

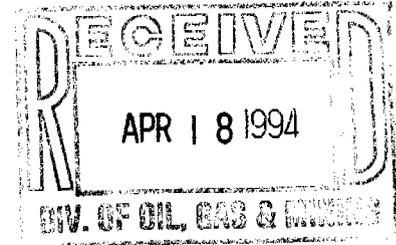
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Cyprus Plateau Mining Corporation
P.O. Drawer PMC
Price, Utah 84501
(801) 637-2875
Fax: (801) 637-2247

April 15, 1994

Mr. Joseph C. Helfrich
Division of Oil, Gas and Mining
Department of Natural Resources
State of Utah
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203



ACT/007/004 # 5 Copy Joe

RE: Proposed Assessment for State Violation No. N94-41-1-1, Castle Gate Mine

Dear Mr. Helfrich:

Your letter of April 4, 1994 to Mr. Richard Allison, relating to the proposed assessment for State Violation No. N94-41-1-1 is incomplete. The letter does not contain the two informal appeal options available to our operation. I have been unable to contact you by telephone to determine the informal options available, or discuss the particulars relating to the Notice of Violation.

We would like to appeal this violation. The Castle Gate # 1 seed mixture applied in the Fall of 1993 was certified by Mr. S. Lloyd Stevens of Maple Leaf Ind., Inc. on September 15, 1993. The label on the seed mixture applied also indicated the approved seed mixture. This seed mixture was applied.

In order to assure the correct seed mixture was applied, we submitted a sample of the seed mixture to the Seed Laboratory of the Utah State Department of Agriculture. Your office received the results of this analysis prior to our receiving the results. The cost of this analysis was borne by our contractor, Environmental Industrial Services, and reimbursed by our company. We were not given the opportunity to notify the Division of the apparent deficiency in the certified seed mixture and to formulate a plan to mediate the apparent deficiencies in the seed mix. Mediation could have included a re-application of Basin Wild Rye and Blue Astor in the Fall of 1994. This would result in the application of the approved seed mixture prior to completion of reclamation activities. Perhaps we were not given a benefit of doubt in regards to this Notice of Violation.

The points assessed in the proposed assessment for the violation appear to be excessive for a "no fault" incident. We would like to discuss the points assessed relative to if the event actually occurred, and the extent of actual or potential damage to the environment.

Attached is a copy of the certification letter from Maple Leaf Ind. and a copy of the seed tag attached to a seed bag. Perhaps the seed mixture should be sampled by the Division, and sent to another laboratory to determine if a laboratory error might have occurred.

Please contact me at Cyprus Plateau to discuss this situation, or to schedule a conference. I can be reached at 637-2875 or my direct telephone number is 636-2253.

Sincerely,



Tom Hurst
Sr. Mining Engineer

TH/th

c. John Borla
Ben Grimes
Lonnie Mills

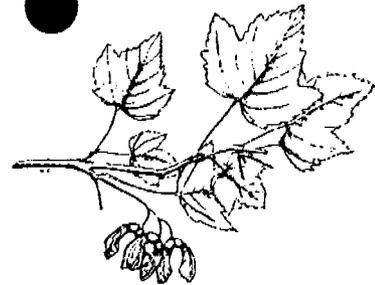
File: Castle Gate NoV 94-41-1-1

enclosure

Maple Leaf Ind., Inc.

SEED DIVISION

480 South 50 East
Ephraim, Utah 84627
801-283-4701
Utah Toll Free 1-800-287-3162
FAX 801-283-6872



This is to certify that all lots of seed and varieties used in the mix described below, were tested by an authorized seed lab as prescribed in the Federal Seed Act and the Utah State Seed Laws.

Date: 15 September 1993

Customer: EIS, MEL CONROD
SPRING GLEN, UT 84526-

Invoice No.: 9774

Job Name or Number: CASTLE GATE #1

P.O. Number: 091393

Variety & Type:	Lot Number:	Purity/Germ:
WESTERN WHEATGRASS	W9A7	89.80/90
FOURWING SALTBUUSH	ATCA-92-CC	93.80/54
WINTERFAT	1062	92.16/62
CRITANA THICKSPIKE WHEATGRASS	WQE-8500	91.55/94 + 2
INDIAN RICEGRASS	W91-88-11OR	98.75/96
GREAT BASIN	G-582	99.19/98
SKUNKBUSH	1200	95.00/80
UTAH SERVICE BERRY	S109	95.00/85
MT MAHOGANY	CCLE-92-A	92.00/85
RABBITBRUSH	CHNAA-92	42.05/43
SECAR BLUEBUNCH WHEATGRASS	038-89	98.49/88
LEWIS BLUE FLAX	25-525-10A	97.11/90
PURPLE PRAIRIE CLOVER	PEPU89-1	96.70/82
BLUE LEAF ASTER	1064	98.50/85
YELLOW BLOSSOM SWEET CLOVER	1364	99.16/84 + 2
MOUNTAIN BIG SAGE	ARTRV-92	24.17/77 + 3
PALMER PENSTEMON	PEPA-92-C	96.71/84
KENTUCKY BLUEGRASS	8788	98.72/90
SAND DROPSEED	6510	87.38/85 + 2
LOUISIANA SAGE	ARLU-R	14.21/92

Sincerely,

S. Lloyd Stevens

Maple Leaf Industries, Inc. warrants to the extent of the purchase price that seeds sold are as described on the container, within recognized tolerances. We give no other or further warranty, express or implied.

CUSTOMER: EIS, MEL CO
MIXTURE NAME: CASTLE
P.O. NUMBER: 091393

PURITY MIXTURE CONT
11.30% WESTERN WHEATGR
9.41% FOURWING SALTB
8.20% WINTERFAT
7.06% CRITANA THIC
7.06% INDIAN RICHA
6.92% GREAT BASIN
6.35% SKUNKBUSH
3.99% UTAH SERVICE
3.99% MT MAHOGANY
3.94% RABBITBRUSH
3.85% SECAR BLUEBUN
3.76% LEWIS BLUE FL

Part 1 of 2

lot number 9774 continued

2.07% PURPLE PRAIRIE CLOVER	CALIFO 82%
1.99% BLUELEAF ASTER	CA 85%
1.97% YELLOW BLOSSOM SWEET CLOVER	CANADA 84% + 2%
0.85% MOUNTAIN BIG SAGE	UTAH 77% + 3%
0.81% PALMER PENSTEMON	UTAH 84%
0.75% KENTUCKY BLUEGRASS	OREGON 90%
0.39% SAND DROPSEED	COLORA 85% + 2%
0.37% LOUISIANA SAGE	UTAH 92%

0.81% CROP 14.00% INERT OLDEST TEST DATE: 4/93
0.16% WEED NO NOXIOUS WEED FOUND

NET WEIGHT 40.00 LBS.

SHIP TO: EIS, MEL CONROD
4855 NORTH SPRING GLEN ROAD
SPRING GLEN, UT 84526-

Part 2 of 2