

**BEAVER CREEK Coal Company**

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March 21, 1991

Dr. Dianne Nielson  
Director  
Utah Division of Oil, Gas & Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

Re: Lease Permit Application  
Trail Mountain No. 9 Mine  
ACT/015/009; #2  
Emery County, Utah

Dear Dr. Nielson:

I am writing this letter to express my concern over our Trail Mountain No. 9 Mine Lease Permit Application, and to request your assistance in expediting the approval of the permit.

The lease permit application was submitted to DOGM on July 5, 1990, one week after we were notified that we were the apparent successful bidder on the Trail Mountain Lease adjacent to our operation. Our mining plans were revised to include development of the new lease area starting in the 1st quarter of 1991, allowing approximately 9 months for permit approval.

Up until recently, the permit process has proceeded at a fairly normal pace; however, we are at least 1 1/2 months behind our original schedule, and we are reaching a critical stage in our mining sequence.

It is imperative that we enter this new lease area as soon as possible to allow for a logical mining progression, and to eliminate the need to implement second mining near entries that will be required to support the mine on a long-term basis. The bottom line is that we are running out of places to mine, and if we cannot start development to the west in the new lease area in the next 30-60 days, we may be forced to deviate from our long-term mining plans in order to meet our contractual obligations and keep our employees working.

My main concern at this point is that the Division now appears to be ready to write the Technical Analysis/Decision Document and we are now being told it may be further delayed because of the increased work load resulting from the weekly OSM oversight inspections and other permitting requirements.

I realize the Technical Staff is extremely busy due to this increased work load, and I appreciate the effort they have put into this permit to date. It is only because of our critical need to enter this new lease area that I am requesting any assistance you may give to raise the priority of this review and expedite the permit approval.

I appreciate your consideration in this matter, and if necessary, I would be happy to meet with you at your earliest convenience to further discuss our needs.

Sincerely,



Richard D. Pick,  
President

cc: Lowell Braxton  
Pamela Grubaugh Littig  
Dave Arnolds  
Dan Guy  
File