



OGMCOAL DNR <ogmcoal@utah.gov>

Re: Bronco Hidden Valley Permit Boundary Revision

Steve Christensen <stevechristensen@utah.gov>

Thu, Apr 2, 2020 at 10:19 AM

To: "John A. Gefferth" <JGefferth@barr.com>

Cc: "ogmcoal@utah.gov" <ogmcoal@utah.gov>, "Kit Pappas (jpappas@broncoutah.com)" <jpappas@broncoutah.com>, Todd Miller <toddmiller@utah.gov>

Good morning,

After an initial review of the proposed amendment (see R645-303-221), the Division is not proceeding to formal review at this time. Additional revisions are required to the Hidden Valley MRP to provide a more clear and concise documentation of the 120 acres being removed from the Hidden Valley Mine Site.

Issues identified during initial review:

1) Several plates/figures depict the old permit boundary and/or legal descriptions that are would no longer be accurate with the removal of the 120 acres:

- Plate I, Hidden Valley Mine Location (pg. 150/340) has a legal description of the "Hidden Valley Mine Site" that needs to be revised. Found in Appendix 1.

- Plate Ia, Hidden Valley Mine Ownership (pg. 151, 340) also has the same legal description as Plate I of the mine site that would no longer be accurate with the 120 acre removal. Found in Appendix 1.

- Plate IV, Hidden Valley Mine Drill Hole Locations (pg. 155, 340). This one shows the old permit boundary, but it's not identified as such so we could probably let this one go. I mention it because I saw it as I was going through the permit.

I realize these are old figures. However; correcting inaccurate legal descriptions and depictions of the old permit boundary is what we discussed as needing to happen with this amendment. I realize these figures are old so I would imagine it would be easier to replace them building off the revised Surface and Coal Ownership map.

From a narrative stand-point a couple things:

1) Section UMC 817.133, Post Mining Land Use was revised. This should provide a more detailed description/discussion as to why the permit boundary is being reduced by 120 acres. As we discussed on the phone, it doesn't have to be a novel, but I envisioned at least a short paragraph describing Miracle Rocks operation, when it came on-line and why, at this time, the permit boundary was reduced by 120 acres. A short discussion of the surface agreement would be helpful as well. Reference or provide legal descriptions for Hidden Valley and Miracle Rock.

2) Speaking of legal descriptions; a legal description of the permit boundary must be included. Please provide the legal description for Bronco's permit boundary. It would be logical to also provide the legal description of the 120 acres of Miracle Rock permit so it's clear and concise as to what permit boundaries are for each mining operation.

-Section UMC 817.133 would be one location as this narrative was revised.

- Another location for the legal descriptions would be in the General Chapter 1. R645-301-114.100 and R645-301-521 discuss the requirement for essentially a description of the lands the permittee has a right of entry and the lands subject to coal activity. A legal description is how DOGM has historically addressed these rules. Section 114.100 would be the logical choice for these descriptions (See Chapter I, Page 3, pg. 4/340)

I'm not trying to be nit-picky, but from my experience, when legal descriptions in permits and figures aren't revised, the amount of confusion later on and the amount of time-wasted sorting this stuff out can get ridiculous.

What am I asking for shouldn't be too heavy of a lift. While we're under the hood of the Hidden Valley MRP, let's try to correct as many potential discrepancies as possible now.

Call me and we can talk about it.

Regards,
Steve

On Wed, Apr 1, 2020 at 7:51 PM John A. Gefferth <JGefferth@barr.com> wrote:

Steve

We recreated the three Plates from old blue line copies.

"KEEP CALM AND WASH YOUR HANDS!"

John A. Gefferth

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