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State of Utah

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DEC 26 2006

DIV. OF OIL, GAS & MINING

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December 21, 2006

Bruce Ellis
Manti-La Sal National Forest
599 West Price River Drive
Price, UT 84501

RE: Bear Creek Canyon Area Mine (U-06-SJ-1411)

In reply, please refer to Case No. 06-2150

Dear Mr. Ellis:

The Utah State Historic Preservation Office received your request for comment on the above referenced project on December 11, 2006.

We **concur** with your determination of eligibility for Site 42EM3660 and we **concur** with your determination of **No Adverse Effect**. Per our multiple conversations on this project, we look forward to working out the Programmatic Agreement we have discussed.

We appreciate the outstanding and detailed consultation you have conducted with our office on this project. We believe the information exchange and work facilitated our review of the formal consultation request. We also appreciate the efforts of the consultant on this project and the details provided in the report. We also wish to acknowledge the cordial consultation undertaken by our fellow state agency, the Division of Oil, Gas, and Mining, in working with our office on this project.

This letter serves as our comment on the determinations you have made, within the consultation process specified in §36CFR800.4. If you have questions, please contact me at (801) 533-3555 or msteddon@utah.gov.

Sincerely,

Matthew T. Seddon, Ph.D., RPA
Deputy State Historic Preservation Officer – Archaeology

cc. Wayne Hedberg, UDOGM; P.O. Box 145801; Salt Lake City, Utah 84114-5801
Sagebrush Consultants, L.L.C.; 3670 Quincy Avenue, Suite 203; Ogden, Utah 84403

Task No. 2680
Inquiry
1/15/2007
Copy Wayne
JS