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JUN 08 2001

SECRETARY, BOARD OF
OIL, GAS & MINING

BEFORE THE BOARD OF OIL, GAS MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

In the Matter of the Request for Agency)
Action of CLIFFS SYNFUEL CORP. to)
Enlarge the "Designated Oil Shale Area")
Created by Cause No. 190-3 and to)
Establish Minimum Protection Standards)
for Open Oil and/or Gas Well Bores)
Penetrating the Oil Shale Deposits within the)
Enlarged "Designated Oil Shale Area" in)
Townships 9, 10 and 11 South, Ranges 24)
and 25 East, SLM, Uintah County, Utah)

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

Docket No. 2001-014

Cause No. 190-13

This cause came on for hearing before the Utah Board of Oil, Gas and Mining (the "Board") on Wednesday, April 25, 2001 in the Auditorium of the Department of Natural Resources, 1594 West North Temple, Suite 1050, Salt Lake City, Utah.

The following Board members were present and participated at the hearing: Dave D. Lauriski, Chairman, Elise L. Erler, Robert J. Bayer, Stephanie Cartwright, Wayne Allan Mashburn, Kent Petersen and J. James Peacock. Attending and participating on behalf of the Division of Oil, Gas and Mining (the "Division") were Lowell Braxton, Director, and John Baza, Assistant Director for Oil & Gas. The Board and Division were represented by Assistant Attorneys General Philip C. Pugsley and Thomas A. Mitchell, respectively.

Attending and participating on behalf of their respective agencies were: William Stokes of the Utah School & Institutional Trust Lands Administration (“SITLA”); Robert Hendricks, Assad Rafoul and Mickey Colthard of the Utah State Office, U. S. Bureau of Land Management (“BLM”); Jerry Kenczka, Petroleum Engineer, of the Vernal District Office of BLM; and Diane Mitchell of the Bureau of Indian Affairs, Uintah and Ouray Agency (“BIA”).

Representing the Petitioner was Robert G. Pruitt, Jr. of Pruitt, Gushee & Bachtell. Testifying for Petitioner were Gary D. Aho, President of Cliffs Synfuel Corp., and Howard W. Earnest, Consulting Mining Engineer, both of Rifle, Colorado.

Appearing and making a statement in support of the Petition on behalf of his client, Huntford Resources Corporation, was Phillip Wm. Lear of Snell & Wilmer.

A communication advising of on-going litigation involving unpatented oil shale mining claims, and that BLM was not objecting to the Petition, was received from David E. Howell, Field Manager, Vernal Field Office, BLM. Also, Mr. Pruitt submitted a signed stipulation (letter) between Petitioner and American Gilsonite Company agreeing to delete an 80-acre parcel from the Petition (see below).

The Board, having considered the testimony presented and the exhibits received into evidence at the hearing, being fully advised, and for good cause appearing, hereby makes the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. Cliffs Synfuel Corp., a Utah corporation qualified to do business in the State of Utah (herein called "Cliffs"), is the wholly owned subsidiary of Cleveland-Cliffs Inc., based in Cleveland, Ohio.

2. Cliffs is the sole record owner of oil shale deposits in the following 16,352 acres of fee lands in eastern Uintah County, Utah, classified as a Designated Oil Shale Area by the Board's Order dated September 19, 1985 in Cause #190-3 under Rule C-28 (now codified as Rule R649-3-31):

SKYLINE I PROPERTY (8,561 acres)

Township 11 South, Range 25 East, SLM

Section 2: All
Section 3: All
Section 4: All
Section 5: E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$
Section 8: E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 9: All
Section 10: All
Section 11: All
Section 14: All
Section 15: All
Section 16: All
Section 17: E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 22: All
Section 23: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 27: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 28: NE $\frac{1}{4}$ NE $\frac{1}{4}$

SKYLINE II "General Mines" PROPERTY (2,000 acres)

Township 10 South, Range 24 East, SLM

Section 25: NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$

Section 36: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$

Township 11 South, Range 25 East, SLM

Section 6: Lots 3, 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 7: W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 18: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

SKYLINE II "South Watson" PROPERTY (1,000 acres)

Township 11 South, Range 25 East, SLM

Section 19: E $\frac{1}{2}$

Section 20: S $\frac{1}{2}$

Section 21: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 29: N $\frac{1}{2}$

SKYLINE II "Koenigsmark" PROPERTY (1,338 acres)

Township 10 South, Range 25 East, SLM

Section 5: Lots 3, 4, 5, 6

Section 6: Lots 1, 2, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$

Section 7: All

SKYLINE II "North Watson" PROPERTY (2,505 acres)

Township 9 South, Range 25 East, SLM

Section 22: Lots 6, 7, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$

Section 27: Lots 1, 2, 3, 4, N $\frac{1}{2}$, SE $\frac{1}{4}$

Section 34: Lots 1, 2, N $\frac{1}{2}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Township 10 South, Range 25 East, SLM

Section 3: Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$

Section 4: Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$

SKYLINE II "Stringham" PROPERTY (748 acres)

Township 9 South, Range 25 East, SLM

Section 13: NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14: SE $\frac{1}{4}$

Section 22: Lots 4, 5

Section 23: Lots 1, 2, 3, 4, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

UTAH SHALE & OIL PROPERTY (200 acres)

Township 10 South, Range 24 East, SLM

Section 25: E $\frac{1}{2}$ SE $\frac{1}{4}$

Township 11 South, Range 25 East, SLM

Section 5: Lot 4

Section 6: Lots 1, 2 and 3

3. Since 1985 Cliffs has acquired additional oil shale fee lands, as follows:

PHILLIPS PROPERTY (1,680 acres)

Township 11 South, Range 25 East, SLM

Section 6: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW, NWSE $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 7: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 17: W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 18: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 20: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$

Section 21: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 28: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

4. Cliffs is sole owner of four (4) **oil shale placer mining claims**: CLIFF No. 6 [160 acres], CLIFF No. 8 [160 acres], CLIFF No. 9 [120 acres] and CLIFF No. 10 [80 acres], currently under BLM Mineral Patent Application UTU-65275 [covering a total of 520 acres]:

Township 10 South, Range 25 East

Section 31: SW $\frac{1}{4}$

Township 11 South, Range 25 East

Section 5: W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 6: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: NW $\frac{1}{4}$

5. Cliffs is the sole Lessee from the State of Utah under four (4) **Oil Shale Leases**, serial numbers ML-44112-A, ML-47425, ML-44113 and ML-48163:

Township 9 South, Range 25 East, SLM

Section 32: Lots 1 – 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
(ML-48163, 582 acres)

Township 10 South, Range 24 East, SLM

Section 36: E $\frac{1}{2}$ E $\frac{1}{2}$ (ML-44112-A, 160 acres)

Township 10 South, Range 25 East, SLM

Section 16: NE $\frac{1}{4}$ (ML-44113, 160 acres)

Section 32: All (ML-47425, 640 acres)

6. In addition to the foregoing lands containing valuable oil shale deposits owned by Cliffs, Petitioner specifically requested that two (2) 80-acre oil shale tracts owned by others, as to which Cliffs asserts no ownership or control, be included in the expanded "Designated Oil Shale Area," to wit:

Township 11 South, Range 25 East, SLM

Section 8: W $\frac{1}{2}$ NE $\frac{1}{4}$ (BLM lands)

Section 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$ and

Section 21: SW $\frac{1}{4}$ NW $\frac{1}{4}$ (both 40-acre parcels owned
by American Gilsonite Company)

7. The foregoing 3,902 acres (described in paragraphs 3 through 6) were adequately shown by testimony and exhibits to be underlain by the oil shale bearing Parachute Creek member of the Green River formation, in most places by the oil shale rich Mahogany Zone, and thus qualify to also be identified as the enlarged Designated Oil Shale Area under Rule R649-3-31.

8. Renewed drilling activity within the enlarged Designated Oil Shale Area for conventional oil and gas deposits in the Lower Green River, Wasatch and Mesa Verde formations underlying the valuable oil shale deposits in the Parachute Creek member of the Upper Green River formation has created a potential for mineral development conflicts and damage to the oil shale deposits as a result of closely spaced drill holes penetrating the shallow oil shale deposits, to reach the deeper oil and/or gas deposits. It is in the public's interest for the Board to require specific safeguards to protect the

known oil shale deposits and to assure the integrity of open oil and/or gas well bores that penetrate the oil shale deposits.

9. The Board finds that Petitioner's proposed well bore casing design and performance standards for conducting oil and/or gas well drilling through shallow oil shale deposits would adequately protect both the valuable oil shale deposits and the open, producing oil and/or gas well bores.

10. The Board finds that Petitioner's recommended "double-cemented, double heavy duty casing system" is only a modest departure from standard oil well drilling practice, and would merely require the well operator to (1) set and cement the "surface conductor pipe" to the customary depth (as required by near-surface conditions) and (2) set and cement a heavy duty (minimum 3,000 psi collapse strength) "surface casing" down to at least 100 feet below the base of the Mahogany Zone (a depth calculated not to exceed 600 feet in the expanded Designated Oil Shale Area) using centralizers every 50 feet to assure a uniform minimum one inch of cement between the surface casing and the wall of the well bore, then (3) install heavy duty (minimum 3,000 psi collapse strength) "production pipe" within the surface casing, in the usual manner, with centralizers installed every 50 feet to assure a uniform minimum annulus of one inch for cement between surface casing and production pipe. In addition to cementing the surface casing to at least 100 feet below the Mahogany Zone, (4) the production pipe must be cemented through the entire length of the surface casing and down to the base

of the Parachute Creek Member. Abandoned well bores must be plugged with cement from the surface down to the base of the Parachute Creek Member. The cement mixture used must have an initial compressive strength of 3,000 psi (ultimate 4,000 psi compressive strength) and be sulphate-resistant cement of the "Class G" type. A cement log must be run to assure a good cement bond and no voids in the cement.

11. A copy of the Request for Agency Action was mailed to all operators and owners within a one-half mile radius of the lands covered by this Petition, and to all other persons whose legally protected interests may be affected by the Request for Agency Action, all as disclosed by the appropriate federal, state and county real estate or land records.

12. Notice was duly published as required by Utah Admin. Code Rule R641-106-100.

13. The vote of the Board members present in the hearing and in this cause was unanimous in favor of granting the Request for Agency Action as presented at the hearing.

CONCLUSIONS OF LAW

1. Due and regular notice of the time, place and purpose of the hearing was properly given to all interested parties in the form and manner as required by law and the rules and regulations of the Board and the Division.

2. The Board has jurisdiction over all matters covered by the Request for Agency Action and all interested parties therein, and has the power and authority to render the order herein set forth pursuant to Utah Code Annotated § 40-6-5(6) and Utah Admin. Code Rule R649-3-31.

3. The Request for Agency Action satisfies all statutory and regulatory requirements for the relief sought therein and should be granted.

ORDER

Based upon the Request for Agency Action, testimony and evidence submitted, and the findings of fact and conclusions of law stated above, the Board hereby orders:

1. The Request for Agency Action, as modified at the hearing, is granted.
2. The following lands are added to the existing Designated Oil Shale Area established by the Board's Order in Cause #190-3 dated September 19, 1985:

[PHILLIPS PROPERTY (1,680 acres)]

Township 11 South, Range 25 East, SLM

- Section 6: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW, NWSE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
- Section 7: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 8: SW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 17: W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 18: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 20: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$
- Section 21: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 27: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 28: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

[UNPATENTED OIL SHALE MINING CLAIMS (520 acres)]

Township 10 South, Range 25 East

Section 31: SW $\frac{1}{4}$

Township 11 South, Range 25 East

Section 5: W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 6: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: NW $\frac{1}{4}$

[STATE OF UTAH OIL SHALE LEASES (1,542 acres)]

Township 9 South, Range 25 East, SLM

Section 32: Lots 1 – 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

Township 10 South, Range 24 East, SLM

Section 36: E $\frac{1}{2}$ E $\frac{1}{2}$

Township 10 South, Range 25 East, SLM

Section 16: NE $\frac{1}{4}$

Section 32: All

[BLM LANDS (80 acres)]

Township 11 South, Range 25 East, SLM

Section 8: W $\frac{1}{2}$ NE $\frac{1}{4}$

Pursuant to stipulation between Petitioner and American Gilsonite Company, the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, T. 11 S., R. 25 E., are

not to be considered as being within the Designated Oil Shale Area, and are not covered by this order.

3. The Board orders that all future oil and/or gas wells drilled within the enlarged Designated Oil Shale Area, as established by Cause #190-3 and by this order, shall be cased and cemented according to the following performance standards:

- (a) Surface Conductor Pipe shall be set and cemented to the customary depth as required by soil and near-surface conditions.
- (b) Surface Casing (having a collapse strength of 3,000 psi) of appropriate dimensions to allow an annulus of at least one inch between the surface casing and the wall of the bore hole shall be set using centralizers every 50 feet and cemented from the surface down to a depth at least 100 feet below the base of the Mahogany Zone in the Parachute Creek member of the Green River formation.
- (c) Production Pipe (having a collapse strength of 3,000 psi) of appropriate dimensions to allow an annulus of at least one inch between Surface Casing and Production Pipe shall be set with centralizers every 50 feet to the base of the Parachute Creek member (to assure a uniform annulus between Surface Casing and/or the wall of the well bore and the Production Pipe) and cemented from the surface down to the base of the Parachute Creek member of the Green River formation.

- (d) Cement Mixture used around the surface casing and around the production pipe shall be sulphate resistant (minimum “Class G”) with an initial compressive strength of 3,000 psi and an ultimate compressive strength of 4,000 psi.
- (e) A Cement Bond Log shall be run to assure a good cement bond and that there are no voids in the resulting cement job.

4. The Board orders that operators of oil shale mines within the enlarged Designated Oil Shale Area shall leave a protective pillar of oil shale 30-feet in diameter around each open oil and/or gas well bore, so as to assure integrity of each such cased well bore against inadvertent damage by mining equipment.

5. All oil and/or gas wells drilled into mined or pre-existing permitted oil shale mine areas shall be located so as to not penetrate an existing mine pillar or permanent barrier wall and then cased and cemented in accordance with the performance standards of this order.

6. Abandoned well bores must be plugged with sulphate resistant “Class G” cement from the surface down to the base of the Parachute Creek member.

7. The casing and cementing standards of Rule R649-3-31 are modified to the extent said Rule, as to this Designated Oil Shale Area only, is inconsistent with the foregoing order.

8. Pursuant to Utah Administrative Code R641 and Utah Code Ann. § 40-6-10 and § 63-46b-6 to -10 (1953, as amended), the Board has considered and decided this matter as a formal adjudication.

9. This Findings of Fact, Conclusion of Law and Order (“Order”) is based exclusively on evidence of record in the adjudicative proceeding or on facts officially noted, and constitutes the signed written order stating the Board’s decision and the reasons for the decision, all as required by the Utah Administrative Procedures Act, Utah Code Ann. § 63-46b-10 and Utah Administrative Code R641-109.

10. Notice re Right to Seek Judicial Review by the Utah Supreme Court or to Request Board Reconsideration: As required by Utah Code Ann. § 63-46b-10(e) to -10(g) (1953, as amended), the Board hereby notifies all parties in interest that they have the right to seek judicial review of this final Board Order in this formal adjudication by filing a timely appeal with the Utah Supreme Court within 30 days after the date that this Order is issued. Utah Code Ann. § 63-46b-14(3)(a) and -16 (1953, as amended). As an alternative to seeking immediate judicial review, and not as a prerequisite to seeking judicial review, the Board also hereby notifies parties that they may elect to request that the Board reconsider this Order, which constitutes a final agency action of the Board. Utah Code Ann. § 63-46b-13, entitled, “Agency review - Reconsideration,” states:

(1)(a) Within 20 days after the date that an order is issued for which review by the agency or by a superior agency under Section 63-46b-12 is unavailable, and if the order would otherwise constitute final agency action, any party may file a

written request for reconsideration with the agency, stating the specific grounds upon which relief is requested.

(b) Unless otherwise provided by statute, the filing of the request is not a prerequisite for seeking judicial review of the order.

(2) The request for reconsideration shall be filed with the agency and one copy shall be sent by mail to each party by the person making the request.

(3)(a) The agency head, or a person designated for that purpose, shall issue a written order granting the request or denying the request.

(b) If the agency head or the person designated for that purpose does not issue an order within 20 days after the filing of the request, the request for reconsideration shall be considered to be denied.

Id. The Board also hereby notifies the parties that Utah Administrative Code R641-110-100, which is part of a group of Board rules entitled, “Rehearing and Modification of Existing Orders,” states:

Any person affected by a final order or decision of the Board may file a petition for rehearing. Unless otherwise provided, a petition for rehearing must be filed no later than the 10th day of the month following the date of signing of the final order or decision for which the rehearing is sought. A copy of such petition will be served on each other party to the proceeding no later than the 15th day of that month.

Id. See Utah Administrative Code R641-110-200 for the required contents of a petition for rehearing. If there is any conflict between the deadline in Utah Code Ann § 63-46b-13 (1953, as amended) and the deadline in Utah Administrative Code R641-110-100 for moving to rehear this matter, the Board hereby rules that the later of the two deadlines shall be available to any party moving to rehear this matter. If the Board later denies a

timely petition for rehearing, the party may still seek judicial review of the Order by perfecting a timely appeal with the Utah Supreme Court within 30 days thereafter.

11. The Board retains continuing jurisdiction over all the parties and over the subject matter of this Cause, except to the extent said jurisdiction may be divested by the filing of a timely appeal to seek judicial review of this Order by the Utah Supreme Court.

12. For all purposes, the Chairman's signature on a faxed copy of this Order shall be deemed the equivalent of a signed original.

ISSUED this 8th day of June, 2001.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING

By Elise Erler
Elise L. Erler, Acting Chairman

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER in Docket No. 2001-014, Cause No. 190-13 to be mailed with postage prepaid, this 11 day of June, 2001, to the following:

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