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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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7-7

September 19, 1994

Mr. Robert Burnham
Sunnyside Coal Company
1113 Spruce Street
Boulder, Colorado 80302

Re: Division Order 94A.

Dear Mr. Burnham:

The above referenced Division Order required the operator to provide certain information concerning inadequacies found in its reclamation plan as outlined in the Findings of the Division Order. Performance under the Division Order provided for several alternatives, including setting a schedule for supplying that information. After numerous discussions, letters, and attempts at setting a schedule based upon the agreement of the parties concerning the deficiencies outlined in the Division Order, it has become apparent that the debtor cannot comply with this Order. Therefore, the time set for responses to the Division Order and any extensions for that response are hereby terminated. The Division will take all actions available to it, both in Bankruptcy Court, and under the Coal Regulatory Program, to protect the state and federal regulatory's interest in assuring complete and adequate reclamation of the mine.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James W. Carter', written over a large, stylized circular flourish.

James W. Carter
Director

lsj
BURNHAM.LTR