

0028

UTAH POWER & LIGHT COMPANY

LEGAL OFFICES  
SIDNEY G. BAUCOM  
EXECUTIVE VICE PRESIDENT  
AND  
GENERAL COUNSEL

P. O. BOX 899  
SALT LAKE CITY, UTAH 84110

HELEN J. EDWARDS  
535-4255  
DAVID LLOYD  
535-2885

EDWARD HUNTER  
535-4971

JODY L. WILLIAMS  
535-2851

DAVID A. WESTERBY  
535-4265

THOMAS V. RASMUSSEN  
535-2873

MARK G. WHITLOCK  
CLAIMS SPECIALIST  
535-4027

RECEIVED

JUN 25 1984

DIVISION OF OIL  
GAS & MINING

ROBERT GORDON  
VICE PRESIDENT  
535-4258  
THOMAS W. FORSGREN  
535-4261  
SAM F. CHAMBERLAIN  
535-4972  
RALPH L. JERMAN  
535-4253  
ROSEMARY RICHARDSON  
535-4268

June 15, 1984

Allen B. Klein, Administrator  
Western Technical Center  
Office of Surface Mining  
1020 15th Street  
Denver, CO 80202

Re: Permit UT-001 Issued to Utah Power &  
Light Company for the Wilberg Coal Mine

Dear Mr. Klein:

This will acknowledge receipt of your letter of June 8, 1984, addressed to Mr. D. L. Bryner and enclosing the above-numbered mining permit. This will also confirm several telephone conversations I have had with you, Walter Swain of your office, and Glenn Tiedt of the Solicitor's office.

As I indicated in those conversations, while we greatly appreciate your efforts in expediting the issuance of the permit, Utah Power & Light Company cannot accept the requirements of Special Condition No. 2 as it is now written. Therefore, it intends to file a timely appeal under the provisions of 30 CFR 775 (or 30 CFR 787), as appropriate, relating to that special condition and Special Condition No. 9. The company is not necessarily opposed to Special Condition No. 9, but will require more information as to the extent of its commitment.

Mr. Bryner has nonetheless signed the certificate appearing at Page 5 of the permit that he has read and understands the requirements thereof. In accordance with my telephone discussions with Mr. Swain and Mr. Tiedt, this has been signed and is being returned with the express understanding that neither that action nor the commencement of mining in the South Cottonwood lease will constitute a waiver of the company's right to appeal the requirements under Special Conditions No. 2 and 9. It is the company's intention to commence such mining on Wednesday, June 20,

Allen B. Klein, Administrator  
June 15, 1984  
Page Two

1984, unless you advise us prior to that time that the foregoing does not correctly reflect the representations made by your office and Mr. Tiedt. The company also reserves the right, in the event Special Condition No. 2 cannot be rewritten in the manner acceptable to it, to discontinue operations entirely at the Wilberg mine as it is unable to make a commitment to replace water to the extent required by such condition.

We are enclosing herewith a corporate surety bond in the amount of \$1,294,522 as required by terms of the permit.

Very truly yours,

Ralph L. Jerman

RLJ:p

Enclosure

cc: Glenn F. Tiedt, Esq.