

0029

SWISHER COAL CO.

P. O. BOX A U  
PRICE, UTAH 84501  
PHONE 801-637-5050

*Place this, these  
in the present  
#2 mine plan  
that is circulating  
& being reviewed.  
R*

January 17, 1980

*one copy  
placed with plans being  
routed. File this.  
TJ*

Mr. Don Crane  
Regional Director  
U.S. Dept. of Interior  
Office of Surface Mining  
Brooks Towers  
1020 15th Street  
Denver, Colorado 80202

**RECEIVED**

JAN 21 1980

Re: Swisher Coal Co.  
Gordon Creek #2 Mine  
U-8319 Lease Modification Mine Plan

DIVISION OF  
OIL, GAS & MINING

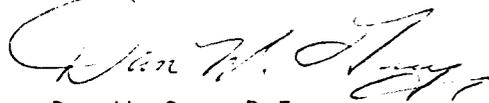
Dear Mr. Crane:

At the request of Mr. John Nadolski of your staff, I am forwarding 7 copies of the Exhibit #7 (revised 01-17-80), for replacement of the original Exhibit #7 in our Mining and Reclamation Plan for the Lease Modification - Gordon Creek #2 Mine. The exhibit deals with the Ground Water Monitoring Program and the revision was made necessary by the requested expansion on the section dealing with Water Rights and Replacement.

I hope this additional information will help provide for a timely approval of this plan. As mentioned in earlier correspondence, time is a critical factor in the eventual mining of this coal. The B.L.M. has set January 28 as a new target date for their approval. We will appreciate any effort your office can make to closely coincide your approval with this date.

If you have any questions or need any further information, please let me know.

Respectfully,



Dan W. Guy, P.E.  
Chief Engineer

DWG/ac

cc: Ron Daniels  
Utah Division of Oil, Gas & Mining  
File

Exhibit #7: Ground Water Monitoring Program (Revised 1-17-80)

Exhibit #7  
Ground Water Monitoring Program  
(Revised 1-17-80)

1. General - The Gordon Creek #2 Mine has not encountered underground water of sufficient quantity to necessitate pumping from the mine. Any future discharge will be cleaned and monitored as per requirements of the applicable N.P.D.E.S. Permit.
2. Monitoring - It is proposed to monitor the quality of ground water if encountered as a monthly grab sample. Parameters to be checked shall be as shown on the Water Monitoring Sampling Chart (Exhibit #5). It is also proposed to measure quantity of the discharge by a wier, flowmeter, or other approved means.
3. Water Rights and Replacement - There are some surface springs in the #2 Mine area. Those identified springs or seeps are shown on the map in Exhibit #5, and will be monitored as per the sampling chart (also in Exhibit #5) to the extent allowed by the surface landowner.

The lease modification area contains only one known spring, located in the NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Sec 13, T13S, R7E, SLBM. This spring is protected by Water Users Claim #14-05 under the ownership of Helper State Bank (Helper Associates). This claim is for 9.08 acre-feet for stock watering and 0.378 acre-feet for domestic use and is valid only for the period of May 1st to November 1st each year.

As mentioned above, Swisher intends to monitor this spring for any possible diminution of flow or quality resulting from the mining operation. As required by law, Swisher Coal shall replace the water supply of the owner of interest in real property who obtains all or part of his supply of water for domestic, agricultural, industrial, or other legitimate use from this source where such supply has been demonstrated to have been affected by contamination, diminution, or interruption proximately resulting from its mining operation.

The attached copies of water certificates show Swisher Coal as the owner of 177.1 shares of reservoir water. Any replacement proven necessary for the above mentioned spring will be provided from these water shares. During 1979 Swisher Coal's water usage amounted to 88.65 acre-feet, leaving ample reservoir water to replace the 9.46 acre-feet in question at this spring.

ORIGINAL DELIVERING COMPANY:

CARBON CANAL COMPANY

INCORPORATED UNDER THE LAWS OF

State of Utah

No. 2814

Shares 137.1

# PRICE RIVER WATER USERS ASSOCIATION

(A NON-PROFIT MUTUAL IRRIGATION CORPORATION)

PRICE, UTAH

This certifies that

SWISHER COAL COMPANY

ONE HUNDRED THIRTY SEVEN & 1/10 (137.1) Shares of the Capital Stock of

PRICE RIVER WATER USERS ASSOCIATION

transferred to the account of Swisher Coal Company, the holder of this certificate, in payment of the amount of the shares of this certificate.

The Officers of the Association are as follows: Secretary, Anna A. O'Brien; President, Lyle B. Brown.

*Anna A. O'Brien*

SECRETARY

*Lyle B. Brown*

PRESIDENT

SHARES

Non-Par

LEACH

Gordon Carr  
7/1912

Wellington

INCORPORATED UNDER THE LAWS OF

State of Utah

No. 2207

Shares 20.00

PRICE RIVER WATER USERS ASSOCIATION

(A NON-PROFIT MUTUAL IRRIGATION CORPORATION)

PRICE, UTAH

THIS CERTIFICATE

is the number of  
Shares of the Capital Stock  
Twenty and 00/100

PRICE RIVER WATER USERS ASSOCIATION

is the number of  
Shares of the Capital Stock

Twenty and 00/100

has named *John H. ...*  
Secretary and *John H. ...*  
President of the Association  
March 1912

SECRETARY

PRESIDENT

SHARES

Non-Par

SHARES

INCORPORATED UNDER THE LAWS OF

No 2589

State of Utah

SHARES 20.00

PRICE RIVER WATER USERS ASSOCIATION

(A NON-PROFIT MUTUAL IRRIGATION CORPORATION)

PRICE, UTAH

Twenty 20

SWISHER COAL COMPANY

PRICE RIVER WATER USERS ASSOCIATION

Shareholder's Name

Swisher Coal Company

Price, Utah

March 1st 1976

*[Signature]*

SECRETARY

*[Signature]*

PRESIDENT

SHARES

Non-Par

TEACH