JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

January 12, 2011

TO: Board of Oil, Gas & Mining

THROUGH: John R. Baza, Director JRB

FROM: Steve Schneider, Administrative Services & Policy Coordinator Steve

SUBJECT: Status on Rules Due for Five-Year Renewal

In follow-up to the Board briefing session on December 8, 2010, the Division issued the attached letter on December 9, 2010 to the Informal Rules Review Group ("IRRG") for comments on the renewal of R649-10 and R645-106. A response by January 10, 2011 was requested and one response was received. John Kirkham of Stoel Rives supported renewal of both rules.

Since no parties from the IRRG opposed renewal of the rules, the Division is willing to proceed with the renewal filing of these two rules with the Division of Administrative Rules in their e-Rules system, assuming there is no opposition from the Board. Rules expire and are unenforceable if they are not renewed.

The Division will provide a briefing to the Board on this matter on January 26, 2011.

Attachment

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telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • *www.ogm.utah.gov*

UTAH DNR OIL, GAS & MINING

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Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

December 9, 2010

TO: Informal Rules Review Group

THROUGH: John R. Baza, Director

FROM: Steve Schneider, Administrative Services & Policy Coordinator

SUBJECT: Five-Year Review of Two Rules

One Oil and Gas Program rule and one Coal Program rule under the jurisdiction of the Utah Board of Oil, Gas & Mining are due for five-year review in accordance with the Utah Administrative Rulemaking Act. As discussed at the Board briefing on December 8, 2010, the Division is distributing this letter to the Informal Rules Review Group for comments on the renewal of these rules:

R649-10 Administrative Procedures.
R645-106 Exemption for Coal Extraction Incidental to the Extraction of Other Minerals.

Please take this opportunity to review these rules and provide a response to Steve Schneider by **January 10, 2011** regarding the rule renewal, if you so desire. The rules are available for viewing at www.rules.utah.gov under the "effective rules" icon, or the Division could provide a copy if needed.

The Division anticipates providing a report to the Board on January 26, 2011 concerning the comments received and the renewal of these rules. If comments are provided concerning rule amendments, these matters will be addressed at a future date.

I can be reached by e-mail at **steveschneider@utah.gov** or by telephone at 801-538-5328 if you have any questions. Thank you in advance for your consideration of this matter.

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