

**Sunnyside**  
**Coal Company**

Operations • Highway 123 • P.O. Box 99 • Sunnyside, Utah 84539

November 8, 1993

**RECEIVED**

NOV 15 1993

DIVISION OF  
OIL, GAS & MINING

Mr. James Carter  
 Director  
 Division of Oil, Gas and Mining  
 State of Utah, Department of Natural Resources  
 355 West North Temple  
 3 Triad Center, Suite 350  
 Salt Lake City, Utah 84180

Dear Mr. Carter:

I am in receipt of your letter of October 27. We have also received notices of terminations for the following NOV's:

NOV 93-40-5-9 parts 1, 2, 4, 5, 7, 8 and 9  
 NOV 93-40-7-1 part 1  
 NOV 93-32-5-2 parts 1 and 2

It was my understanding that the intent of the terminations was to recognize that Sunnyside Coal was not responsible for the NOV's, that the terminations would remove the NOV's from Sunnyside's record and no penalties would be assessed.

The facts that parts 3 and 6 of NOV 93-40-5-9 were not terminated and assessments totaling \$2,120 have been received for NOV 93-2-5-2 lead me to believe that the terminations have not achieved the intended results. Please confirm your understanding of the intent of your letter of October 27 and the terminations issued subsequent to that letter. If the terminations don't achieve the same results as vacating the NOV's, Sunnyside will be forced to continue with our appeals to the Board (a course of action we would prefer to avoid).

Sincerely,

*Bob*

Robert M. Burnham  
 President

cc: Joe Fielder  
 Denise Dragoo

**Corporate Offices**  
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