



GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

C0150025
Incoming

RECEIVED # 3213

FEB 28 2011 R

DIV. OF OIL, GAS & MINING

February 8, 2011

Invoice #	10034		
Month	15842		
Inv Date	2-8-11	1100.00	
Disc %			
State	SR	2-22-11	
Ok Name	WATHC		
Code	1065	1065	1100.00

CERTIFIED RETURN RECEIPT
7005 0390 0000 7507 4887

Elliot Finley, Resident Agent
Hiawatha Coal Company
P. O. Box 1240
Huntington, Utah 84528

Subject: Reassessment for State Cessation Order #10034, Hiawatha Coal Company, Bear Canyon Mine, C/015/0025, Outgoing File Task # 3213

Dear: Mr. Finley:

The undersigned has been appointed by the Division of Oil, Gas & Mining as the Assessment Officer for assessing penalties under R645-401.

Enclosed is the reassessed civil penalty for the above referenced violation. The violation was issued by Division Inspector, Dana Dean, on February 5, 2009. Rule R645-401-600 et. seq. was used to formulate the penalty. By these rules, any written information which was submitted by you or your agent within fifteen (15) days of receipt of notification by the Division was considered in determining the facts surrounding the violation and the amount of penalty. On March 19, 2009 you were sent a proposed assessment which was based on the information available at the time. Since that time you have provided additional information which has now been used to formulate this revised assessment.

Rule R645-401-800, allows you to contest the penalty or the fact of the violation by submitting (a) a petition to the Board and (b) funds in an amount equal to the reassessment to the Division (to be held in escrow as provided for in R645-401-820) within 30 days of receipt of the reassessment. The penalty must be escrowed prior to commencement of the formal hearing.

We understand that Hiawatha Coal Company has already filed an appeal to the Board; however, the reassessed penalty must be escrowed with the Division before the hearing can proceed. In lieu of this, you may choose to pay the reassessed penalty and drop the appeal at which time the Division will terminate the Cessation Order and close out the file on this issue.



INVOICE DATE	INVOICE NO.	DESCRIPTION	AMOUNT	DISCOUNT OR DEDUCTION	NET AMOUNT
28-Feb-2011	10034	WPHCO31091670010310	1,100.00	0.00	1,100.00

05565

CHECK NUMBER: 5565

RECEIVED
 FEB 28 2011
 DIV. OF OIL, GAS & MINING

PAYEE: Detach this statement before cashing check - This check is in payment for items shown above.

HIAWATHA COAL COMPANY, INC.

P.O. BOX 1240
 HUNTINGTON, UTAH 84528-1240

BANK OF UTAH
 SANDY, UTAH 84070
 97-10/1240

NO. ~~5565~~ 05565
 CHECK DATE

23-FEB-2011

AMOUNT \$****1,100.00

PAY*ONE THOUSAND ONE HUNDRED & 00/100 DOLLARS*

TO THE
 ORDER
 OF

15842
 DIV. OF OIL, GAS & MINING
 1594 W NORTH TEM ST# 1210
 PO BOX 145801
 SALT LAKE CITY UT 84114-5801

ORIGINAL CHECK
 ROUTED TO ACCOUNTING

Ng Finley

THIS CHECK HAS A COLORED FACE ON WHITE STOCK