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**DIVISION OF
OIL, GAS & MINING**

February 18, 1986

Mr. D. Wayne Hedberg
Permit Supervisor/Reclamation Hydrologist
State of Utah
Department of Natural Resources
Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Re: Des-Bee-Dove Mine Sediment Pond Access Road,
N85-2-22-1, ACT/015/017, Emery County, Utah

Dear Mr. Hedberg:

Submitted are 14 copies of revised information addressing the deficiency items mentioned in your letter to Larry J. Guymon of Emery Mining Corporation dated February 3, 1986, concerning the abatement plans for the Des-Bee-Dove pond access road and NOV N85-2-22-1.

The answers to your staff's questions have been incorporated within the written text.

Due to the additional maps and written material it has become necessary to add a Volume 7 to the Des-Bee-Dove MRP to accommodate room for this submittal as well as provide space for future submittals.

All submitted materials are numbered and marked for easy insertion into the MRP. The following changes should be made:

	<u>Remove</u>	<u>Insert</u>
<u>Volume 1</u>	Table of Contents Pages 9 & 10	Revised 2-14-86 Table of Contents Pages 9 & 10
<u>Volume 6</u>	Map 5-3, Sheets 1&2 Map 5-5	Revised 2-14-86 Map 5-3 , Sheets 1&2 Revised 2-14-86, Map 5-5

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Mr. D. Wayne Hedberg
February 18, 1986
Page 2

Right of way applications to both State and BIM were applied for in January of 1986. Both agencies are currently in the review process and we are expecting their approvals in three to four weeks. Map 5-7 has been generated to show in detail the permit boundary line along the junction road and sediment pond area. UP&LCO has elected not to include this road within its permit area for the following concerns:

1. This road existed prior to pond construction, allowing access for general public use, recreation, and the state cattle grazing lease in this area;
2. Right-of-way applications to the State and BIM relative to abating NOV 85-2-22-1 requiring surface permission to use and upgrade the existing road to Class III standards was ruled by the State and BIM that this road be left open with non-restrictive access for public use; therefore, no gate will be installed;
3. Abatement requirements for NOV 85-2-22-1 did not require this road to be included in the permit area; and
4. If DOGM insists that this general public use road be included in the permit area, UP&LCO respectively requests the Division's assistance in order to meet UMC 817.45, 771.19, and UCA 40-10-18 (i) (ii).

Hopefully this submittal will answer the Division's concerns. If you have any questions please call me at 535-4225.

Yours truly,



C. E. Shingleton
Director of Permitting,
Compliance & Services
Mining and Exploration

CES:SMC:bb:5257
Enclosure

cc: Larry J. Guymon (EMC) w/enclosure
Val Payne (EMC) w/enclosure