

May 10, 2006

Milton A. Oman Estate
P.O.Box 11798
Salt Lake City, Utah 84147-0798

Certified Mail

Della L. & Hilda M. Madsen
Meadow, Utah 84644

Certified Mail

Scott Kiscaden
Blue Ridge Mining Services
P.O. Box 1916
Mechanicsville, Virginia 23116

Certified Mail

*Outgoing
C/007/0007*

Re: White Oak Access Road Maintenance

Dear Road Surface Landowner:

As a result of heavy snowfall this last winter a mudslide occurred on the lower portion of the White Oak access road on or about May 8, 2006. The slide has impacted Eccles Creek with sediment and some debris and will likely be an ongoing problem until the snow melts.

As you will recall from the letter you received on March 30, 2004, the access road was not removed, but retained as part of the Grazing and Wildlife Habitat Post Mining Land Use in order to facilitate grazing access to the reclaimed mine site. The Division of Oil, Gas and Mining is neither responsible for long term road maintenance, nor liable for environmental damages resulting from the degradation of the road surface such as that which has occurred.

In order to protect its continued rights of access, as necessary to monitor the reclamation and to complete the revegetation of the reclaimed mine site, and due to the need to act quickly to avoid further damage to Eccles Creek, the Division has chosen to address this current environmental degradation. This action in no way commits the Division to further maintenance or any ongoing responsibility for the access road.

Sincerely,

Mark Mesch
Acting Associate Director, Mining