



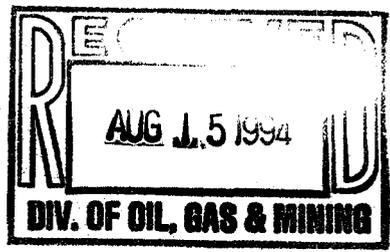
State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

July 1, 1994

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
Robert L. Morgan
State Engineer

1636 West North Temple, Suite 220
Salt Lake City, UT 84116-3156
801-538-7240
801-538-7467 (Fax)

Ben Grimes
Cyprus Plateau Mining Corporation
P O Drawer PMC
Price, UT 84501



RE: Stream Channel Alteration Permit Number 94-91-05SA for construction of an access road for a stream crossing on Willow Creek.
EXPIRATION DATE: July 1, 1995

PR 007/038 # 2

Gentlemen:

Your application to Alter a Natural Stream Channel Number 94-91-05SA is hereby approved pursuant to the requirements of Section 73-3-29 of the Utah Code Annotated, 1953. This approval also constitutes compliance with Section 404 (e) of the Clean Water Act (33 USC 1344) pursuant to General Permit 040 issued to the State of Utah by the U.S. Army Corps of Engineers on October 15, 1987.

Work performed under this permit is subject to the following conditions:

1. The expiration date of this approved application is July 1, 1995. The expiration date may be extended, at the State Engineer's discretion, by submitting a written request outlining the need for the extension and the reasons for the delay in completing the proposed stream alteration.
2. Within 30 days after the completion of this project, the State Engineer's office must be contacted for a compliance inspection. Failure to provide such notification would invalidate U.S. Army Corps of Engineers General Permit 040, thereby placing the applicant in violation of Section 404 of the Clean Water Act.
3. A copy of this approved permit must be kept on-site at any time the work under this approved permit is in progress.
4. Work should be accomplished during a period of low flow. Sediment introduced into stream flows during construction must be controlled to prevent increases in turbidity downstream. This can be accomplished either by diverting flows away from the construction area or by constructing sediment control structures.
5. Excavated material and construction debris may not be wasted in any stream channel or placed in flowing waters, this will include material such as grease, oil, joint coating, or any other possible pollutant. Excess materials must be wasted at an upland site well away from any channel. Construction materials, bedding material, excavated material, etc. may not be stockpiled in riparian or channel areas.

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5. Construction should take place during periods of low flow.
6. All disturbed areas must be revegetated.
7. The existing access should be removed and the area restored to its original conditions.

Arrangements for this compliance may be made through either of the contacts listed below:

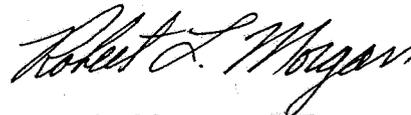
Jim Wells
Mark Page

Division of Water Rights/Dam Safety
Regional Engineer

This Decision is subject to the provisions of Rule R655-6 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953 as amended, which provide for filing either a Request for Reconsideration with the State Engineer, or an appeal with the appropriate District Court. A Request for Reconsideration is not a prerequisite for a court appeal. A court appeal must be filed within 30 days after the date of this Decision, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

If you have any questions or need further clarification, please feel free to contact Jim Wells at 538-7374.

Sincerely,



Robert L. Morgan, P.E.
State Engineer

RLM/jw/sh

pc: Brooks Carter - Corps of Engineers
Bob Mairley - EPA
Bob Freeman - U. S. Fish & Wildlife
Jim Dykman - State History
Carolyn Wright - State Planning
Mark Page - Regional Engineer
Bill Bates - Regional Wildlife Habitat Manager
Bill Bradwisch - Aquatic Habitat Coordinator