

Received
11/27/07
RTF

DUHRING RESOURCE COMPANY

203 Center Street
P.O. Box 726
Sheffield, PA 16347

Phone (814) 968-3337

Fax (814) 968-3330

November 20, 2007

Mr. Robert T. Fallon
Allegheny National Forest
Marienville Ranger District
HC 2, Box 1130
Marienville, PA 16239

RE: Warrant 3672

Dear Mr. Fallon:

Thank you for your letter of November 9, 2007. I acknowledge your decision that the Forest Service intends to go through the NEPA process with respect to Duhring's mining of the stone. As you know, Duhring disagrees with your decision; the use of the stone is as necessary as things such as tree removal, ditch building, and the like.

With respect to your decision, I inquire whether your staff made you aware that the area where stone was discovered is in the same area as one of the new well locations that Duhring plans to construct. In particular, about one-half of the stone is located directly underneath the location for Well 3672-25.

Consequently, the trees would already be removed from that area by virtue of the well location construction. Likewise, the surface soil would be moved about for the purpose of constructing the well pad, pits, ditches, dikes and the like. The mining of the stone would not change the quality of the surface disturbance.

If your employees did not make you aware of that information, I inquire as to whether that information changes your conclusions.

Additionally, I inquire whether you took into account the fact that the stone Duhring intends to mine will simply be relocated upon the parcel. That movement is not qualitatively different than Duhring's movement of earth (cutting a bank or depositing fill) in order to shape roads and locations. Both actions (shaping locations and installation of stone) are necessary and customary steps in the well development process. Duhring routinely carries out these steps on property where the surface is privately

Mr. Robert Fallon

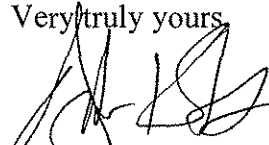
October 16, 2007

Page 2

owned. I do not understand the "Federal" step which you assert requires NEPA approval. These are actions by Duhring.

In advance, I thank you for your attention to these questions.

Very truly yours,

A handwritten signature in black ink, appearing to be 'AJS', written over the typed name.

Arthur J. Stewart

AJS/ame

Duhring Resource Company
P.O. Box 726
Sheffield, PA 16347

UNITED STATES POSTAGE
* * *
194
0750 00.41⁰ PB3375842 NOV 21 07
0927 MAILED FROM ZIP CODE 16347

Mr. Robert T. Fallon
Allegheny National Forest
Marienville Ranger District
HC 2, Box 1130
Marienville, PA 16239

16 239+580 2

