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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Cedar City Field Office
176 East DL Sargent Drive
Cedar City, Utah 84720

In Reply Refer To:
UT-040
3809: UTU-79732

July 17, 2002

Mr. Mark Dotson
Manager of Operations
Western Utah Copper Company
P.O. Box 492
Milford, Utah 84751

Dear Mr. Dotson:

I am writing in regard to your plan of operations for the Maria Mine proposal, received in this office on April 15, 2002 and amended by letters of May 10, May 14, and May 16, 2002. The proposal calls for the development of an underground mine, surface flotation mill facility, tailings impoundment, and water well and pipeline on BLM-managed lands located within portions of sections 20, 21, and 22, T. 27 S., R. 11 W., Beaver County, Utah. The plan of operations submitted for this proposal has been found adequate to address the regulatory requirements of 43 CFR 3809.401, and this office approves the plan of operation subject to certain stipulations / mitigation measures identified through the environmental assessment prepared for the proposal. A copy of that environmental assessment and decision record is enclosed.

The environmental assessment for this proposal was sent out for a 15 day public comment period ending July 15th. A single comment was received during the comment period. This comment requested that the BLM recognize the private land / BLM land boundary in the project vicinity as being the line identified as the "contested boundary of fee lands", as depicted on WUCC's May 10th plan amendment. The comment requested that this line be used from which to measure the proposed 50' buffer strip between the privately held land and the toe of the tailings impoundment within the Hidden Treasure pit. The "contested boundary of fee lands" line shown on the map in the May 10th plan amendment appears to closely reflect the monuments for the 1989 retracement of the Carnarthan and Marguerite claim lines. For purposes of identifying the private land / BLM boundary on-the-ground in the project vicinity, BLM currently recognizes the claim monuments set in 1989 through private mineral survey for the Carnathan and Marguerite patented mining claims. The monuments for the 1989 re-survey of these claims are believed to accurately conform with the original survey for these claims and BLM will be utilizing these monuments to determine whether or not project disturbances are in conformance with the approved plan of operations.

Based on the potential environmental impacts identified in the environmental assessment, BLM has determined that the proposal will not have a significant effect on the human environment and an environmental impact statement will not be required. A decision has been issued to approve the proposal subject to the following mitigation / stipulations identified through the environmental assessment.

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Mitigation Measures

1. The final seed mix to be used on disturbed areas will be determined by the authorized officer.

2. The specific pipeline route between the water well and the mill facility will be surveyed by BLM for cultural resources, prior to any surface disturbing activities associated with construction. Where the pipeline route crosses the historic railroad grade, impacts would be mitigated by pushing (drilling) the pipe beneath the grade without disturbance to the historic property.

3. All topsoil storage areas and disturbed areas not in constant use will be seeded to establish a temporary cover to reduce the establishment of Halogeton, and other weeds, while also minimizing soil loss.

Stipulations

1. The operator will control all noxious weeds (noxious weeds being those that are listed as noxious under the Beaver County weed control plan) within the boundary of the project area.

You are reminded that you are not authorized to begin any surface disturbing activity described in the plan of operation until the necessary financial guarantee securing reclamation of those disturbances is submitted to, and accepted by, the BLM Utah State Office. You have requested that the financial guarantee for the project be allowed to be submitted incrementally as the project proceeds. It will be necessary for you to submit a financial guarantee in the amount of $25,000 to cover the first phase of the project which will include site preparation of the mill facility area up to a disturbed area of 4.2 acres. Any project disturbances in excess of this will require that the financial guarantee be increased in advance of those disturbances in relationship to the additional area to be disturbed.

If you have any questions, feel free to contact Ed Ginouves of my staff at (435) 865-3040.

Sincerely,

Randy M. Trujillo

Randy Trujillo
Associate Field Office Manager

Enclosure: EA UT-042-02-22, Maria Mine, Mill Facility, and Tailings Impoundment
cc: Tom Munson, DOGM
Mr. Gilbert McCulley, P. O. Box 1108, Beaver, UT 84713