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TO: James Carter

DATE: 5-24-94

FAX NUMBER: 359-3940

TIME: _____

FROM: Denise Drago

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COMMENTS: cc: Jan Brown & Dave Lauriski

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VIA FACSIMILE

May 24, 1994

(801) 359-3940

James M. Carter, Director
UTAH DIVISION OF OIL, GAS & MINING
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: Valley Camp of Utah, Inc., Belina Mine, NOV No. 94-39-2-1
("NOV"); ACT/007/001, Folder #5, Carbon County, Utah

Dear Director Carter:

This letter confirms the understanding of White Oak Mining & Construction Company, Inc. ("White Oak"), operator of Permit No. ACT/007/001, regarding your letter of May 24, 1994 and the Amended Findings, Conclusions and Order of May 17, 1994 ("Amended Findings"). You have agreed that the temporary abatement measures set forth in Mr. Tanner's April 28, 1994 letter are acceptable to the Division and are incorporated into the Amended Findings. White Oak has taken abatement action consistent with the letter of April 28, 1994 as follows:

1. White Oak has installed straw bales on the south side of Eccles Canyon Creek above the riparian zone near Culvert C-21-48 to the junction of the channel change and adjacent berm constructed during said change.
2. On this same reach of haul road, snow will only be blown over the guardrail when it is fresh-fallen or lives may be in jeopardy. Routinely, the wind rowed snow in this area will be carried to the west side of the State Highway approach where it will be placed, with a row of straw bales between it and Eccles Creek.

LAW OFFICES OF
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James M. Carter
May 24, 1994
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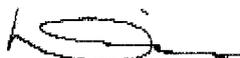
3. From the Channel Change/Berm up to the mine, snow will be blown and/or plowed over the guardrail as it has been in the past.
4. Ditches, inlets and outlets will be maintained as in the past.

White Oak appreciates your acknowledgment that the above-stated abatement measures satisfy the NOV as amended by paragraphs 2 and 3 of the Amended Findings. White Oak needs further clarification regarding the additional mapping and documentation required by the Division to approve its snow removal activities as a plan amendment under paragraph 4 of the Amended Findings.

Finally, by petition dated March 4, 1994 and reinstated May 20, 1994, White Oak has requested a formal hearing before the Board of Oil, Gas & Mining ("Board") to review the fact of violation of the NOV. It is my understanding that this matter has been set for hearing before the Board on Wednesday, June 22, 1994. White Oak will submit an additional brief in support of its motion to vacate the NOV.

Thank you for clarifying the Amended Findings and granting White Oak the temporary relief which it has requested.

Very truly yours,



Denise A. Dragoo

DAD:jmc:34902

cc: Chairman David Lauriski (via facsimile)
Jan Brown (via facsimile)
Steve Tanner
Mike Gipson
Todd Kiscaden
Scott Kiscaden
John Kirkham, Esq.