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BEAVER CREEK Coal Company

P. O. Box AU

Price, Utah 84501

Telephone 801 637-5050

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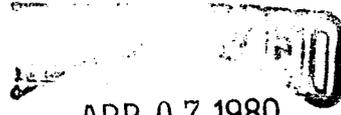
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UT0004

March 6, 1980

Mr. Donald A. Crane
Regional Director
Office of Surface Mining
Reclamation and Enforcement
Brooks Towers
1020 Fifteenth Street
Denver, Colorado 80202



APR 07 1980

DIVISION OF
OIL, GAS & MINING

Dear Mr. Crane:

With reference to your letter to me of January 30, 1980, approving the Mining and Reclamation Plan for Huntington Canyon #4 Mine (your Reference UT-0004), conditioned upon the written acceptance of the accompanying stipulations, please consider this letter such acceptance, subject however, to the following proviso:

With regard to the language of Special Stipulation #6 insofar as it pertains to the off-site/off-permit C.V. Spur Coal Processing Plant, please be advised that by the acceptance of that stipulation as written Beaver Creek Coal Company, a wholly owned subsidiary of Atlantic Richfield Company, (formerly Swisher Coal Co. -- name change only) does not, and does not intend to waive or forego any of the legal or administrative rights and remedies available to it to contest OSM's jurisdiction of such facility under the interim program or to in any way abandon the pursuit of its appeal of that Notice of Violation #N79-5-5-29 (N 500446) issued September 20, 1979, for allegedly operating without an approved mining permit.

Our attorney has spoken previously with Mr. Lyle Rising of the Office of the Solicitor and was informed that Mr. Rising understood our need for such a proviso, and that no problems or delays should be occasioned by its inclusion.

Thank you for obtaining and granting the necessary approvals of the subject mining and reclamation plan.

Very truly yours,



Max A. Robb,
President

MAR/rh