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FILED
APR 20 2015
SECRETARY, BOARD OF
OIL, GAS & MINING

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

In re Hidden Splendor Mine, Inc. and Request by the Utah Division of Oil, Gas and Mining that the Board of Oil, Gas and Mining Forfeit the reclamation surety which consists of a Deed of Trust in Unit No. R-2404-N of the American Towers Condominiums located at 57 West 200 South, Salt Lake City, Salt Lake County, Utah; and has been provided to guaranty reclamation of the Horizon Mine, Permit ACT/007/020 located in Sections 13 and 17, Township 13 South, Range 8 East, SLM, Carbon County, Utah.	**MOTION AND ORDER FOR LEAVE TO WITHDRAW DIVISION'S NOTICE OF AGENCY ACTION WITHOUT PREJUDICE** Docket No. 2014-037 Cause No. ACT/007/020 (04)

MOTION

The Division of Oil, Gas and Mining ("**Division**"), through its counsel hereby moves the Board of Oil, Gas and Mining ("Board") to grant leave for the Division to Withdraw the Notice of Agency Action filed in this matter provided such withdrawal shall be without prejudice to the

rights of the Division at some later date to file a Notice of Agency Action based on the same facts and seeking the same general relief. The Respondent has indicated to the Division through its counsel that it has no objection to this motion.

The hearing of the above entitled matter was continued from the February 25, 2015 Board Hearing until its hearings scheduled for March 25, 2015. This was the third continuance that had been requested as the parties sought to resolve the matter. The Division has determined that the matter is not ready for resolution by the Board at this time, but that rather than seek further continuances of the hearing, that the Division will file another NOAA at such time as the Division deems it appropriate and necessary.

Respectfully submitted this 20th day of April, 2015.

Steven F. Alder .
Assistant Utah Attorney General
Attorney for the Division of Oil, Gas and Mining

ORDER

Upon Motion of the Division and for good cause appearing therefrom, the Board hereby Grants the Division Leave to Withdraw the NOAA without prejudice, allowing the Division to file a subsequent NOAA based on the same facts except as modified seeking among other things the same relief.

Dated this ___ day of April, 2015

_____

Ruland J Gill, Jr.
Chairperson of the Board
Board of Oil, Gas and Mining

CERTIFICATE OF MAILING

I certify that I caused a true and correct copy of the above Motion for Leave to Withdraw the NOAA without prejudice and Order Granting Leave to Withdraw NOAA without Prejudice was sent by email, hand delivery, or by certified mail as indicated this 20 day of April , 2015, to the following persons:

By hand delivery to:

Michael S. Johnson
Assistant Attorney General
Utah Board of Oil, Gas and Mining
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