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December 12, 1991

James Carter, Esq.
Chairman
Utah Board of Oil, Gas & Mining
355 West North Temple, Suite 350
Salt Lake City, Utah 84180-2303RE: Petition for Temporary Relief,
Hidden Valley Mine, Permit No. ACT/015/007
Notice of Violation No. N91-26-8-2

Dear Jim:

On behalf of Hidden Valley Coal Company, a Utah corporation ("Hidden Valley"), we have submitted the enclosed Petition for Temporary Relief requesting an extension of time in which to abate Notice of Violation N91-26-8-2 ("NOV"). Hidden Valley is challenging the fact of the violation and the nature of the abatement requested under the NOV in a hearing before the Utah Division of Oil, Gas & Mining (the "Division"). Hidden Valley seeks an extension in the period for abatement until the Division has had an opportunity to review the fact of the violation.

I have reviewed this matter with Dr. Dianne R. Nielson, Director of the Division, and hearing officer on the fact of the NOV. Dr. Nielson has suggested that we arrange a telephonic conference on the Petition for Temporary Relief. As discussed in the Petition, there appears to be a difference of opinion within the Division concerning the required abatement action. If you wish to confirm this, we can arrange a hearing with the parties or a telephonic conference call with additional participants. Lee Edmonson with Hidden Valley has requested that he be included in this matter. Mr. Edmonson can be reached by phone in Phoenix, Arizona, on Thursday afternoon or Friday morning or he can arrange to meet with you in Salt Lake City, Utah, on Monday or Tuesday, December 16 or 17, 1991.

LAW OFFICES OF
FABIAN & CLENDENIN
A PROFESSIONAL CORPORATION

James Carter, Esq.
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Please let me know whether you would like to hear this matter in person or by telephonic conference. As indicated in the Petition, abatement is now scheduled for December 20, 1991 and this issue should be resolved prior to that date.

Thank you for your assistance in this matter.

Very truly yours,


Denise A. Dragoo

DAD:jmc
cc: Lee Edmonson
Karla Knoop
Dr. Dianne R. Nielson
✓ Pamela Grubaugh-Littig
Lowell Braxton
Susan White
Tom Munson
Thomas A. Mitchell, Esq.