

copy to Dist III

THE STROOCK LEASING CORPORATION

P.O. BOX 2875
CASPER, WYOMING
82602-2875

May 12, 1988

Belle Ayr
renew
SUITE 3-A
MINERAL RESOURCE CENTER
139 WEST SECOND
PHONE (307) 234-8925
Mr. Rule 2

THOMAS F. STROOCK

Mr. Roger Shaffer
Director
Land Quality Division
Department of Environmental Quality
Herschler Building
122 West 25th Street
Cheyenne, Wyoming 82002



TFN 2 1/75

Dear Sir:

We have today received a notice dated May 5th, addressed "Dear Property Owner," from Mr. Steve Youngbauer with AMAX Coal Company enclosing a public notice that AMAX Coal Company has applied for a mining permit for the Belle Ayr Mine from your department. Included among the lands applied for on the mining permit are properties where we have the following described interests:

- 1) In Section 19 and 20 of Township 48 North, Range 71 West, the undersigned personally owns a 1-7/8% overriding royalty in an oil and gas lease which is active and held by production.
- 2) On lands in Sections 6 and 7 of Township 47 North, Range 71 West, we own a similar 1.875% overriding royalty in an oil and gas lease that is active and productive.
- 3) In Section 3 we own an undivided one-third (1/3) of the working interest in federal oil and gas lease Wyoming 577 which is held by production in the Big Hand Field located some two miles to the southeast.

We believe we are entitled to the unencumbered use of so much of the surface of these lands as may be necessary to properly explore for and develop oil, gas and related hydrocarbons under the lands covered by our overrides and working interests described above. If the mining plan proposed by AMAX Coal Company makes written provision for such surface use and for uninterrupted and unrestricted right of ingress and egress to these lands for such purposes, then we have absolutely no objection to the issuance of the mining permit. If, however, the mining permit does not contemplate ingress, egress and use of so much of the surface as may be necessary to properly explore for and develop our oil and gas rights as described above, then we wish you to consider this letter to be our objection to issuance of the mining permit insofar as it covers and affects the lands described above and our interests therein.

Thank you, in advance, for your consideration and attention.

Sincerely yours,

Thomas F. Stroock

FILED

MAY 20 1988

Terri A. Lorenzon, Adm. Aide
Environmental Quality Council

TFS/rh

Enclosure

CC: Mr. Steve Youngbauer
AMAX Coal Company

P. O. Box 3005

Gillette, Wyoming 82716-0605