

0060



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

Michael O. Leavitt  
Governor  
Kathleen Clarke  
Executive Director  
Robert L. Morgan  
State Engineer

1594 West North Temple, Suite 220  
PO Box 146300  
Salt Lake City, Utah 84114-6300  
801-538-7240  
801-538-7467 (Fax)

CC ZPD  
-> mine file  
Skyline  
(Fax)  
D. Johns  
10-23-01

October 16, 2001

James B. Lee  
Dallin W. Jensen  
Parsons Behle & Latimer  
201 South Main Street STE 1800  
PO Box 45898  
Salt Lake City UT 84145-0898

Jacobs  
C/007/005-AMAD

Dear Mr. Lee and Mr. Jensen:

I am writing in reply to your letter dated September 24, 2001, in which you requested data or information from this office concerning the pumping from the Skyline Mine. The pumping is apparently necessary so that mining operations can continue. We have not received any reports concerning this project. The Skyline Mine is coordinating its drilling of the wells with Mr. Mark Page of our Price office.

It is my understanding we have a log of the first well. Mr. Page does have geographic maps that were submitted with the mining plan when it was originally licensed. If you wish to examine them they are available in our Price office.

I realize the serious nature of this pumping and we will continue to monitor the project with the mining company and the Division of Oil Gas and Mining.

Sincerely,

Robert L. Morgan  
State Engineer

/kcp

cc: Mark Page  
Mary Ann Wright, DOGM

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OCT 17 2001  
DIVISION OF  
OIL, GAS AND MINING



A PROFESSIONAL  
LAW CORPORATION

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September 24, 2001

Robert L. Morgan  
State Engineer  
Department of Natural Resources/Division of Water Rights  
State of Utah  
1594 W. North Temple, Suite 220  
P.O. Box 146300  
Salt Lake City, Utah 84114-6300

**Re: Carbon Water Conservancy District**

*Incoming  
9/20/07/1005  
Copy (Kary Ann) Hanson,  
Mike S., Pam*

Dear Mr. Morgan:

We are writing on behalf of the Carbon Water Conservancy District ("CWCD"). Based on newspaper accounts and other secondary sources, CWCD understands that water is being pumped, or may in the near future be pumped, from the Skyline Mine west into the Huntington Creek drainage in Emery County. This pumping is apparently being done in order to remove an unusually high flow of water that has recently occurred within the mine works. Pumping will apparently be either directly from the mine works, or from surface dewatering wells in the vicinity of the Mine.

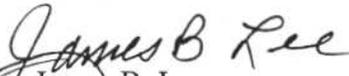
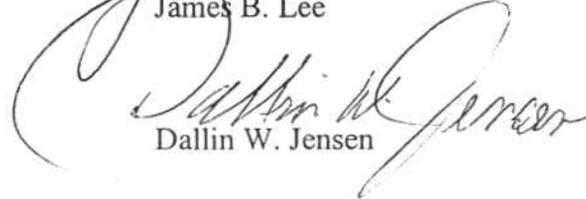
It is CWCD's understanding that the drainage from the Skyline Mine has always been discharged to the east into the Price River drainage. That fact, together with the Mine's location relative to the aquifer, cause CWCD to be very concerned that any water pumped or drained from the Mine or its vicinity into the Huntington Creek drainage could be in derogation of water rights held by CWCD and others in the Price River drainage.

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DIVISION OF  
OIL, GAS AND MINING

Robert L. Morgan  
State Engineer  
September 24, 2001  
Page Two

In light of the above, we respectfully request that your office provide us with any information it now has regarding this issue, and also that you keep us updated as any additional information becomes available.

Sincerely,

  
James B. Lee  
  
Dallin W. Jensen

JBL:DWJ/cvd

cc: ✓ Mary Ann Wright, DOGM  
Mark Page, DWR  
Richard D. Pick, Canyon Fuels/Skyline Mine  
Crockett Dumas, Manti-LaSal N.F.