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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Outgoing
C0250005

#4373

OK

cc: Joe
Daron
Steve Alder

July 2, 2013

Denise A. Dragoo, Esq.
Snell and Wilmer Law Offices
Gateway Tower West
15 West South Temple, Suite 1200
Salt Lake City, UT 84101-1531

Subject: Request for Vacation of Fact of Violation for NO10123, Alton Coal Development, Coal Hollow Mine, C/025/0005

Dear Ms. Dragoo:

The Division received your letter requesting a meeting to discuss the vacation of Notice of Violation (NOV) NO10123 on June 28, 2013. The violation concerns sage grouse habitat mitigation and the Division understands as per your letter that Alton Coal Development (ACD) is of the opinion that the violation is unwarranted.

As discussed verbally and stated in your letter, the Division would like to have an informal meeting to resolve this matter at 2:00 pm on Monday, July 15 here at the Division's offices. We hope to resolve the matter via the in-person meeting, but if that is not possible we understand that you will then have the right to ask for a fact of violation/assessment conference before Director Baza. To allow for the meeting on July 15 the Division hereby grants a 30-day extension in the NOV abatement dates. That would now require a vegetation treatment plan to be submitted by August 18, 2013 and 314 acres to be treated for vegetation by October 17, 2013 if the NOV is upheld.

We look forward to our discussion on July 15. If you have any questions regarding this matter, please don't hesitate to call me at 801-538-5320 or Daron Haddock at 801-538-5325.

Sincerely,

Dana Dean, P.E.
Associate Director

DD/DD/vs

cc: Steve Alder
Daron Haddock
Joe Helfrich

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