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United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

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DEC 0 7 1983

JIM

DEC 0 9 1983

Mr. Ralph L. Jerman
Legal Offices
Utah Power and Light Company
P. O. Box 899
Salt Lake City, Utah 84110

Dear Mr. Jerman:

This letter is in response to your letter of November 21, 1983 requesting authority from OSM to enter the South Wilberg Lease in advance of permit approval for the purpose of exploration and development, and confirms our recent conversation on the subject.

I have reviewed your request in light of the present permitting situation. I find that there is no basis for granting approval for entry into coal in the South Wilberg Lease (U-47978) prior to approval of the mining plan by the Assistant Secretary for Energy and Minerals and issuance of permits by OSM and the Utah Division of Oil, Gas and Mining.

With regard to the application submitted on November 21, 1983 in response to the deficiency letter of October 26, 1983, OSM has completed its initial review of the document, with particular reference to completeness. This review was forwarded to Mr. Chris Shingleton on December 5, 1983. As you were informed by telephone on December 2, 1983, several subject areas were omitted from the submittal, including subsidence information and basic information on waste rock to be generated during the anticipated life-of-mine. There seems to be some confusion on the part of UP & L personnel regarding the respective responsibilities of OSM and the BLM's Branch of Solid Minerals. I would suggest to you, as I have to Mr. Shingleton, that any questions concerning OSM's authority to request and use specific information be posed to me or my staff prior to any unilateral UP & L decision to withhold a substantive response.

If you have any questions regarding this decision, please contact me at (303) 837-5421 or Steve Manger at (303) 837-3806.

Sincerely,


Allen D. Klein
Administrator
Western Technical Center

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cc: Jim Smith ✓
Bob Hagan
Dianne Nielsen

DIVISION OF
OIL, GAS & MINING