

Mine file

0015



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter  
Governor  
Dee C. Hansen  
Executive Director  
Dianne R. Nielson, Ph.D.  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

June 13, 1991

CERTIFIED RETURN RECEIPT REQUESTED  
No. P 540 713 837

Mr. Blake Webster  
Permitting Administrator  
PacifiCorp Electric Operations  
324 South State Street  
P. O. Box 26128  
Salt Lake City, Utah 84126-0128

*Blake*  
Dear Mr. Webster:

Re: Des Bee Dove Mine, PacifiCorp Electric Operations, ACT/015/017, Emery County, Utah

Effective February 25, 1991, the Board of Oil, Gas and Mining adopted emergency rules dealing with the definition of "Public Road" and "Road." These terms as defined in the emergency rulemaking are:

"Public Road" means a road, (a) which has been designated as a public road pursuant to the laws of the jurisdiction in which it is located, (b) which is maintained with public funds in a manner similar to other public roads of the same classification within the jurisdiction, and (c) which meets road construction standards for other public roads of the same classification in the local jurisdiction.

"Road" means a surface right-of-way for purposes of travel by land vehicles used in coal exploration or coal mining and reclamation operations. A road consists of the entire area within the right-of-way including the roadbed, shoulders, parking and side areas, approaches, structures, ditches and surface. The term includes access and haul roads constructed, used, reconstructed, improved or maintained for use in coal exploration, or within the affected areas of coal mining and reclamation operations, including use by coal hauling vehicles leading to processing or storage areas. The term does not include roads within the immediate mining-pit area and may not include public roads as determined on a site-specific basis.

In order to make a finding that a road is a "public road" and not permissible under the Utah Coal Regulatory Program, DOGM must conduct a site-specific analysis of

Page 2  
Mr. Blake Webster  
June 13, 1991

roads leading to permitted sites. I am asking for information on the Danish Bench road between State Highway 29 and the Des Bee Dove Mine, crossing portions of Sections 25, 26 and 36, Township 17 South, Range 7 East, and Sections 5, 6, 8, 9, 16, 21 and 28, Township 18 South, Range 8 East, SLBM, Emery County.

In order to facilitate this analysis, you will need to secure a signed letter from the Utah Department of Transportation discussing the following topics:

1. The above-referenced road is /is not a public road pursuant to the laws of that jurisdiction.
2. Designation of a public road:
  - a. When was the designation first established?
  - b. In which governmental system is the road included?
  - c. How is it classified within the public road system, and are there similar roads within the jurisdiction?
3. What public funds have been expended in maintaining the road for the following years:
  - a. 1990
  - b. 1989
  - c. 1988
4. How maintenance expenditures compare with other public roads of the same classification within the jurisdiction.
5. How construction standards for this road compare with roads of similar classification within the jurisdiction.
6. Whether PacificCorp Electric Operations has the ability to deny public access to any of this road.

Please provide the requested information within 60 days of receipt of this letter.

Page 3  
Mr. Blake Webster  
June 13, 1991

If you have questions concerning the above process, please feel free to call  
Ron Daniels or me.

Sincerely,



Lowell P. Braxton  
Associate Director, Mining

vb  
cc: D. Nielson  
R. Daniels  
MI78/103-105

PS Form 3800, June 1985

BLAKE WEBSTER PMTG ADMIN PACIFICORP ELECTRIC OPRNS	
324 S STATE ST P O BOX 26128	
P.O. State and ZIP Code SALT LAKE CITY UT 84126-0128	
Postage	29
Certified Fee	100
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1005
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	264
Postmark or Date	

**RECEIPT FOR CERTIFIED MAIL**  
NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

P 540 713 837

DOCOM VB ACT/015/017 ROADS

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

\*U.S.G.P.O. 1989-234-555

DOMESTIC RETURN RECEIPT

\*U.S.G.P.O. 1989-238-815

S Form 3811, Apr. 1989

JUN 17 1991

3. Article Addressed to: BLAKE WEBSTER PMTG ADMIN PACIFICORP ELECTRIC OPERATIONS 324 S STATE ST P O BOX 26128 SALT LAKE CITY UT 84126-0128	4. Article Number P 540 713 837
5. Signature - Addressee X	Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Return Receipt for Merchandise
6. Signature - Agent X	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery	Always obtain signature of addressee or agent and DATE DELIVERED.

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional services the following services are available: Consult postmaster for fees and check boxes) For additional service(s) requested:  
1.  Show to whom delivered, date, and addressee's address. 2.  Restricted Delivery (Extra charge)



030 \$ USE PENALTY

**2021-08148 HVALU CITY EKVY LTNS**  
**056 ELIUS CENTER DRVL 3**  
**GNINIM & SVG TIO**  
**RESOURCES**  
**HVALU OF ELATVS**

Print Sender's name, address, and ZIP Code in the space below.

**RETURN** **OL**

**SENDER INSTRUCTIONS**

Print your name, address and ZIP Code in the space below.

- Attach to front of article if space permits. otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**OFFICIAL BUSINESS**

**UNITED STATES POSTAL SERVICE**