ADM-35B

Affidavit of Publication

STATE OF UTAH,
County of Salt Lake } ss.

Shana D. Palmer

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 cuase #ACT-023-003 (Brush Wellman, Inc.)

was published in said newspapers on April 6, 1977

Shana D. Palmer

Legal Advertising Clerk

Sworn to before me this 7th ***day of*** April ***A.D. 19*** 77.

J. E. Thomson

Notary Public

My commission expires

March 3, 1978

ORDER TO SHOW CAUSE
No. ACT-023-003

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 BRUSH WELLMAN INC., TOPAZ MINING PROPERTY, JUAB COUNTY, UTAH.

THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION, MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS INTERESTED IN TOWNSHIPS 12 and 13 SOUTH, RANGE 12 WEST, SLBM, JUAB COUNTY, UTAH.

Notice is hereby given that tentative approval was given on March 22, 1977, by the Utah Division of Oil, Gas, and Mining, to Brush Wellman Inc., of 67 West 2950 South, Salt Lake City, Utah, to continue open pit beryllium mining on portions of Sections 5, 6, 8, 9, and 16, Township 13 South, Range 12 West, and Section 32, Township 12 South, Range 12 West, SLBM, Juab County, Utah. The name of the mine is the Topaz Mining Property, and the person representing the company in this matter is Mr. Kenneth R. Poulson, Mining Division Manager, 67 West 2950 South, Salt Lake City, Utah 84115.

Brush Wellman Inc., has fulfilled obligations under the Mined Land Reclamation Act of 1975 (Section 40-8, U.C.A., 1953, as amended), and will employ the following reclamation techniques on 550 acres of patented claims, leased claims and State mining leases:

During Operations:

1) Surficial gravel and rock overburden is stripped off of the ore and deposited on adjacent landforms in a manner that conforms as nearly as possible with the existing terrain.
2) All spoil dump slopes are smoothed to rounded stable slopes less than 45°.
3) Fine spoils material is placed to a thickness of 6-12 inches over each dump as completed.
4) Ore is stockpiled in low, wide piles for gradual removal to an off-site mill.
5) Mining and maintenance procedures are conducted in an orderly and safe manner.
6) Revegetation research is carried out to establish viable reclamation schemes.

After Operations:

1) Extraneous debris, scrap, wood and buildings will be removed from the surface.
2) A continuous narrow rock pile, four feet high with steep slopes, and constructed of blocky resistant rock will be placed 20 feet back from all high walls to provide for a permanent safety barrier.
3) All dumps and footwall pit surfaces will be seeded and treated with appropriate soil amendments as found practical by on-site reclamation research.
4) Safe access to pits will be left for access to seasonal runoff water that is entrapped there.
5) If necessary, maintenance procedures will be employed to prevent grazing of revegetated areas until surety release is granted by the Division.
6) All pre-existing roads will be left open.

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 of April 8, 1977, to the Division of Oil, Gas, and Mining, 1588 West North Temple, Salt Lake City, Utah 84116, setting forth factual reasons for his complaint, and thereafter, at a time and place heretobe 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 25th day of March, 1977.

STATE OF UTAH,
BOARD OF OIL, GAS,
AND MINING
SCHEREE WIL
(A-97) Secretary of the B

RECEIVED
APR 8 1977
DIVISION OF OIL,
GAS, & MINING

Proof of Publication

From

THE SALT LAKE TRIBUNE

.....

.....

.....

.....

.....

Attorney

ADM-35B

Affidavit of Publication

STATE OF UTAH,
County of Salt Lake } ss.

Shana D. Palmer

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 cuase #ACT-023-003 (Brush Wellman, Inc.)

was published in said newspapers on April 6, 1977

Shana D. Palmer

Legal Advertising Clerk

Su *to before me this* 7th *day of*

A.D. 19 77.

T. L. Thomson

Notary Public

My *es*

978

ORDER TO SHOW CAUSE
No. ACT-023-003

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 BRUSH WELLMAN INC., TOPAZ MINING PROPERTY, JUAB COUNTY, UTAH.

THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION, MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS INTERESTED IN TOWNSHIPS 12 and 13 SOUTH, RANGE 12 WEST, SLBM, JUAB COUNTY, UTAH.

Notice is hereby given that tentative approval was given on March 22, 1977, by the Utah Division of Oil, Gas, and Mining, to Brush Wellman Inc., of 67 West 2950 South, Salt Lake City, Utah, to continue open pit beryllium mining on portions of Sections 5, 6, 8, 9, and 16, Township 13 South, Range 12 West, and Section 32, Township 12 South, Range 12 West, SLBM, Juab County, Utah. The name of the mine is the Topaz Mining Property, and the person representing the company in this matter is Mr. Kenneth R. Poulson, Mining Division Manager, 67 West 2950 South, Salt Lake City, Utah 84115.

Brush Wellman Inc., has fulfilled obligations under the Mined Land Reclamation Act of 1975 (Section 40-8, U.C.A., 1953, as amended), and will employ the following reclamation techniques on 550 acres of patented claims, leased claims and State mining leases:

During Operations:

1) Surficial gravel and rock overburden is stripped off of the ore and deposited on adjacent landforms in a manner that conforms as nearly as possible with the existing terrain.
2) All spoil dump slopes are smoothed to rounded stable slopes less than 45°.
3) Fine spoils material is placed to a thickness of 6-12 inches over each dump as completed.
4) Ore is stockpiled in low, wide piles for gradual removal to an off-site mill.
5) Mining and maintenance procedures are conducted in an orderly and safe manner.
6) Revegetation research is carried out to establish viable reclamation schemes.

After Operations:

1) Extraneous debris, scrap, wood and buildings will be removed from the surface.
2) A continuous narrow rock pile, four feet high with steep slopes, and constructed of blocky resistant rock will be placed 20 feet back from all high walls to provide for a permanent safety barrier.
3) All dumps and footwall pit surfaces will be seeded and treated with appropriate soil amendments as found practical by on-site reclamation research.
4) Safe access to pits will be left for access to seasonal runoff water that is entrapped there.
5) If necessary, maintenance procedures will be employed to prevent grazing of revegetated areas until surety release is granted by the Division.
6) All pre-existing roads will be left open.

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 of April 8, 1977, to the Division of Oil, Gas, and Mining, 1588 West North Temple, Salt Lake City, Utah 84116, setting forth factual reasons for his complaint, and thereafter, at a time and place heretobe 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 25th day of March, 1977.

STATE OF UTAH,
BOARD OF OIL, GAS,
AND MINING
SCHEREE WILCOX
(A-97) Secretary of the Board

Proof of Publication

From

THE SALT LAKE TRIBUNE

.....

.....

.....

.....

.....

Attorney