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State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
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Michael O. Leavitt  
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Ted Stewart  
Executive Director  
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Division Director

December 4, 1996

TO: Joe Helfrich, Permit Supervisor

FROM: Wm. J. Malencik, Reclamation Specialist 

RE: MRP Update, NOV 96-26-3-1, Savage Industries, Inc., Savage Coal Terminal, ACT/007/022-96D, Folder #3, Carbon County, Utah

The aforementioned case file is being forwarded to you for such action as you deem appropriate. This, in accordance with your letter of September 20, 1996, wherein you indicated that you would consider dismissing NOV 96-26-3-1.

You will note that your conditions #1 and #3 have been complied with. However, condition #2 is not legally attainable by Savage. The utility easement was executed by Swisher Coal Company and is a documented title incumbrance to the successor of interest ie., Mountain Coal Company and Savage Industries, Inc.

You will note that the area disturbed by U.S. West lies within the undisturbed Savage permit area. It follows, DOGM management determined or implied that, since the disturbance was not mine related, Savage does not have to include the area in question within their disturbed area. Moreover, it will remain, as currently posted, as an undisturbed area. Closure of this case and especially the written record should clearly identify whether or not the boundaries of the disturbed/undisturbed area required to be changed as a result of this incident.

sd  
enclosures

cc: Boyd Rhodes, Price, Savage Industries, w/o

