

Document Information Form

Mine Number: C/001/021

File Name: Internal

To: DOGM

From:

Person N/A

Company N/A

Date Sent: N/A

Explanation:

Pre Hearing Order

cc:

File in: C/001/021, 1990, Internal

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

BEFORE THE BOARD OF OIL, GAS AND MINING

DEPARTMENT OF NATURAL RESOURCES

STATE OF UTAH

IN THE MATTER OF THE REQUEST)	
FOR AGENCY ACTION OF JACK)	PREHEARING ORDER
OTANI,)	DOCKET NO. 90-026
)	CAUSE NO. INA/007/021
Petitioner)	
)	

A prehearing conference was held on June 8, 1990, at 3:00 p.m. at the offices of the Division of Oil, Gas and Mining. Gregory P. Williams, Chairman of the Board of Oil, Gas and Mining presided. The petitioner, Jack Otani ("Otani"), was present in the person of his counsel Duane R. Smith. The respondent, North American Equities ("NAE"), was present in the persons of its counsel William Prince and Adam Affleck of Holme, Roberts & Owens. The Division of Oil, Gas and Mining ("DOGM") was present in the persons of Dianne R. Nielson, Director, and Alan S. Bachman, Assistant Attorney General. Marjorie L. Anderson, Secretary of the Board, was also present.

The Board, having heard discussion and arguments of counsel and the parties, and being fully advised in the premises hereby makes the following order:

1. On or before 4:00 p.m. on July 16, 1990, Otani shall file with DOGM a document identifying in reasonable detail the specific items of reclamation work which Otani claims have not been performed by NAE and the manner and degree to which

performance is claimed to be incomplete. A copy of such document shall be delivered to NAE on or before such date and time. If Otani shall fail to file such a document, the Board will consider dismissing the petition herein.

2. On or before 4:00 p.m. on July 23, 1990, NAE and DOGM shall each file a responsive pleading in this matter, and shall cause copies thereof to be delivered to the other parties.

3. On or before 4:00 p.m. on July 23, 1990, Otani, NAE and DOGM shall each identify each witness it intends to call at the hearing on this matter, and shall provide each other party with copies of all exhibits it intends to introduce at the hearing.

4. At the hearing the Board will consider the following issue of law in addition to such other issues of law as may arise: whether the 1985 amendment to the Reclamation Plan for the Blazon Mine constituted "a substantial revision" or an "amendment" to the original Reclamation Plan for that mine.

5. This matter will be heard on the Board's regular hearing agenda on Thursday, July 26, 1990. The Board will hear arguments on all pending motions prior to the commencement of the evidentiary hearing.

DATED this 5th day of July, 1990.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING



Gregory P. Williams, Chairman