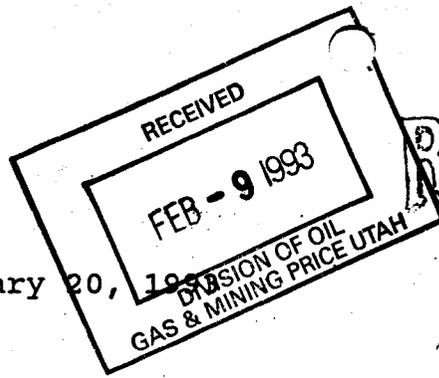


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The CalMat Companies

January 20, 1993



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JAN 25 1993

DIVISION OF OIL GAS & MINING

min file enforce

*orig: Mine file
Pam Grelough Litty
Tom Mitchell
L.P.B.*

Lowell Braxton, Acting Director
DIVISION OF OIL, GAS & MINING
Three Triad Center
355 West North Temple, #350
Salt Lake City, Utah 84180-1203

*Copy Susan, Tom,
Bill M.*

Re: NOV 91-26-8-2

ACT/015/007

Dear Lowell:

This is to confirm our telephone conversation of January 14, 1993 wherein you granted an extension of time to **Hidden Valley Coal Company** to comply with its abatement plan previously submitted and approved by the Division. It is my understanding that considering the practical difficulties of seeding the site at this time, and for other reasons, the extension of time is for a reasonable time when it becomes practical to implement the plan. I think both you and I would agree that this would probably be some time in the late spring.

Would you please inform me more specifically when the Division would like the work performed so that Hidden Valley can have some lead time in order to do the work that is anticipated. Our consultant, Karla Knoop of JBR Consulting, will also be visiting the site from time to time to assess conditions and will be discussing the situation with Division staff on an ad hoc basis.

As you know, Hidden Valley has appealed the decision from the Third District Court which upheld various aspects of the initial NOV. As you also know, Hidden Valley intends to prosecute that appeal to its conclusion and this extension request should not be considered as limiting Hidden Valley's option to pursue its appeal or to seek appropriate judicial relief pending a resolution of the issues by the Utah Supreme Court. While I have appreciated your candor and assistance throughout these recent negotiations, I do not want you or the Division to misunderstand that Hidden Valley believes it has no choice in light of the bond clock issue to pursue its appellate rights.

*Pam please draft a response -
L.P.B. 1-28*

Mr. Lowell Braxton
January 20, 1993
Page 2

In any event, I will expect written confirmation from you concerning a new time frame for implementation of the abatement plan which more specifically delineates what the Division believes is reasonable under the circumstances.

Thank you for your cooperation and assistance.

Very truly yours,



Lee Edmonson, Manager
Planning and Regulatory Affairs

LE/cn

93-004