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PLATEAU MINING COMPANY

A Subsidiary of Getty Oil Company

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File ACT/OUT/006
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(with map)

April 10, 1985

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APR 15 1985

DIVISION OF OIL
GAS & MINING

Mr. Lowell Braxton
Administrator, Mineral Resources Development
and Reclamation Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: DISRUPTION OF REFUSE PILE TEST PLOTS

Dear Mr. Braxton:

We appreciate the opportunity for Ben Grimes, Kent Crofts, and Clem Parkin to meet with you and your staff yesterday on such short notice. We are very pleased to have the Division respond to our need in this matter in such a positive manner. As often happens in business, plans change rapidly requiring schedules to be shifted, and we appreciate your flexibility.

In response to your letter dated March 28, 1985 and the meeting held yesterday, Plateau offers the following:

Stipulation UMC 817.24-1-TLP

Item 1-A - Plateau will protect the test plots from unnecessary destruction. A map showing the proposed disturbance as construction staked in the field is attached to this letter. After the cut is made, another map showing the actual cut will be forwarded to your office.

Item 1-B - Plateau will monitor the remaining test plots for an eight year period. Data will be reported to the Division as previously discussed and agreed upon with your staff. The plots will be monitored, and data submitted on a mutually agreed upon schedule, we propose the schedule to be years 1, 2, 3, 5, 7, and 10. It should be noted that we have monitored the plots two consecutive years (1983 & 1984); therefore, we plan to monitor years 3, 5, 7, and 10 unless data from the plots indicates a need for a different schedule.

Item 2 - We made a case yesterday for not re-establishing the lost test plots. Basically, we feel that re-establishing the plots is not justified because of the following reasons:

- A. Approximately 1500 ft.² of Plot B2 will remain, and approximately 500 ft.² of Plot C1 will remain.
- B. Plot C2 will remain essentially intact (85%). Plot C2 and C1 were treated the same, except for fertilization; C1 had 100 lbs per acre, and C2 had 200 lbs per acre. Based on field data, no significant difference was observed from the fertilization rates; therefore, Plot C2 will yield data that C1 would have.
- C. If plots are re-established, there is no way to compare spacially the new plots with the remaining original plots, due to differences in precipitation.

Plateau will evaluate the field data for fertilizer affects on C1 and C2 and if no significant differences exist, we do not feel that re-establishment is necessary. Nevertheless, this issue will be resolved to the satisfaction of the Division by the May 1, 1985 requirement in your March 28 letter.

Item 3 - Plateau believes that Stipulation 6, having been issued in 1982 as a Stipulation to our MRP, does not necessarily need to be connected to approval to disturb the refuse pile test plots. Stipulation 6 was issued before the refuse pile test plots were even planned. It was tied to the refuse pile plots only at a later date and, therefore, should not be a contingent part of the approval to disturb the refuse plots.

We agree that information gained from the refuse plots may give valuable information to address Stipulation 6, and we are anxious to resolve any additional concerns that the Division may have.

We do not agree that the refuse pile plots are inadequate to help address Stipulation 6, and additional information will be submitted to the Division according to the May 15, 1985 schedule as given in your March 28 letter. We look forward to working with you and your staff to finalize the details of Stipulation UMC 817.24-1-TIP. In the meeting yesterday, you committed the Division's efforts to re-evaluate this part of the Stipulation to see how it applies to the refuse pile test plots. We will reserve any further comments on this item pending the Division's review.

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We would like to meet with you and your staff next week to review the analysis of Plots C1, C2, and any concerns that may still be present on Item 3 of the Stipulation.

By this letter, we are committing our efforts to work out the details of Stipulation UMC 817.24-1-TLP as agreed upon yesterday. We also are making effectual the Division's approval to disturb the refuse pile test plots. Construction will start on the refuse pile sometime in the next day or two, unless we hear otherwise. This area is within the scope of the Unit Train Permit previously approved by the Division.

If you have any questions or concerns, please call Ben Grimes at my staff.

Respectfully,

PLATEAU MINING COMPANY



Walter Mueller, Jr.
Vice President and
General Manager

BAG:sd

Attachment

cc: Vic Cox
Kent Crofts
Ben Grimes