5784

State of Utah
DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining
JOHN R. BAZA
Division Director

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

January 14, 2014

James Withers
Millard County
P.O. Box 187
Delta, Utah 84624

Subject: Conditional Permit to Commence Small Mine Activities, Millard County, USFS Pass Quarry, S/027/0121, Millard County, Utah

Dear Mr. Withers:

The Division of Oil, Gas and Mining finds your Notice of Intention to Commence Small Mining Operations (Notice) complete and approves the reclamation surety for the USFS Pass Quarry mine. The reclamation surety is escalated until 2017. You are now conditionally permitted to conduct mining activities as outlined in the Notice, provided you have approval from all other appropriate agencies. The following conditions apply:

1) Reclamation of the existing alluvial extraction areas in excess of the two permitted acres of bedrock disturbance must be completed by April 1, 2014, OR
2) You must submit additional reclamation surety for alluvial excavation disturbances in excess of the two acres currently being permitted for mining operations.

The approval or acceptance of a complete notice of intention does not relieve an operator from his responsibility to comply with the applicable statutes, rules, regulations, and ordinances of all local, state and federal agencies with jurisdiction over any aspect of the operator's mining operations. Enclosed please find a copy of the reclamation contract and stamped approved Notice.

Please keep in mind the following regulatory requirements:

- Stockpiling topsoil material prior to beginning activities will help ensure successful revegetation. Even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory surety release.
- If you encounter any archaeological or historical items, you are asked to notify this office and the Division of State History.
- Permit fees and annual reports are due by January 31st.

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*

UTAH DNR OIL, GAS & MINING

The Division's web page at http://ogm.utah.gov under the Mining Program has a link to the rules under which you are expected to operate and to other information to assist you in complying with program requirements. Thank you for your cooperation. In reply, please refer to file number S/027/0121. Please contact Peter Brinton at 801-538-5258 or Paul Baker at 801-538-5261 if you have questions or concerns regarding this approval.

Sincerely,

Dana Dean, P.E.
Associate Director, Mining

DD: pnb: eb
Enclosure: Copy of RC & surety forms
Copy of approved NOI
cc: Rob Hamilton, USFS (rhamilton@fs.fed.us)
Jason Brown, Jones & DeMille (jasonb@jonesanddemille.com)
P:\GROUPS\MINERALS\WP\M027-Millard\S0270121-USFSPassQuarry\final\APVL-5784-01102014.docx