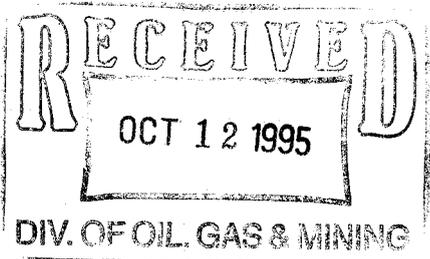


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October 10, 1995

Dave Darby  
Division of Oil, Gas & Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

#5

ACT/007/005 #5  
and CO file

Re: Cessation Order No. C 95-39-1-1

Dear Mr. Darby:

According to the attached letter from Robert Valentine, Director of the Utah Division of Wildlife Resources (DWR), to Don Ostler, Director of the Utah Division of Water Quality (DWQ), the cost to DWR for restoring Mud Creek and Eccles Creek is \$7,166.67. Also this letter indicates that restoration will take place next spring. This cost will be included with other costs as determined by DWQ and a settlement will be reached between DWQ and Utah Fuel Company. To date DWQ has not presented Utah Fuel Company with a settlement agreement. In my letter dated September 19, 1995, to James Carter a commitment is made to pay the settlement agreement. Utah Fuel Company hereby restates that commitment.

It is assumed that DWR will use its share of the settlement for the purpose of restoring Eccles and Mud Creeks next spring as stated in the above referenced letter. However, since Utah Fuel Company has no control over the actions of DWR it is impossible and inappropriate for us to attempt to guarantee the timing or success level of the restoration of these creeks. These factors are entirely beyond our control. As stated above, we guarantee that we will pay the settlement amount to DWQ but we are powerless to determine the use of those funds.

We trust that the commitment, made in my letter of September 19 to Jim Carter, and restated above, will allow you to terminate the above referenced cessation order. If there are any questions, please contact us.

Very truly yours,

Ken Payne  
Vice President and General Manager