ADM-35B

Affidavit of Publication

STATE OF UTAH.
County of Salt Lake } **ss.**

Shana D. Conaty

Being first duly sworn, deposes and says that he is legal advertising clerk of THE SALT LAKE TRIBUNE, a daily newspaper printed in the English language with general circulation in Utah, and published in Salt Lake City, Salt Lake County in the State of Utah, and of the DESERET NEWS a daily (except Sunday) newspaper printed in the English language with general circulation in Utah, and published in Salt Lake City, Salt Lake County, in the State of Utah.

That the legal notice of which a copy is attached hereto

Pub order to show cause #ACT-003-005 (Vipont Mines Ltd.)

was published in said newspapers on May 8, 1979

Shana D. Conaty

Legal Advertising Clerk

orn to before me this 10th *day of*

May *A.D. 19* 79.

T. L. Thomson

Notary Public

pires

1982

ORDER TO SHOW CAUSE
NO. ACT/003/005

BEFORE THE BOARD OF OIL, GAS, AND MINING DEPARTMENT OF NATURAL RESOURCES in and for the STATE OF UTAH

IN THE MATTER OF THE APPROVAL OF THE NOTICE OF INTENT AND RECLAMATION PLAN SUBMITTED BY VIPONT MINES, LTD., VIPONT MINE, BOX ELDER COUNTY, UTAH.

THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION, MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS INTERESTED IN TOWNSHIPS 14 and 15 NORTH, RANGES 17 and 18 WEST, SLBM, BOX ELDER COUNTY, UTAH.

Notice is hereby given that tentative approval was given to Vimont Mines, Ltd., Box 267, Oakley, Idaho 83346, by the Utah Division of Oil, Gas, and Mining, to commence tailings reclamation and underground mining on portions of Sections 6 and 7, Township 14 North, Range 17 West; Section 36, Township 15 North, Range 18 West; Section 31, Township 15 North, Rage 17 West; Sections 1 - 12, Township 14 North, Range 18 West, SLBM, Box Elder County, Utah. The name of the mine is the Vipont Mine; and the person representing the company in this matter is Mr. Thomas E. Miller, Box 267, Oakley, Idaho 83346. Vipont Mines, Ltd. has fulfilled obligations under the Mined Land Reclamation Act of 1974 (Section 40-8, U.C.A., 1953, as amended) and will employ the following reclamation techniques on approximately 4 acres which comprise the land affected.

During Operations:

a. Recently dumped waste-rock that encroaches upon Pipe Spring Creek will be cleared from the channel.

b. Tailings will be removed from Birch Creek with the following stipulations:

1. Machinery cannot work within or cross the active stream channel.

2. An undisturbed buffer strip of at least 5 feet will be left open on each side of the stream channel where vegetation exists. Stretches of the stream where high banks of tailings are continguous are exempt from the requirement.

3. Reclaim and revegetate, with an approved seed mixture, the stream-bank concurrently, in as much as possible, with tailings removal.

4. Notify the Division and the State Engineer prior to any stream diversions.

5. Repair the breach in the dike at the tailings disposal site.

6. Place reworked tailings within an existing, presently breached dam that is partially vegetated.

7. Toxic materials will be safetuarded; the mine and leaching area will be thoroughly posted and secured.

8. Heap-leaching operations will be conducted in a closed system with no discharge.

c. Mining will be conducted in a safe, orderly and workmanlike manner.

After Operations:

a. Ponds, buildings, and roads will be utilized for ongoing livestock operations.

b. Regrade and reseed disturbed areas with the Division approved seed mixture.

c. If necessary, upgrade the diversion of Pipe Spring Creek around the tailings disposal site.

d. All underground entries will be sealed against unauthorized or accidental entry.

Reclamation performance surety will be established upon final approval of the reclamation plan.

Any person or agency aggrieved by this tentative decision is hereby requested to submit written protest within 30 days from May 1979 to the Division of Oil, Gas, and Mining, 1588 West North Temple, Salt Lake City, Utah 84116, setting forth factual reasons for their complaint, and thereafter, at a time and place heretofore established, appear before the Board of Oil, Gas, and Mining, to show cause, if any there be, why this plan should not be approved.

DATED this 30th day of April, 1979.

BOARD OF OIL, GAS, AND MINING
THALIA R. BUSBY
Secretary of the Board

(C-14)

Proof of Publication

From

THE SALT LAKE TRIBUNE

Attorney

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T. R. Thomson
Notary Public

My commission expires 1982

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