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A Professional Corporation

**RECEIVED**

August 17, 2000

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**DIVISION OF  
OIL, GAS AND MINING**

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Mr. Lowell Braxton, Director  
DIVISION OF OIL, GAS, & MINING  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801

*-Hand Delivered-*

Copy Darin  
Susan

Re: Cause No. ACT/015/025 Incoming

Dear Mr. Braxton:

Pursuant to Utah Administrative Code R645-300-122, the Huntington-Cleveland Irrigation Company submits the following objections to the renewal application for coal mining activity at the Bear Canyon Mine, ACT/015/025, and requests that the Division hold an informal conference at its Salt Lake City offices on the application pursuant to R645-300-123.

Among other things, Huntington-Cleveland notes that Rule R645-303-232-230 requires "[e]vidence that the performance bond in effect for the operation will continue in full force and effect for any renewal requested, as well as any additional bond required by the Division pursuant to R645-301-800." With regard to the bond, Co-Op's application states only that "[t]he current amount of the bond filed with the Division in the form of an irrevocable letter of credit (#1055, Bank One, Salt Lake City), is \$899,000.00. We are in the process of determining a new estimate." Huntington-Cleveland submits that this unilateral unsupported declaration regarding the continued existence of a bond is insufficient to meet the evidentiary requirements of R645-303-232-230.

Further, Huntington-Cleveland believes that this is an appropriate time for the Division to review the Permit and the hydrologic information supporting said Permit to assure that such Permit and hydrologic information including the Probable Hydrologic Consequences ("PHC") and Comprehensive Hydrologic Impact Assessment ("CHIA") are complete, accurate and up to date.

If such information and Permit are not complete, accurate and up to date, Huntington-

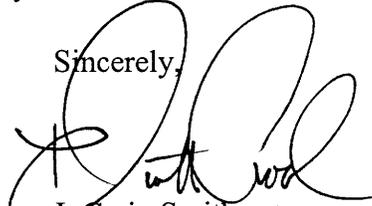
*Speak with Laura @ NEU on  
8/21/00. Protest only -  
NOT Requesting A Conference  
pse*

Lowell Braxton, Director  
August 17, 2000  
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Cleveland respectfully requests that the Permit not be renewed or transferred until deficiencies are corrected.

We look forward to the opportunity to discuss these and other concerns.

Sincerely,



J. Craig Smith  
D. Scott Crook

cc: Huntington Cleveland Irrigation Company