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orig mine file VB
cc file (Board)
R. Daniels
M. Boucek
DRWiels

Emery County Board of Commissioners

P.O. Box 629
Castle Dale, Utah 84513
Telephone (801) 381-2119

Rue P. Ware, Commission Chairman
Bevan K. Wilson, Commissioner
Clyde Conover, Commissioner
Bruce C. Funk, Clerk

February 6, 1985

ACT/015/017 #2
ACT/015/018 #2

RECEIVED
FEB 15 1985
DIVISION OF OIL
GAS & MINING

Melvin Shilling
Chief, Mining Analysis Division
Western Technical Center
Office of Surface Mining
Reclamation and Enforcement
Brooks Towers
1020 15th Street
Denver, Colorado 80202

Dear Mr. Shilling:

This correspondence is in response to the questions in your letter of December 7, 1984.

The subject roads are listed on the Emery County Road System. The County receives Class B funds concerning the roads. To receive the funds, concerning any given road, that road must be on the County System. The County, therefore, claims rights of way concerning these roads.

The County has in the past, and will continue, to maintain the subject roads as they are part of our County Road System. The County will maintain these roads until they become separated from the County Road System.

We trust this correspondence is sufficient. Should you have further questions, please submit them.

Yours truly,

Clyde Conover

Clyde Conover, Chairman
Emery County Board of Commissioners

CC/par

cc Ron Barney

United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

DEC 7 1984

Mr. Rue P. Ware, Chairman
Emery County Board of Commissioners
P.O. Box 629
Castle Dale, Utah 84513

Dear Mr. Ware:

The Office of Surface Mining (OSM), Western Technical Center has received your letter of September 20, 1984, concerning responsibility for and maintenance of the roads serving the Deer Creek mine (approximately three miles long from Highway 31 to the Deer Creek portal), and the Des-Bee-Dove mine (7.7 miles long on Danish Bench) in Emery County. To assist us in completing permit actions on those mines, we are asking you to answer questions which remain:

1. Does Emery County own the right-of-way to all or part of these roads? If the County owns the right-of-way to only part(s), please specify which part(s).

2. Does Emery County accept the post-mining responsibility for these roads, including maintenance? Please understand that the regulatory authority must have a committment from the County regarding post-mining responsibility in order to complete the reclamation requirements of the mining applications. If it is later determined to be appropriate, the County may change their post-mining plans and notify the regulatory authority and the mine operator prior to reclamation.

3. Does Emery County currently have all responsibility for maintenance of these roads? If not, who does?

Your timely response would be most appreciated. If you have any questions, please call either Louis Hamm or Walter Swain at (303) 844-3806.

Sincerely,

William J. Swain, Acting for

Melvin Shilling
Chief, Mining Analysis Division
Western Technical Center

cc: Robert Hagen, OSM - Albuquerque Field Office
Dianne Nielson, DOGM
Mary Boucek, DOGM
Chris Shingleton, Utah Power and Light

Emery County Board of Commissioners

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Castle Dale, Utah 84513
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Rue P. Ware, Commission Chairman
Bevan K. Wilson, Commissioner
Clyde Conover, Commissioner
Bruce C. Funk, Clerk

September 20, 1984

Office of Surface Mining
Division of Oil, Gas & Mining
4241 State Office Building
Salt Lake City, Utah 84114

Gentlemen:

In the matter of determining responsibility and maintenance of certain roads associated with mining complexes within Emery County, please be advised that the road serving the Deer Creek Mine (3.0 miles) and the road to the Des-Bee-Dove Mine located on Danish Bench (7.7 miles) are part of the County Class B road system and are maintained by the County Road Department.

Respectfully,

Rue P. Ware

Rue P. Ware, Chairman
Emery County Board of Commissioners

RPW/par

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SEP 26 1984
MINING AND
EXPLORATION