

Route 3 file ACT/017/010

0002

IN REPLY REFER TO



United States Department of the Interior

JWS

BUREAU OF LAND MANAGEMENT
Cedar City District Office
P. O. Box 729, Cedar City, Utah 84720

3500
U-040

KMY
Rm

WBS

February 15, 1978



#2

CERTIFIED MAIL

Mr. Al Foster
Bryce Canyon, Utah 84717

Dear Mr. Foster:

It has come to our attention that you are planning to develop a coal mine on Utah State Mineral Lease 23331 located northeast of Henrieville in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 36, T. 36 S., R. 2 W. There are several points which you should be aware of before you commence mining on this property.

Approximately 1.5 miles of the road into your lease is a BLM-maintained road. Coal haulage on a BLM-maintained road would require a permit. An alternative would be for Garfield County to take over maintenance of the road. This, too, would require authorization.

We have the impression that you may be planning your coal mine development on the premise that the lease reserves include coal beyond the lease boundaries. A coal lease does not give the lessee any rights to a coal seam beyond the boundaries of the lease. You may not mine coal beyond the boundary of the state lease onto the contiguous federally-owned coal lands without a federal coal lease.

Please contact Bill Dalness, Geologist on District Staff, if you have any questions concerning this matter. We will be happy to work with you.

Sincerely,

William M. Dalness
Acting
District Manager

cc: Paria Area Manager
State Director (U-930)
Cleon B. Feight





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CERTIFIED MAIL

Mr. Byron Davies
Cannonville, Utah 84718

Dear Mr. Davies:

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Sincerely,

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