to contact the State Division of Wildlife Resources (DWR) for support from DWR stating that no adverse effects to fish, wildlife and related environmental values and threatened or endangered species are posed by the proposed postmining land use.
3. The Division needs to evaluate UMC 817.176 and UMC 815.15(3) Roads: Class III: Restoration - these regulation indicate that when a Class III Road is no longer needed for operation, reclamation or upgrading to a Class II standard must take place and with respect to UMC 817.166(a) that unless the Division approves retention of a Class II Road as suitable for the approved postmining land use immediately after the road is no longer needed for operations, the road shall be closed and the land reclaimed. We should establish amongst ourselves with assistance from the Attorney

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General's office (if required), that it is acceptable to leave a Class III Road as a Class III Road (not upgraded to the Class II) if all other factors of the proposed postmining land use for that area support the retention of a Class III Road.

If you advise, would you please contact the Assistant Attorney General regarding this? If further information is required, please advise.

btb  
cc: W. Hedberg  
J. Heifrich  
0180R-18 & 19