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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

July 19, 2013

Kirk Nicholes
Alton Coal Development, LLC
463 North 100 West, Suite 1
Cedar City, Utah 84720

Subject: Approval of Modification of Treatment Plan for the Portion of 42KA2041 Located on the Coal Hollow Mine, Coal Hollow Mine, Alton Coal Development LLC, C/025/0005, Task ID #4364

Dear Mr. Nicholes:

The Division has completed a review of the modification of the "Treatment Plan for the Portion of 42KA2041 Located on the Coal Hollow Mine" prepared by Michael D. Cannon and Lindsay A. Fenner of SWCA, received on May 31, 2013. The Division has determined that there will be an effect on Archaeological site 42KA2041, but the proposed Level 1 data recovery outlined in the SWCA Treatment Plan is appropriate prior to disturbance of a portion of the site. The Division received concurrence with this determination on July 19, 2013. The treatment plan is hereby approved for incorporation to your MRP. You should also make sure that you have obtained the appropriate excavation permit from PLPCO prior to implementing the approved Treatment Plan.

Approval for mining through the site is not approved at this time. Approval to mine through this site cannot be made, until the Level 1 data recovery report is reviewed and a determination of whether Level II or Level III investigation is warranted has been made. As noted on page 5 of the SCWMA Treatment Plan, that decision will be made jointly by SHPO, DOGM, ACD and PLPCO.

Please call me at (801) 538-5325 or Priscilla Burton at (435) 613-3733 if you have any questions.

Sincerely,

Daron Haddock
Coal Program Manager

DRH/PWB/ss
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