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October 22, 2001

RECEIVED

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DIVISION OF
OIL, GAS AND MINING

Mr. Robert L. Morgan, P.E.
State Engineer
Utah Division of Water Rights
1594 West North Temple, Suite 220
P.O. Box 146300
Salt Lake City, Utah 84114-6300

Re: Mine Water Discharge, Skyline Mine

Dear Mr. Morgan:

I am writing on behalf of Huntington Cleveland Irrigation Co., the largest holder of water rights in the Huntington Creek drainage. I have previously copied you on letters to Mr. Lowell Braxton, Director, Division of Oil, Gas & Mining on this subject.

I have obtained a copy of a September 24, 2001 letter written by Messers James B. Lee and Dallin W. Jensen on behalf of the Carbon Water Conservancy District. I believe that Huntington Cleveland's concerns and position regarding the source of the water be identified were adequately addressed in the above-identified letters to Mr. Braxton. Copies of these letters have also been provided to Parsons, Behle & Latimer. I will not belabor the point here.

On behalf of Huntington-Cleveland, I would also respectfully request that I be kept informed of any development or additional information that may come to light on this issue.

Yours truly,

J. Craig Smith

cc: Board of Directors, Huntington-Cleveland
cc: Kay Jensen, President
cc: Dennis Ward, Vice President
cc: Lowell P. Braxton, Division Director, BOGM
cc: Mark Page, DWR
cc: Crockett Dumas, U.S. Forest Service