

0025

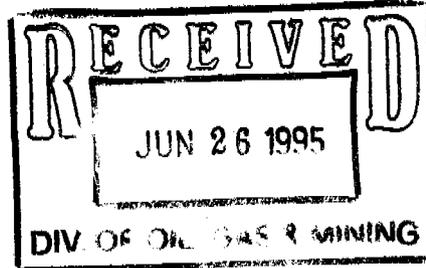


State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

ACT/007/004

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
Robert L. Morgan
State Engineer

Southeastern Area
453 South Carbon Avenue
P.O. Box 718
Price, Utah 84501-0718
801-637-1303



June 22, 1995

State of Utah Division of Oil, Gas & Mining
Attn: Pamela Grubaugh-Littig
355 West North Temple
3 Triad Center Suite 350
Salt Lake City, Utah 84180

Re: Willow Creek Refuse Removal Project
Castle Gate Mine - Amax Coal Company
ACT/007/004-95B

#2

Route to
Copy Dixon and Steve J.
then file

Dear Pam:

Having recently reviewed the above referenced information, it appears there are only two issues that would concern this Division. One is to have the necessary paper work filed in regards to Pond #1, which is adjacent to the refuse extraction area, and is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T12S, R10E, SLB&M. A Form 69 should be filed on this structure unless the pond is completely incised and there is no embankment. The second item would involve an appropriate water right if water will be needed during the refuse extraction process. Cyprus has sufficient shares to take care of this matter, however the appropriate paper work should be filed and approved before any water is diverted and used.

I believe this addresses the concerns that I have with this project. I would be happy to assist the Company or the Division in any way that I can. I apologize for this late comment.

Sincerely,

Mark P. Page
Regional Engineer

MPP/mjk

