

0029

DAVID LLOYD .  
ATTORNEY AT LAW

1407 WEST NORTH TEMPLE, SUITE 338  
P. O. BOX 899  
SALT LAKE CITY, UTAH 84110  
801 - 535-2885

FILE PPO/643/008  
COPY REC @  
NOGMA SLL  
8-20-69

March 7, 1983

DIVISION OF  
OIL, GAS & MINING

RECEIVED  
APR 20 1987

Mr. Tom Tetting  
Division of Oil, Gas & Mining  
4241 State Office Bldg.  
Salt Lake City, UT 84114

Dear Mr. Tetting:

With reference to our telephone conversation regarding Summit Coal Company, Inc., and its pending applications for exploration and mining for a small coal mine near Coalville, Utah, the following information is provided.

Coal rights to the various parcels of affected property are distributed among the heirs of Jesse W. Fox, Jr., H.S. Young, and William Boyer. The surface rights of the affected subject properties are owned by Joseph LaVern Boyer and his children which are in the name of Boyer Land & Livestock. That organization has signed a surface lease with Summit Coal Co. as well as the mineral rights they own. The Fox and Young heirs have leased their rights to Summit Coal Co. Various other Boyer heirs have either signed an agreement with Summit Coal Co., or have consented to the mining without a signed lease agreement. A complaint apparently has been filed by those claiming through Fern J. Boyer. As to Parcel 1 (a portion of the S $\frac{1}{2}$ S $\frac{1}{2}$  of § 25, T3N R6E, SLBM), Fern J. Boyer may have 0.198% interest in the coal rights, and the same interest would be in her children. As to Parcel 4 (N $\frac{1}{2}$ NW $\frac{1}{4}$  §36 T3N R6E) she would have 0.396% and equal shares in her children. As to Parcel 5 (N $\frac{1}{2}$ NE $\frac{1}{4}$  §36, T3NR6E) she would have 1.587% and equal shares in her children. She has no surface ownership of the affected land so far as I am aware.

Summit Coal was recently sued by a number of Boyer heirs to force the mining of the coal pursuant to its agreements, which suit was settled upon the terms of the documents. Summit Coal must proceed in accordance with its agreements to mine the coal and any royalty funds due to various heirs will be placed in a trust fund and paid out according to the ownership formula provided by Utah Title & Abstract (the source of the above percentage ownerships) when the coal in the affected parcels is actually mined. I would appreciate your prompt permitting on this project.

Very truly yours,

David Lloyd

