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October 29, 2003  
VIA FAX 595-3265

Sherrie Gochberg  
Union Pacific Railroad  
280 S 400 W # 250  
Salt Lake City, UT 84110

**RE: WHISKEY CREEK LOADOUT COAL DUMP BY UNION PACIFIC RR**  
**DATE OF OCCURRENCE: 8-03**  
**MY CLIENT: GEORGE LIODAKIS**

Dear Ms. Gochberg:

Please be advised that my client does not object to Union Pacific cleaning up the coal dumped by Union Pacific or its contractors, so long as such clean up is coordinated with all relevant governmental departments and agencies, and that such clean up is performed in a workmanlike manner without further damage to the property and/or to the water resources on such property.

Please be further advised that my client's lock on the gate has been stolen. We believe that the State or its contractors have replaced it with a combination lock with a combination of 1955.

Notwithstanding the forgoing, my client reserves all rights he has against all parties, including, but not limited to, Union Pacific for damages arising out of activities at the property, and does not hereby waive any rights he may have arising out of this coal dump by Union Pacific, its clean up, or any other acts or omissions of Union Pacific, its contractors, or others.

Please advise this office immediately upon completion of the above-referenced clean up. Please call with any questions concerning this letter.

Very truly yours,



Lawrence D. Buhler  
cc: George Liodakis  
DEQ  
DOGM  
Durbano Metals

RECEIVED

OCT 30 2003

DIV. OF OIL, GAS & MINING