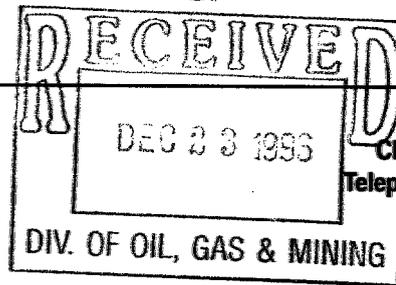


**NORTH EMERY  
WATER USERS ASSOCIATION**



Box 129  
Cleveland, Utah 84518  
Telephone (801) 653-2649

December 16, 1996

State of Utah  
Department of Natural Resources  
Division of Oil, Gas and mining

*Copy [unclear], [unclear], [unclear], [unclear],  
ACT/007/011 #2 [unclear]*

Dear Ms. Wright:

In response to your letter concerning the permit renewal, Act/007/011-961 Hiawatha Mine, U.S. Fuel company, Folder #3, Carbon county, Ut. The Board of directors of North Emery Water are very concerned about the negative impact that mining in this area will have on our Birch Springs.

As you are probably aware North Emery Water has spent a lot of time and money having Birch Springs hydrologically studied. In these studies it shows that the permit renewal for Hiawatha mine is in the recharge area for Birch Springs. Therefore it is this boards concern that any mining done in this area will have a negative impact on Birch Springs.

It is not the intent of this board to stop coal mining in this area. However we feel that it is imperative that a replacement of this water be mitigated, with North Emery Water before this permit renewal is granted.

North Emery Water and Huntington Cleveland Irrigation companies file this protest.

Sincerely,

*Menco Copinga*

Menco Copinga, President  
North Emery Water Users Assoc.

*Duane Kay Jensen*

Duane Kay Jensen, President  
Huntington Cleveland Irrigation