

Western States Minerals Corporation

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Address reply to:
7475 West Fifth Avenue
Lakewood, Colorado 80226
Telephone: 303/232-1636



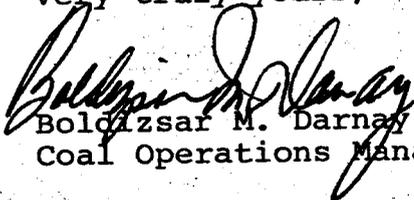
November 20, 1978

Mr. Ronald W. Daniels
Coordinator of Mined Land Development
State of Utah
Department of Natural Resources
1588 West North Temple
Salt Lake City, Utah 84116

Dear Mr. Daniels,

As requested by you on several occasions, I am sending you a waiver for the alleged retroactive effect of Section 40-8-7, Utah Code Annotated, as amended. I understand that if you receive this by November 30, 1978, the Federal Grant for the State Implementation Program will not be affected. If the attached waiver does not meet your needs then please do not hesitate to call.

Very truly yours,


Bolczsar M. Darnay
Coal Operations Manager

Enclosure

BMD/pf

*File: W.S.C. Dog
Valley
Copy for me
ACT/05/002*

WAIVER

Western States Minerals Corporation (the "Company") hereby agrees to waive any alleged retroactive effect which might be asserted under Sec. 40-8-7 Utah Code Annotated, 1953, with respect to the special Rules and Regulations adopted by the Division of Oil, Gas & Mining on May 25, 1978, covering coal mining and reclamation operations in the State of Utah insofar as said Rules and Regulations apply to coal mining operations to be conducted after June 20, 1978, the mining and reclamation plans for which had been submitted by the Company and approved by the Board and Division of Oil, Gas & Mining prior to May 25, 1978.

By this waiver the Company does not waive any other claim, assertion or defense based on any other ground or which it may assert against any other statute, rule or regulation not expressly waived herein. The Company expressly reserves the right at any time in the future to challenge the authority of the Board or the Division of Oil, Gas & Mining or any other regulatory agency to enforce the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87.

WESTERN STATES MINERALS CORPORATION

By


COAL OPERATIONS MGR.

Dated:

Jun. 20, 1978