



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Rawlins Field Office
P.O. Box 2407 (1300 North Third Street)
Rawlins, Wyoming 82301-2407



3 19 2009

In Reply Refer To:
3800 (WYD03)

CERTIFIED MAIL NO. 7008 1140 0004 1726 2225
RETURN RECEIPT REQUESTED

Mr. John W. Cash, Manager EHS and Regulatory Affairs
Lost Creek ISR, LLC
5880 Enterprise Drive, Suite #200
Casper, Wyoming 82609

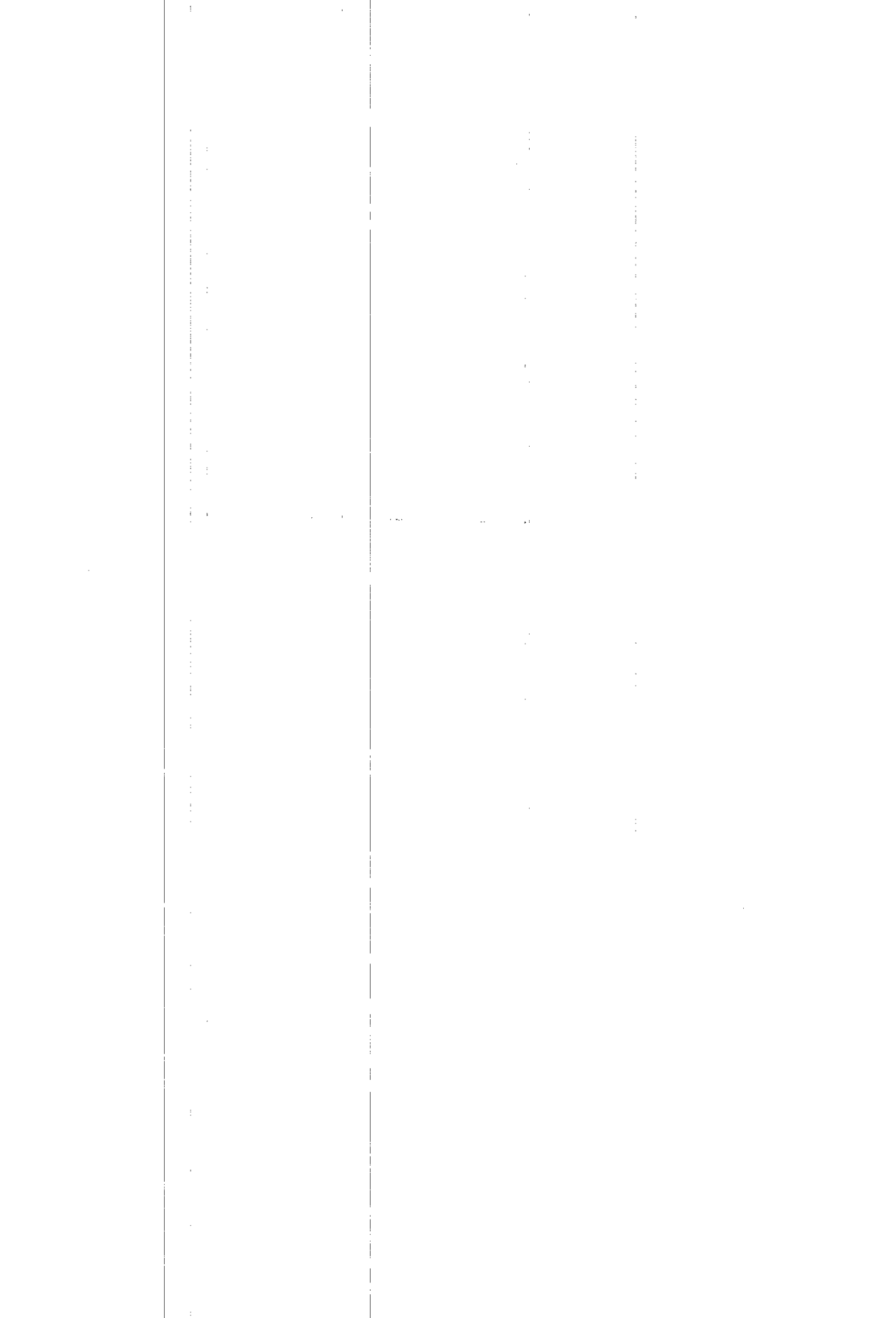
Dear Mr. Cash:

This letter is in response to your Plan of Operations received July 7, 2009, for uranium exploration and construction activity in T. 25 N., R. 92 W.; and T. 25 N., R. 93 W.; 6th P.M.; Sweetwater County, Wyoming.

We are requesting additional information required to designate your plan as complete. Your plan as submitted details only exploration and construction activity proposed for this year. Based on the proposal, you intend to proceed to actual production of the ore body. As required under 43 CFR 3809, we are requiring submittal of a complete plan detailing proposed operations for the entire facility from pre-construction through de-commissioning and site reclamation.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the



Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal 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 immediate and irreparable harm if the stay is not granted; and
- (4) Whether the public interest favors granting the stay.

Please note, however, that under the regulations in 43 CFR 2801.10 and 2881.10, this decision is effective even if an appeal is filed.

If you have any questions, please contact Mark Newman, Geologist, at the address shown above or telephone (307) 328-4248.

Sincerely,



for Patrick Madigan
Field Manager

1 Enclosure:

1 - Appeals Information (Form #1842-1)

cc: Ms. Melissa Bautz (w/o encl.)
Department of Environmental Quality, Land Quality Division
510 Meadowview Drive
Lander, WY 82520

Mr. Alan B. Bjornsen, Environmental Project Manager (w/o encl.)
United States Nuclear Regulatory Commission
11545 Rockville Pike
Rockville, MD 20852

