

C/025/005 Incoming

#3987

R

DENVER
LAS VEGAS
LOS ANGELES
LOS CABOS
ORANGE COUNTY
PHOENIX
SALT LAKE CITY
TUCSON

Snell & Wilmer
L.L.P.
LAW OFFICES

Gateway Tower West
15 West South Temple
Suite 1200
Salt Lake City, Utah 84101-1531
801.257.1900
801.257.1800 (Fax)
www.swlaw.com
Denise A. Dragoo, Esq.
(801) 257-1998
ddragoo@swlaw.com

December 19, 2011

VIA E-MAIL AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Daron Haddock
Utah Division of Oil, Gas and Mining
1594 West North Temple
Salt Lake City, Utah 84116

**RE: Extension Request – Abatement of NOV 10092, Alton Coal Development, LLC,
Alton Coal Mine, C/025/0005**

Dear Daron:

On behalf of Alton Coal Development, LLC (“Alton”), and pursuant to R645-400-324, we respectfully request a thirty-day extension of time to abate NOV 10092. The NOV was not received by the operator until December 12, 2011 and set new requirements for compliance with special permit condition No. 6 regarding the Alton sage grouse mitigation plan, Appendix 3-5. This extension request is not required due to lack of diligence. The NOV requires abatement by January 6, 2012, despite the fact that the annual report which addresses much of the NOV is not due until March, 2012. Alton was preparing the report for timely submission when the NOV was issued prematurely. Alton would also like an opportunity to finalize the annual report and to meet with the Division of Oil, Gas and Mining (“DOG M”) and the Division of Wildlife Resources (“DWR”) to address these new requirements.

In sum, the extension of time is needed to allow Alton to submit its report, allow DOGM and DWR time to review the report and to allow the parties to meet and discuss whether the abatement requirements are appropriate and necessary. If granted, the extension would allow the reports and amendments currently due on January 6, 2012, to be submitted on Monday, February 6, 2012.

We appreciate your consideration in this matter.

Very truly yours,

Denise A. Dragoo

RECEIVED

DEC 20 2011

DIV. OF OIL, GAS & MINING

DAD:jmc

cc: Director John Baza
Bob Nead (via e-mail)
Kirk Nicholes (via e-mail)
Larry Johnson (via e-mail)
Dr. Steven Petersen (via e-mail)
Vickie Southwick (via e-mail)