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PETER W. BILLINGS**HAND DELIVERED**

January 22, 1992

CONFIRMATION OF TELECOPYMr. Lowell B. Braxton
Associate Director of Mining
Utah Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-2303

RE: Hidden Valley Coal Mine, ACT/015/007

Dear Mr. Braxton:

On behalf of Hidden Valley Coal Company ("Hidden Valley"), we have been requested to forward the enclosed five-year permit renewal for the Hidden Valley Mine ACT/015/007. This information is submitted to the Division with the understanding that Hidden Valley does not waive its pending dispute regarding the Division's jurisdiction over the Hidden Valley Mine. As you are aware, Hidden Valley asserts that the Hidden Valley Mine is exempt from regulation under the Utah Coal Mining & Reclamation Act and under the federal Surface Mining Control & Reclamation Act of 1977 ("SMCRA"). The Hidden Valley Mine has never operated as a commercial venture. Exploratory operations at the Mine were conducted prior to 1977. However, no coal has been mined since enactment of SMCRA.

Please give me a call if you have further questions concerning this matter.

Very truly yours,



Denise A. Dragoo

DAD:jmc
Enclosure
cc: Lee Edmonson
Dr. Dianne R. Nielson
Pamela Grubaugh-Littig**RECEIVED**

JAN 24 1992

DIVISION OF
OIL GAS & MINING