S/045/0086
M cc: Leslie

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Salt Lake Field Office
2370 South 2300 West
Salt Lake City, UT 84119
ph: (801) 977-4300; Fax: (801) 977-4397
www.ut.blm.gov/saltlake_fo

RECEIVED
JAN 11 2013
DIV. OF OIL, GAS & MINING
JAN 09 2013

IN REPLY REFER TO:
3809 (UTW011)

Certified Mail No.: 7011 1150 0002 0263 7703
Return Receipt Requested

DECISION

Robert Steele 1065 North 400 East Nephi, Utah 84648	: :	Suspension Order 43 CFR § 3809.601(b)(2)(ii)

This decision is in response to your unauthorized mining activity located in T. 10 S., R. 7 W., NW1/4NW1/4 of Section 34, SLB&M, on unpatented mining claims UMC#'s 418694 – 418702.

On December 18, 2012, Leslie Heppler of the Utah Division of Oil, Gas and Mining (DOGM) sent an email to my minerals staff members asking for their concurrence on your *Desert Springs Gold Mine* operation (DOGM S/045/0086), located in T. 10 S., R. 7 W., NW1/4NW1/4 of Section 34, SLB&M, on unpatented mining claims UMC#'s 418694 – 418702.

The email from Leslie was the first the Salt Lake Field Office heard of your "operation". On page three of your Notice of Intention to Commence Small Mining Operations (NOI), that you submitted to the DOGM on December 12, 2012, stated "yes" to the question, "Have the above surface and mineral owners been notified in writing". Since both the surface and mineral ownership falls within the management of the federal government, Bureau of Land Management (BLM), this office should have been notified of your proposed mining operation.

The NOI you submitted contained pictures that show surface disturbing activities (exploration/trenching). The BLM has not authorized surface disturbing activities therefore this letter serves as an immediate Suspension Order under 43 CFR § 3809.601(b)(2)(ii), and you are officially notified that no further activity of any kind may take place on the above location until this suspension order is resolved.

At this time, you will need to submit a copy of your Plan of Operations that satisfies the requirements of 43 CFR § 3809.401 including a Reclamation Plan to meet the standards in § 3809.420, to this office for our review prior to any approval from the BLM, or concurrence with the DOGM.

If you do not agree, this decision may be appealed to the Interior Board of Land Appeals (IBLA),

Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Within 30 days of this decision, a notice of appeal must be filed in this office Salt Lake Field Office, 2370 South 2300 West, Salt Lake City, UT 84119. If a statement of reasons for the appeal is not included with the notice, the statement must be filed with the IBLA, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer, Salt Lake Field Office.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and
4. Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

If you have any questions regarding this matter, please contact Larry Garahana of my staff at (801)977-4371.

Sincerely,

Jill C. Silvey

Jill C. Silvey
Field Manager
Salt Lake Field Office

cc: UDOGM, 1549 W. North Temple, Suite 1210, Salt Lake City, UT 84114
Chet Steele, 1035 N. 400 E., Nephi, UT 84648