

BRAZTAH CORPORATION

10880 WILSHIRE BOULEVARD, SUITE 1500 (213) 879-5252
LOS ANGELES, CALIFORNIA 90024

September 6, 1978

Mr. Ronald W. Daniels
Coordinator of Mined Land Development
Division of Oil, Gas, and Mining
1588 West North Temple
Salt Lake City, Utah 84116

Dear Mr. Daniels:

Re: Waiver for the alleged retroactive
effect of Section 40-8-7, Utah Code
Annotated, as amended. Braztah complex

Pursuant to your conversation with our Boyd Harvey, attached
please find an executed Waiver.

As Mr. Harvey indicated to you, we are looking forward to
working with the Division of Oil, Gas and Mining as we work
out our mutual problems with the Surface Mining Control and
Reclamation Act.

Very truly yours,

BRAZTAH CORPORATION



Howard J. Bressler
Assistant General Counsel

HJB/rsh
encl.



WAIVER

The BRAZTAH CORPORATION Company hereby agrees to waive any alleged retroactive effect which might be asserted under Sec. 40-8-7 Utah Code Annotated, 1953, with respect to the special Rules and Regulations adopted by the Division of Oil, Gas & Mining on May 25, 1978 covering coal mining and reclamation operations in the state of Utah insofar as said rules and regulations apply to coal mining and reclamation plans submitted by us and approved by the Board and Division of Oil, Gas & Mining prior to May 25, 1978.

By granting this waiver BRAZTAH CORPORATION Company in no way waives its right to at any time in the future to challenge the authority of the Board or the Division of Oil, Gas & Mining or any other regulatory agency to enforce the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87.

By

Howard Brune
Vice President