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Mine file
ACT/007/020
Folder #5

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

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Michael O. Leavitt
Governor

Lowell P. Braxton
Division Director

November 10, 1998

CERTIFIED RETURN RECEIPT REQUESTED
No. P 540 714 060

Denise Dragoo, Resident Agent
Horizon Mining, LLC
c/o Snell & Wilmer, LLP
111 East Broadway, Suite 900
Salt Lake City, Utah 84111

Re: Outstanding Fines, N98-26-3-1, N97-45-1-1, and N97-26-7-1, ACT/007/020, Horizon Mine, Horizon Mining, LLC, Folder No. 5, Carbon County, Utah

Dear Ms. Dragoo:

On August 31, 1998, Vicki Bailey of our office called you regarding an outstanding payment for Notice of Violation N98-26-3-1 due July 24, 1998, and again on October 2, 1998, adding notice of violations N97-45-1-1, due September 11 and N97-26-7-1, due September 12.

This letter constitutes a final demand for payment, plus interest at ten percent per annum from the date of finalization, for civil penalties due and payable to the Division of Oil, Gas and Mining by Horizon Mining, LLC, for the following state violations:

ACT No.	NOV/CO No.	Date Finalized	Amount	Interest	Total
ACT/007/020	N98-26-3-1	7/24/98	$ 120.00	$ 3.19	$ 123.19
ACT/007/020	N97-45-1-1	9/11/98	180.00	2.42	182.42
ACT/007/020	N97-26-7-1	9/12/98	360.00	4.73	364.73

TOTAL AMOUNT DUE $ 670.34

These fines are overdue. Utah Code Annotated § 40-10-20(4) (1953, as amended) states that, "[c]ivil penalties owed under this chapter may be recovered in a civil action brought by the attorney general of Utah at the request of the board in any appropriate district court of Utah." If the Division does not receive payment

immediately, the Division shall inform the Board of the operator's failure to pay the civil penalty and request that the Board involve the Office of the Attorney General in this matter.

Should you have any questions regarding this request, please call me.

Sincerely,

Lowell P. Braxton
Director

vb
cc: V. Miller, EarthFax
M. Wright
J. Helfrich
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