

0003



*File*

CALVIN L. RAMPTON  
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON  
Executive Director,  
NATURAL RESOURCES

STATE OF UTAH

GUY N. CARDON  
Chairman

DEPARTMENT OF NATURAL RESOURCES

CLEON B. FEIGHT  
Director

DIVISION OF OIL, GAS, AND MINING

CHARLES R. HENDERSON  
ROBERT R. NORMAN  
JAMES P. COWLEY  
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1588 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-5771

June 24, 1976

Huntington City Council  
c/o Mayor Robert D. Swinburne  
Huntington, Utah 84528

Gentlemen:

Attached hereto is a copy of a Notice of Hearing to be published on or before July 9, 1976.

The Board regrets that there was a misunderstanding as to whether or not Mr. Bunnell had finished his presentation, and hopes that by reopening the case the city of Huntington will place in the record that additional evidence they deem pertinent to their petition.

When Representative John Garr informed the Board that you were particularly concerned about the number of coal trucks crossing your water line, they directed me to write a letter to Swisher Coal Company advising them of the problem and requesting that they take whatever action is necessary to protect said line. This letter, however, will be withheld pending the results of the hearing on July 28.

Very truly yours,

DIVISION OF OIL, GAS, AND MINING

*Cleon B. Feight*  
CLEON B. FEIGHT  
DIRECTOR

CBF:sw

cc: Boyd Bunnell, Esq.  
Representative John M. Garr  
Swisher Coal Company

BEFORE THE BOARD OF OIL, GAS, AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
in and for the STATE OF UTAH

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IN THE MATTER OF THE APPROVAL OF )  
THE NOTICE OF INTENT AND RECLAMATION )  
PLAN SUBMITTED BY SWISHER COAL COMPANY, )  
HUNTINGTON CANYON #4 MINE, EMERY COUNTY, )  
UTAH. )

NOTICE OF HEARING  
Cause No. 43-015-004

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THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION, MINERAL  
AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS INTERESTED IN TOWNSHIP 16  
SOUTH, RANGE 7 EAST, SLBM, EMERY COUNTY, UTAH.

On Wednesday, June 23, 1976, a hearing was held on the above mentioned  
matter, pursuant to an objection being filed by Huntington City.

At said hearing the Board erred in that Huntington City was not  
able to present all of the evidence, and/or testimony they had available,  
in support of their petition.

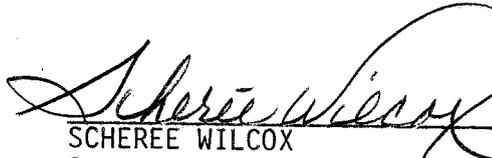
THEREFORE, as provided for in Section 40-8-8, Utah Code Annotated,  
1953, the Board of Oil, Gas, and Mining, upon its' own motion, hereby  
rescinds the Order issued in this Cause on the above mentioned date, and  
reopens the case for reconsideration.

As a result thereof, the Board of Oil, Gas, and Mining, will  
conduct a hearing on Wednesday, July 28, 1976, at 10:00 a.m., in the Executive  
Conference Room - Holiday Inn, 1659 West North Temple, Salt Lake City, Utah,  
for the purpose of receiving and reconsidering any additional evidence.

Any person or agency so aggrieved by the proposed coal mining  
reclamation plans of Swisher Coal Company on lands located in Section 16,  
Township 16 South, Range 7 East, SLBM, Emery County, Utah, may appear and  
be heard.

DATED this 24th day of JUNE, 1976.

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
BOARD OF OIL, GAS, AND MINING

  
SCHEREE WILCOX  
Secretary to the Board

Division of Oil, Gas, and Mining  
1588 West North Temple,  
Salt Lake City, Utah 84116  
Phone: (801) 533-5771