

FABIAN & CLENDENIN

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAWTWELFTH FLOOR
215 SOUTH STATE STREET
P. O. BOX 510210
SALT LAKE CITY, UTAH 84151
TELEPHONE (801) 531-8900
FACSIMILE (801) 596-2814NORMAN J. YOUNKER
MICHELE MITCHELL
JOHN E. S. ROBSONDOUGLAS B. CANNON
ROBERT PALMER REES
KENLEY W. BRUNSDALE
DOUGLAS J. PAYNE
PATRICK L. ANDERSON
DIANE H. BANKS
P. BRUCE BADGER
JOHN (JACK) D. RAY
MICHAEL L. CHIDESTER
KATHLEEN H. SWITZER
CRAIG T. JACOBSEN
ROBERT K. HEINEMAN
SANDRA K. ALLENOF COUNSEL
PETER W. BILLINGSRALPH H. MILLER
BRYCE E. ROE
GEORGE D. MELLING, JR.
WARREN PATTEN
M. BYRON FISHER
STANFORD B. OWEN
WILLIAM H. ADAMS
ANTHONY L. RAMPTON
PETER W. BILLINGS, JR.
THOMAS CHRISTENSEN, JR.
RAND M. ELISON
DENISE A. DRAGOO
JAY B. BELL
DANIEL W. ANDERSON
GARY E. JUSBER
ROSEMARY J. BELESS
W. CULLEN BATTLE
KEVIN N. ANDERSON
JATHAN W. JANOVE
RANDY K. JOHNSON

November 30, 1990

RECEIVED
DEC 03 1990DIVISION OF
OIL, GAS & MININGHAND-DELIVEREDMs. Susan M. White
Utah Division of Oil, Gas & Mining
355 West North Temple
3 Triad, Suite 350
Salt Lake City, Utah 84180Re: Horse Canyon Mine ACT 007/013 -- Notice
of Violation, N-35-02-01

Dear Susan:

I have been requested to provide you with an abatement plan on behalf of Intermountain Power Agency ("IPA") concerning the above-referenced notice of violation ("NOV") issued by the Utah Division of Oil, Gas & Mining ("DOGGM") on November 21, 1990. The NOV was issued for the operator's alleged "failure to conduct mining and reclamation activities in accordance with the approved plan," concerning an area disturbed during the operator's demolition activities at the Horse Canyon Mine. Although demolition has not been regulated as a mining and reclamation activity, IPA agrees to redefine the affected area and include it as part of the disturbed area in its pending mining and reclamation plan application. This revision will be submitted to DOGM on December 3, 1990. In addition, as discussed between William W. Engels and DOGM staff, IPA agrees to install drainage control and siltation structures in this area no later than December 3, 1990.

IPA is proceeding rapidly and in good faith to abate the alleged violations.

Very truly yours,



Denise A. Dragoo

cc David W. Anderson
William W. Engels
Henry R. Straw
Pamela Grubaugh-Littig