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April 27, 1981

Mr. Gary Moreau
District Conservationist
USDA Soil Conservation Service
Walker Bank Building, Room 6
Price, Utah 84513

RE: Request for Determination
of Significance of
Eureka Energy's Sage
Point/Dugout Canyon
Project Impacts on
Farming in Alluvial
Valley Floor
ACT/007/009
Carbon County, Utah

Dear Mr. Moreau:

The Utah Division of Oil, Gas and Mining (UDOGM) and the federal Office of Surface Mining (OSM) are charged with the responsibility to approve the above-referenced project. Pursuant to Title V, Section 510(b)(5) of Public Law 95-87 and Section 13, Chapter 10 of Title 40, Utah Code Annotated, 1953 (40-10-13), the UDOGM has requested the assistance of the Soil Conservation Service and the Utah State University County Agent to assist by making a recommendation to the UDOGM and OSM of whether or not: "the farming that will be interrupted, discontinued or precluded by the above-referenced project is of such small acreage as to be of negligible impact on the farm's agricultural production.

Eureka Energy intends to make use of their water rights on Soldier Creek during the first few years of mining, and thereby the cultivated lands leased by Eureka to John Malleras may not have irrigation water.

Enclosed I have attached the following: (1) Wyoming's guidelines for making this determination; (2) a letter of preliminary determination by OSM; (3) a copy of UCA, Title 40, Chapter 10, 40-10-11(e), can be found on page 16; (4) a copy of Section 510 of P.L. 95-87; and (5) a copy of Chapter I, of Utah's final rules and regulations, see page 002, definition of Alluvial Valley Floor and page 103 for UMC 785.19.

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Mr. Bob Gouge of Eureka Energy's office in Price will be happy to supply you with the submittal they have made to UDOGM and OSM concerning the Alluvial Valley Floor (AVF). Please feel free to make a recommendation to the Division jointly (SCS-USU Ext.) or separately. The UDOGM, OSM and Eureka Energy will be grateful for your assistance.

Sincerely,



LELAND C. SPENCER
RECLAMATION ENGINEER

cc: Don Crane, OSM
Sally (Kefer) Portle

Enclosures

LCS/btm