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AG 1007/016  
#2

LAW OFFICES

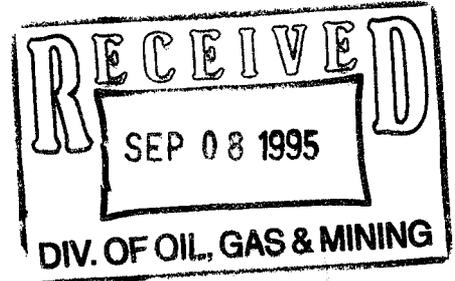
**SNOW, CHRISTENSEN & MARTINEAU**

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JOHN E. GATES

WRITER'S DIRECT NUMBER:  
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September 7, 1995



Mr. David Darby  
Department of Natural Resources  
Division of Oil, Gas & Mining  
State of Utah  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, UT 84180-1203

*Copy Aaron, Joe, Dave  
Lowell, Pam*

Re: ~~Reclamation of Gordon Creek 2,7 and 8 Mines~~  
ACT/007/016, Folder No. 2, Emery Co., Utah

Dear Mr. Darby:

With reference to your letter of August 16, 1995 to Mr. Robert F. Jewkes concerning the above matter, following a letter dated April 11, 1995 from Mountain Coal Company to Mr. Jewkes, he immediately responded over the telephone to Mr. Lowell Braxton of the Department of Natural Resources concerning his objections to the closing of the road. At that time, he was given no indication that his objections must be made in a formal manner or at a formal hearing, nor was there any follow up to his objections.

In 1983, which his father, Movell Jewkes, granted Beaver Creek Coal Company rights to access his property for coal mining, part of the consideration was the fact that the coal company was building an access road to the property which Mr. Jewkes considered for use as a cabin property for his family.

Robert and Linda Jewkes do not object to reclamation of the portals or mine yards, but do object to the road closure eliminating access to the property and thereby preventing its use as a cabin property or for other purposes.

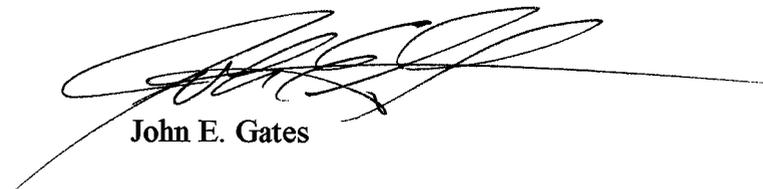
Mr. David Darby  
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Mr. Jewkes has not been given opportunity to comment and express his concerns concerning the elimination of the road, nor was he given information by the Department that his objections must be in writing or that he had opportunity to appear at a public hearing.

Mr. Jewkes objects to the closure of the road and requests an opportunity to present his objections.

Very truly yours,

SNOW, CHRISTENSEN & MARTINEAU



John E. Gates

JEG:do  
cc: Dan W. Guy