

0009



# State of Utah

C1041/002

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Robert L. Morgan  
Executive Director

Lowell P. Braxton  
Division Director

1594 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801  
801-538-5340 telephone  
801-359-3940 fax  
801-538-7223 TDD/TTY  
www.nr.utah.gov

## UTAH DIVISION OF OIL, GAS & MINING FACSIMILE COVER SHEET

**DATE** March 12, 2003  
**FAX** (435) 286-4499  
**ATTENTION** KEN MAY  
**COMPANY** CANYON FUEL CO, LLC  
**DEPARTMENT**  
**NUMBER OF PAGES:** (Including this one) 2  
**FROM** SHEILA MORRISON (801) 538-5289

If you do not receive all of the pages, or if they are illegible, please call (801) 538-5340. We are sending from a sharp facsimile machine. Our telecopier number is (801) 359-3940.

**MESSAGE:**

**Attached is a letter in regards to the Link Canyon Portal amendment.**

**Important:** This message is intended for the use of the individual or entity of which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above address via regular postal service. Thank you.

P:\GROUPS\COAL\WP\FORMS\Facsimile.doc



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

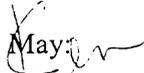
1594 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5340 telephone  
(801) 359-3940 fax  
(801) 538-7223 TTY  
www.nr.utah.gov

Michael O. Leavitt  
Governor  
Robert L. Morgan  
Executive Director  
Lowell P. Braxton  
Division Director

March 12, 2003

Kenneth E. May, Mine Manager  
Canyon Fuel Company, LLC  
397 South 800 West  
Salina, Utah 84654

Re: Follow-up on Link Canyon Portal Amendment, Canyon Fuel Company, LLC., SUFCO Mine, C/041/002-AM02E, Outgoing File

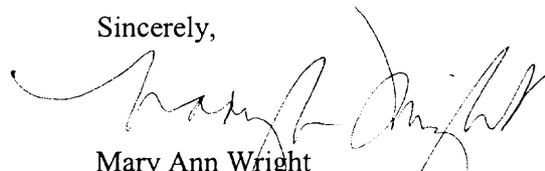
Dear Mr.  May:

The Division approved the amendment for constructing and utilizing a portal in the Link Canyon area on January 21, 2003. We have been working closely with your representatives and other State and Federal agencies in assuring that the work at the portal has been completed. We understand that all of the work, with the exception of gating the portal, was completed before March 1, 2003. This was the date that the work was to be completed so that there would be no conflict with the potential for nesting Mexican Spotted Owls. Today, the Bureau of Land Management contacted us and voiced strong concern about the gate not being in place. It is their concern that gate must be installed as quickly as possible both for public safety and resource protection.

We have contacted the US Fish and Wildlife Service and they have agreed that one "calling survey" the night before installation of the gate would be sufficient, if there is a negative response to the calling survey. The mine gate could be installed the next day, and within that day, after the negative response to the calling. We are in agreement with the BLM that it is incumbent on the mine to complete this project. Thus, we ask that SUFCO make immediate arrangements to complete the project.

Thank you for your help in completing this action. If you have any questions, please feel free to call me at (801) 538 5306 or Daron Haddock at (801) 538-5325.

Sincerely,

  
Mary Ann Wright  
Associate Director, Mining

cc: Jim Kohler, BLM  
Pat Gubbins, BLM  
Elaine Zieroth, USFS  
Derris Jones, DWR  
Henry Maddux, USFWS  
Price Field Office

O:\041002.CON\FINAL\Followup02E\_MA.doc

TRANSACTION REPORT

P. 01

MAR-12-2003 WED 02:40 PM

FOR: OIL, GAS & MINING

801 359 3940

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
MAR-12	02:39 PM	14352864499	47"	2	SEND	OK	492	
TOTAL :						47S	PAGES:	2



State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor  
1594 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801

Robert L. Morgan  
Executive Director  
801-538-5340 telephone  
801-359-3940 fax

Lowell P. Braxton  
Division Director  
801-538-7223 TDD/TTY  
www.nr.utah.gov

UTAH DIVISION OF OIL, GAS & MINING  
FACSIMILE COVER SHEET

DATE March 12, 2003

FAX (435) 286-4499

ATTENTION KEN MAY

COMPANY CANYON FUEL CO, LLC

DEPARTMENT

NUMBER OF PAGES: (Including this one) 2

FROM SHEILA MORRISON (801) 538-5289