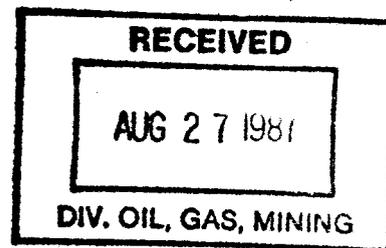


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ACT/043/001



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August 26, 1987

Diane R. Nielson, Director  
Kenneth E. May, Associate Director  
Division of Oil, Gas and Mining  
3 Triad Center, Suite 350  
355 West North Temple  
Salt Lake City, UT 84180-1203

Dear Diane and Ken:

Please find attached a copy of the Motion for Summary Judgment in the case of DOGM v. Summit Minerals, Inc. et al.

The basis for the motion is that the defendants failed to appeal the assessments to the Board of Oil, Gas and Mining. The assessments therefore became final and non-appealable.

The defendants may now respond to the motion and it could be set up for hearing by the court if it is contested. I will keep you posted of any new developments.

Please feel free to call me if you have any questions regarding this case.

Sincerely,

ALAN S. BACHMAN  
Assistant Attorney General

ASB/lk

Attachment