State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

August 1, 2006

Todd Wilhite
465 N. University Ave.
Provo, Utah 8460

Subject: Additional Information Required, Wilhite and Associates, Inc., Gulch Mine, M0230087, Juab County, Utah

Dear Mr. Wilhite:

After reviewing the Small Mine Notice of Intention (NOI) received August 9, 2005 and existing site conditions the Division has found the NOI does not reflect site conditions and does not contain all the complete information. You are required to complete this within 15 days, given the fact you have already disturbed the ground without approval. Please submit the attached revision form and replacement pages to the NOI with the following information:

- A new map showing existing and proposed disturbance at 1"=200'
- A revised disturbance estimate (acreage) to include the additional disturbance amount.
- Any other changes to the original permit which to date has not been considered complete.

Any questions please call me at 538-5258 or Tom Munson 538-5321.

Sincerely,

Susan M. White

Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:tm:jb
Attachment: amendment form
P:\GROUPS\MINERALS\WP\M023-Juab\S0230087-Gulch\final\deficiencyletter.doc

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801
telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • *www.ogm.utah.gov*

FORM MR-REV

INSTRUCTIONS to REVISE or AMEND MINING OPERATIONS NOTICE OF INTENTION

When an operator intends to revise or amend a mining operation, a **notice** to Amend or Revise the mining and reclamation plan **must be submitted** to the Division **and approved prior to creating any disturbance beyond what has already been approved.** The notice must include all information, concerning the revision or amendment, that would have been required if it had been included in the original Notice of Intention (NOI).

"REVISION" means a **significant change** to the approved Notice of Intention to Conduct Mining Operations, which will increase the amount of land affected or alter the location and type of onsite surface facilities such that the nature of the reclamation plan will differ substantially from the approved Notice of Intention. Revisions require a formal public notice of tentative approval and may require a change in the amount of reclamation surety.

"AMENDMENT" is an **insignificant change** to the approved Notice of Intention. An amendment requires Division approval, but does not require public notice.

The Division will determine whether a request for change is significant or insignificant on an individual case-by-case basis.

Instructions:

- Changes to the mining and reclamation plan are made by providing a completely new plan or by adding, replacing, or removing pages to the current plan. Detailed instructions for adding or replacing pages and maps must be included (please identify on the attached form MR-REV-att).
- Text changes should be shown in a redline/strikeout format.
- The amended application should be accompanied by a cover letter: referring to the permit number, operator name and mine; describing the contents; and referencing any Division action that initiated the change (i.e. Notice of Violation, previous review, Division Order).
- The submitted revision or amendment must be complete and should not rely on additional materials that will be submitted at a later date.
- Form MR-REV-att, or equivalent, must be submitted with the application for change.

After the Division conditionally approves the change, two clean copies will be requested which will be stamped "approved" and one copy returned for your copy of the mining and reclamation plan. The change is now approved and you may proceed with your plans.

Identify any changes this modification will have to:

I. General Information (R647-4-104)

- Location of Proposed Activities:
- COUNTY
- TOWNSHIP, RANGE, SECTION(S) (Identify to 1/4, 1/4 section)

Ownership of Land Surface:

- Private (Fee) - Identify Owners Name(s)
- State of Utah (SITLA) lands, Public Domain BLM), National Forest (USFS)

Ownership of Minerals:

- Private (Fee) - Identify Owners Name(s)
- State of Utah (SITLA) lands, Public Domain BLM), National Forest (USFS)
- **BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s**
- **Utah State Lease Numbers(s)**

II. MAPS, DRAWINGS & PHOTOGRAPHS (Rule R647-4-105)

Appropriate maps, drawings, plates, etc. should be provided that are pertinent to the revision, or amendment of mining operations. Please provide a revised map outlining the previously approved and the new proposed disturbed area boundaries. These materials should be prepared according to the requirements of Rule R647-4-105.

III. OPERATION PLAN (Rule R647-4-106)

All appropriate information requirements outlined under Rule R647-4-106 must be addressed in the application. Identify additional proposed surface disturbance. Include the total number of acres to be affected by the revision or amendment.

IV. IMPACT ASSESSMENT (Rule R647-4-109)

Provide information required under Rule R647-4-109 regarding projected potential surface and/or subsurface impacts that may be associated with the proposed change(s) in mining operations.

V. RECLAMATION PLAN (Rule R647-4-110)

Outline any proposed changes to the originally approved reclamation plan. Address all appropriate sections of Rule R647-4-110 as they apply to the proposed change(s) in mining operations.

VI. VARIANCE (Rule R647-4-112)

Identify any requests for variance from the requirements of rules R647-4-107, -108, or -111. A narrative justification and alternate methods or mitigating measures must be included for each variance request.

VII. SURETY (Rule 647-4-113)

Reclamation Surety:

Indicate whether the proposed activities will change the amount of work required to reclaim the mine site. If significant changes will result, then an itemized reclamation cost estimate should be provided (and attached) with direct reference to the specifics of the proposed change(s). This information will be used to assist the Division in determining any reclamation surety adjustments required for the operation.

Application for Mineral Mine Plan Revision or Amendment

Operator:

Mine Name: **File Number: M/ /**

Provide a detailed listing of all changes to the mining and reclamation plan that will be required as a result of this change. Individually list all maps and drawings that are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise or amend the existing Mining and Reclamation Plan. **Include page, section and drawing numbers as part of the description.**

DETAILED SCHEDULE OF CHANGES TO THE MINING AND RECLAMATION PLAN			
			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
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I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments and obligations, herein.

Print Name

Sign Name, Position

Date

Return to:

State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
Phone: (801) 538-5291 Fax: (801) 359-3940

FOR DOGM USE ONLY:
File #: M/ /
Approved:
Bond Adjustment: from ($)
to $

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