

**EMERY WATER CONSERVANCY DISTRICT**

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 Castle Dale, UT 84513  
 (435) 381-2311 • Fax (435)381-5103

RECEIVED

DEC 17 2004

DIV. OF OIL, GAS &amp; MINING

December 13, 2004

Mary Ann Wright  
 Division of Oil, Gas & Mining  
 1594 West North Temple, Suite 1210  
 PO Box 145801  
 Salt Lake City, UT 84114-5801

Attn: Mark Mesch ✓

Dear Mary Ann,

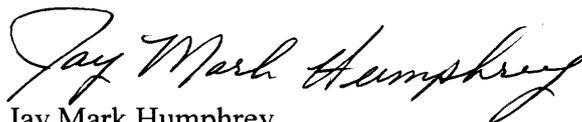
The Emery Water Conservancy District is in receipt of the notice from the Division of Oil, Gas & Mining granting the permit application for full extraction mining at the Skyline Mine.

The District is opposed to any new application being issued to any mining company for the mining of minerals around and adjacent to Electric Lake. It is our belief that the party or agency responsible for the water being lost from Electric Lake must be identified. We believe that the lost water is leaking from the cracks and faults in the bottom of the lake and surfacing in the Skyline Mine at which point it is being pumped out of the mine and into Eccles Creek. In the 2004 water year the right fork of Huntington Creek only yielded 17% of the water in the Huntington Creek Watershed. The water that was lost in Electric Lake is substantial. The controversy surrounding Electric Lake and the water pumped into Eccles Creek can only increase with additional mining near or under the reservoir. The District would suggest that all mining activity be curtailed within a mile of the lake and within 1,000 feet of any principle drainage into the lake.

We need the help of the Division of Oil, Gas & Mining to protect the water resource of the Huntington Creek.

Thank you for allowing us to comment on this Full Extraction Mining permit application.

Sincerely,



Jay Mark Humphrey  
 Manager

Incoming

C/007/0005

Copy Mark, Wayne H.  
 Susan, Pat, Wayne W.