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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

#19

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Robert L. Morgan
State Engineer

1594 West North Temple, Suite 220
PO Box 146300
Salt Lake City, Utah 84114-6300
801-538-7240
801-538-7467 (Fax)

September 22, 1999

mt 10/13/99
Rout

RE: Stream Channel Alteration No. 99-91-22SA
West Fork Dugout Creek
Canyon Fuel Company, LLC
Dugout Canyon Mine

*Route to Mike
ad Raron,*

*New file
ACT/1007/039*

Attached is a copy of an Application to Alter a Natural Stream No. 99-91-22SA. Your comments are requested so we can evaluate any impacts caused by the project.

#2

We are requesting that all comments be returned to me at our office prior to **October 12, 1999**. If we do not receive comments by that date, we will assume you have no input on the proposal outlined in the application.

If you have any questions or comments, feel free to contact me at 801-538-7377.

Sincerely,

Judy Mattson
for Daren Rasmussen
Stream Alteration Specialist

DR/jm

- pc: Bob Mairley - EPA
- Mike Schwinn - Corps of Engineers
- Supervisor - U. S. Fish & Wildlife
- Mark Page - Regional Engineer
- Derris Jones - Regional Wildlife Habitat Manager
- Bill Bradwisch - Aquatic Habitat Coordinator
- Mike Reichert - Department of Environmental Quality, Water Quality Div.
- Ed Storey - State Lands & Forestry
- Carolyn Wright - State Planning & Coordinator's Office
- Terry Green - State Parks & Recreation
- Jim Dykmann - State Office of Historic Preservation
- W. D. Robinson - Department of Agriculture, Env. Quality Section
- Nancy Barr - Comprehensive Emergency Management
- Bureau of Land Management

JOINT PERMIT APPLICATION FORM

U. S. ARMY CORPS OF ENGINEERS - FOR SECTIONS 404 AND 10
 UTAH STATE ENGINEER'S OFFICE FOR NATURAL STREAM CHANNELS

SEP 10 1999

91-Area

99-91-22

Application Number _____
 (Assigned by:)

Corps

WATER RIGHTS

State Engineer

Applicant's Name (Last, First M.I.) Canyon Fuel Company, LLC Dugout Canyon Mine		Authorized Agent Ken Payne	Telephone Number and Area Code (435) 636-2880	
Applicant's Address (Street, RFD, Box Number, City, State, Zip) Soldier Canyon Mine, P. O. Box 1029, Wellington, Utah 84542				
PROJECT LOCATION				
Quarter Section(s) NE 1/4 NW 1/4	Section 23	Township 13	Range South Range: 12 East	Base & Meridian Salt Lak
County Carbon	Watercourse to be altered West Fork Dugout Creek	Check one: <input type="checkbox"/> Within city limits <input checked="" type="checkbox"/> Outside city limits List town or nearest town: Wellington, Utah		
Project location or address: Dugout Canyon Mine				

Brief description of project:

The west fork of the Dugout Creek will be returned to its old channel to allow the construction of a retaining wall. The retaining wall is required to allow the construction of a water well drill pad and later a pump building.

Purpose (justification) of project:

Dugout Canyon provides access to a large block of coal reserves controlled by Canyon Fuel Company, LLC. The water well will be drilled into the old Gilson Seam mine workings. The water will be used for process water and fire protection both for the surface and underground operations.

Is this a single and complete project or is it part of a larger project, continuing project, or other related activities? If so, please describe the large project or other related activities.

The water well project is a single project that will be in addition to the approved Stream Alteration Permit Number 97-91-075A for the installation of a culvert in the Dugout Creek.

If project includes the discharge of dredged or fill material:

No dredged or fill material will be discharged.

Cubic yards of material:

Acreage or square footage of waters of the United States, including wetlands, affected by the project:

Source and type of fill material:

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 SEP 15 1999

WATER RIGHTS
 SALT LAKE

419

Alternatives (other ways to accomplish the project purpose):

The alternate to the water supply in the old mine works is to pump water from the Dugout Creek when available or haul water to the Dugout Mine from an off-site source.

Names and addresses of adjacent property owners or other individuals who may be affected by this project:

Other property owners within Section 23 included: State of Utah E 1/2 NW 1/4; United States (administered by Bureau of Land Management S 1/2, E 1/2 NE 1/4).

List other authorizations required by Federal, state or local governments (i.e.; National Flood Insurance Program), and the status of those authorizations.

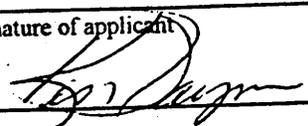
The Dugout Canyon Mine has an approved mining and reclamation plan issued by the Utah Division of Oil, Gas and Mining. The MRP number is ACT/007/039. An amendment has been submitted to DOGM to include the Gilson water well in the MRP.

Estimated starting date of project
November 1, 1999

Estimated completion date
November 30, 1999

(If project has already been partially or totally completed, indicate date of work. Indicate existing work on drawings).

Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities or am acting as the duly authorized agent of the applicant.

Signature of applicant 	Date 9/10/99
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I hereby certify that Ken Payne is acting as my agent for this project.

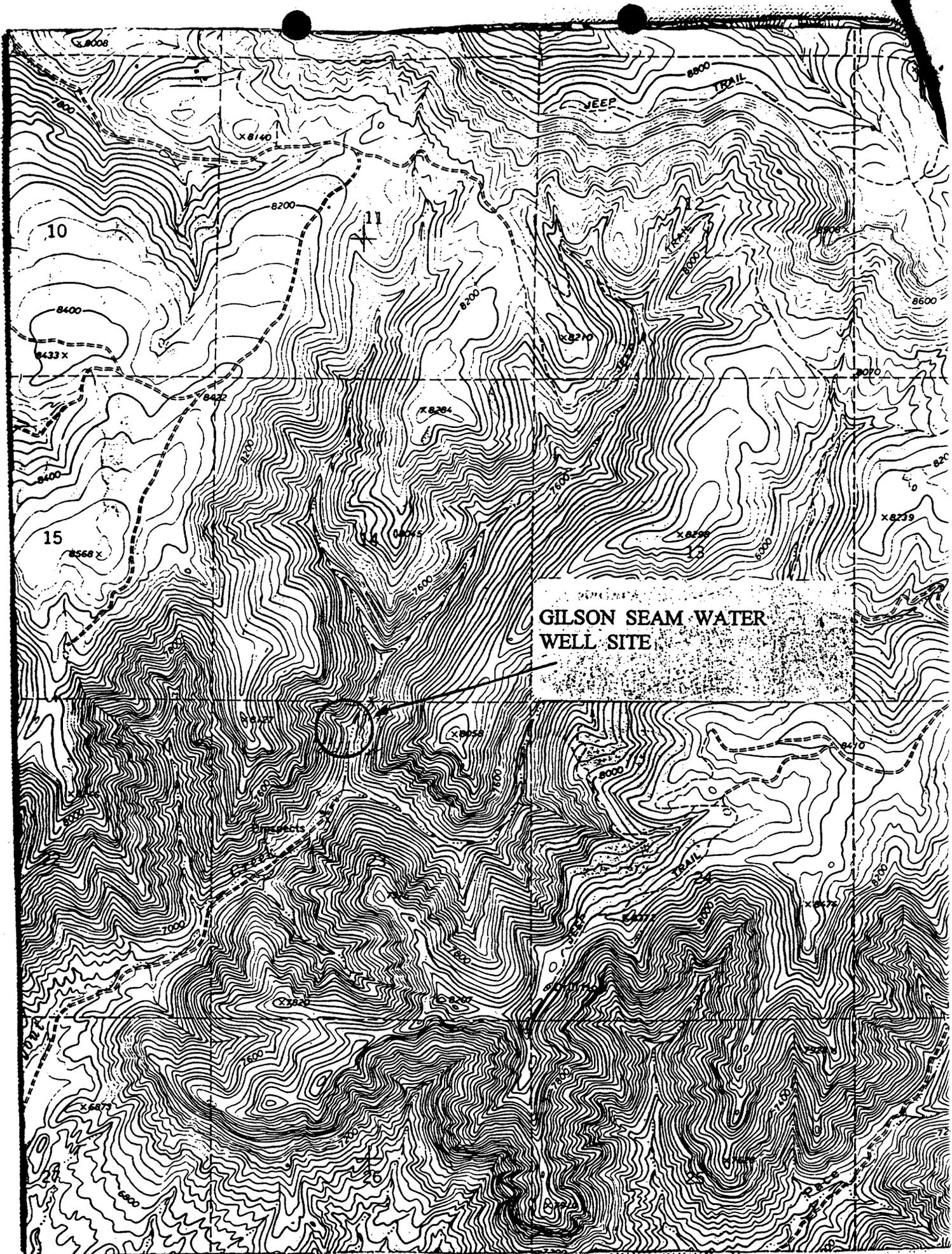
Agent's address and telephone number Soldier Canyon Mine, P.O. Box 1029, Wellington, Utah 84542
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INSTRUCTIONS

Applications which do not include the following will not be processed.

For a complete application, you **MUST** include the following on 8 1/2 by 11 paper (for large projects, multiple sheets with a key may be used). Clear, hand-drawn plans approximately to scale are acceptable.

1. An accurate location map (USGS quadrangle map preferred)
2. A plan view of the proposed activity (as seen from above) including dimensions of work.
3. A cross-section view of the proposed activity (may use typical cross-section for large projects) including dimensions.
4. For projects which include wetlands, an accurate wetland delineation must be prepared in accordance with the current method required by the Corps.



GILSON SEAM WATER
WELL SITE

8-19

GILSON SEAM WATER WELL SITE



BASE LINE 1

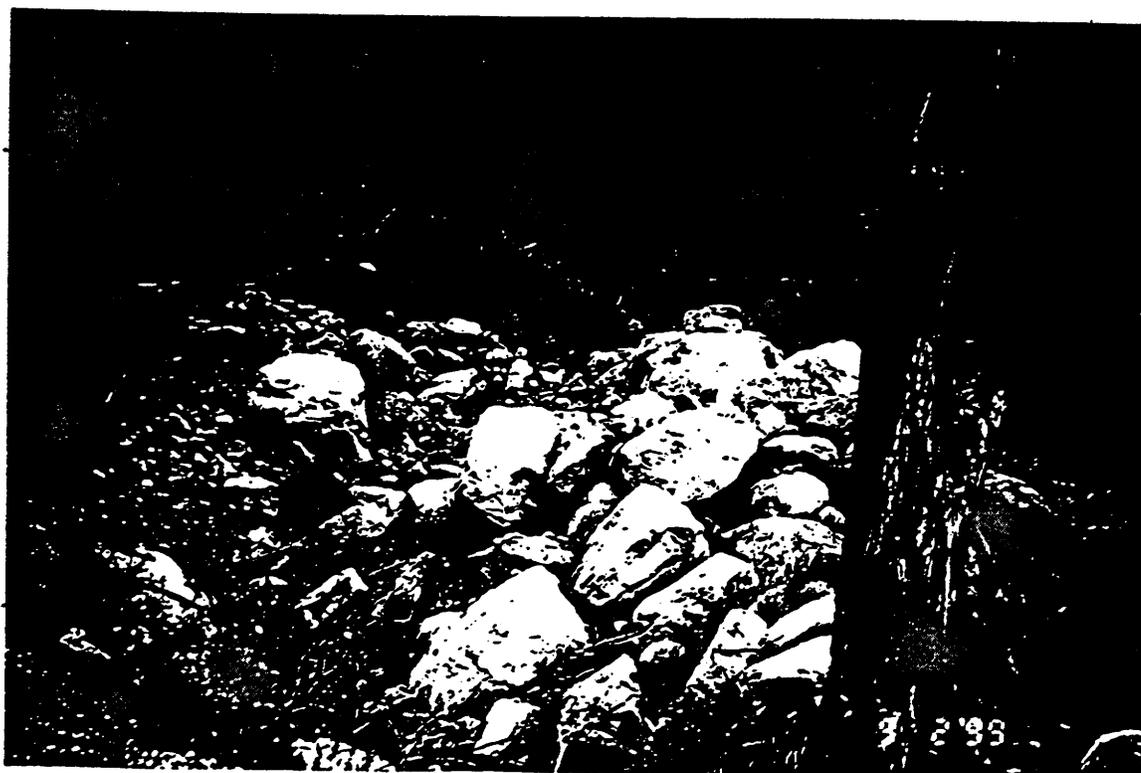


BASE LINE 2

GILSON SEAM WATER WELL SITE

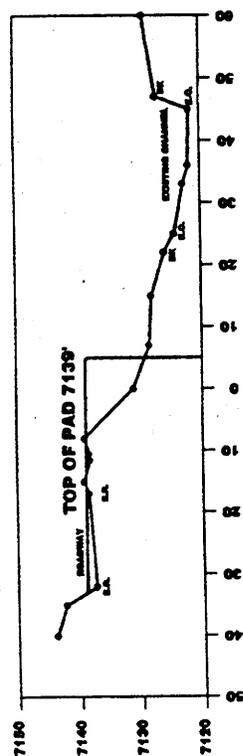


BASE LINE 3

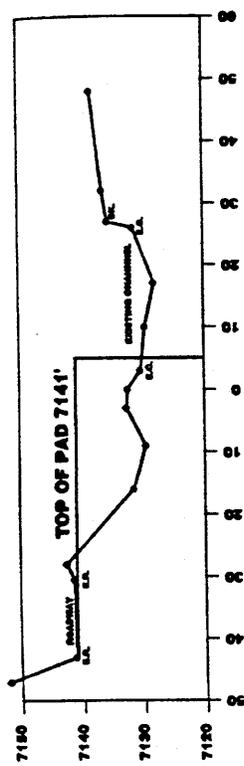


BASE LINE 4

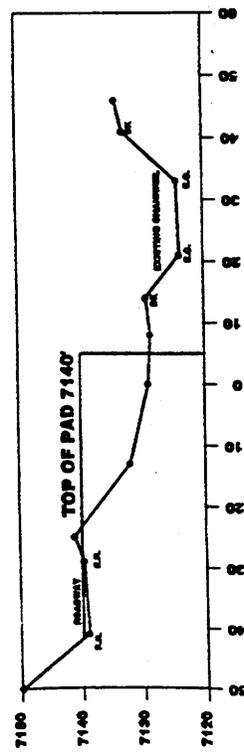
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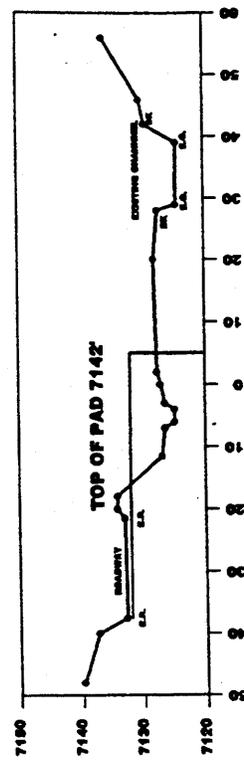
BASE LINE SOUTHERN POINT (1)



BASE LINE POINT (3)



BASE LINE POINT (2)

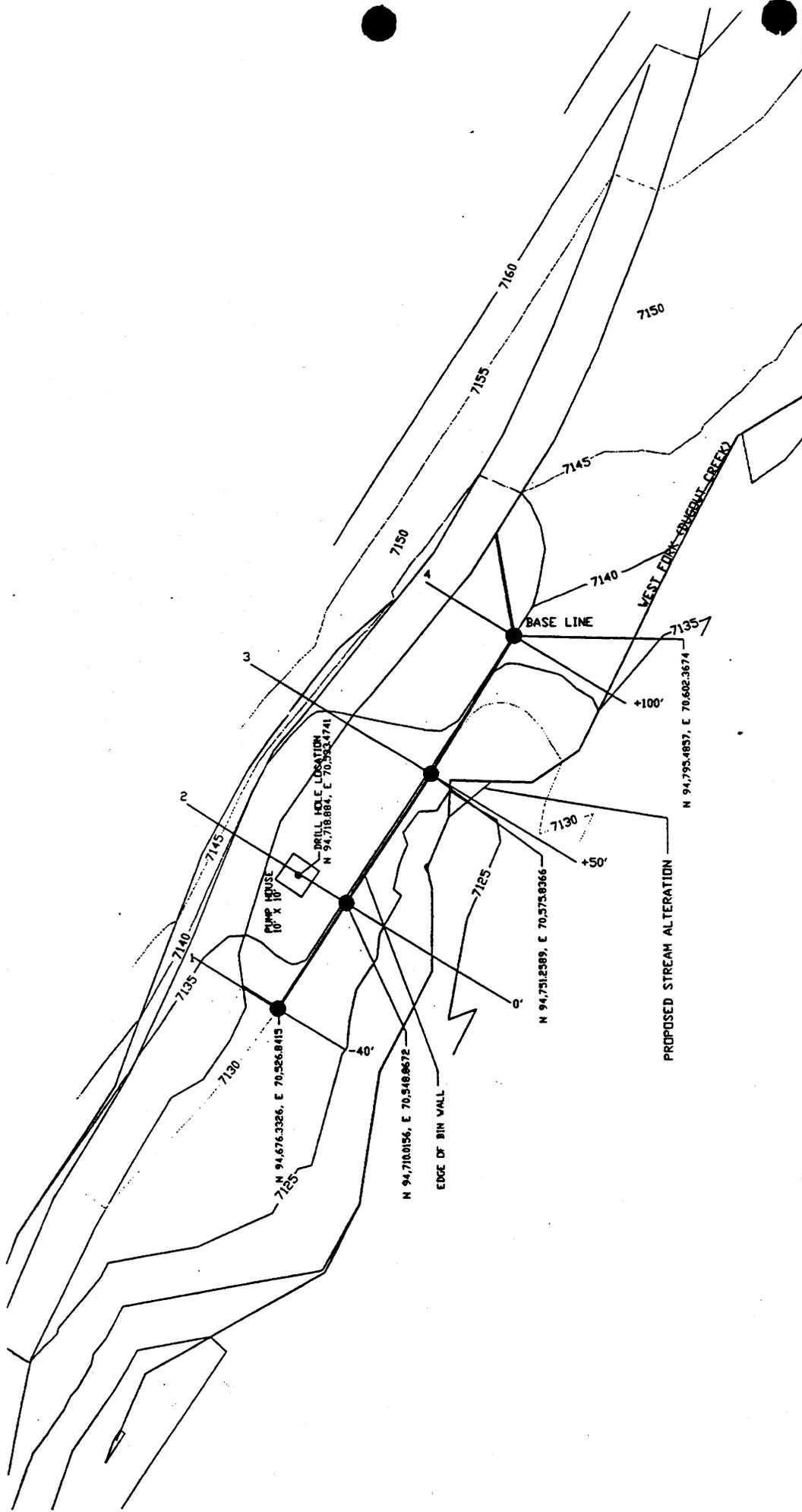


BASE LINE NORTHERN POINT (4)

**E.R. = EDGE OF ROAD
E.C. = EDGE OF CHANNEL
BK = BANK**



Canyon Fuel Company, LLC Dugout Canyon Mine		DATE: 01-10-98 DESIGNED BY: JLP CHECKED BY:
DUGOUT MINE, GILSON DRILL PAD CROSS SECTIONS		DRAWING OR MAP NUMBER B-346
P.O. BOX 1029 WELLINGTON, UTAH 84542		SCALE: 1" = 20' FILENAME: B-346.DWG B-346.PDF



DUGOUT MINE
WATER WELL AREA



Canyon Fuel Company, LLC
Dugout Mine

DATE: 8/5/99	CK. BY: G. TAYLOR	REVISION:
SCALE: 1"=30'	DR. BY: R. JOHNSON	
DWG. NO.: GE 48001		

Canyon Fuel Company, LLC
P.O. Box 1029
Wellington, Utah 84542
435/637-6360 Fax: 435/637-0108

Ken M. Payne
Project Manager

September 10, 1999

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PRICE

Mr. Mark Page
Regional Engineer
Utah Division of Water Rights
P.O. Box 718
Price, Utah 84501

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SEP 16 1999

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SALT LAKE

RE: STREAM RELOCATION APPLICATION

Dear Mr. Page:

Canyon Fuel Company, LLC proposes to drill a water well from the surface to access water trapped in old mine workings. The water will be used for process water and fire protection at the Dugout mining operation.

In order to drill the water well along the West Fork Dugout Creek a drill pad will need to be constructed. The drill pad will be used later for the water well pump house. Before the bin wall for the drill pad can be constructed a short section of the Dugout Creek (about 50 feet) will need to be returned to its old channel. The creek was forced out of the channel by debris falling into the creek. The site is an old flood plane based on the rocks and debris in the creek.

Enclosed are two (2) copies of a Joint Permit Application Form requesting approval to alter the Dugout Creek. Attached are supporting maps showing the location, cross sections and photos of the site.

The proposed Gilson drill site and well have been submitted to the Utah Division of Oil, Gas and Mining as an amendment to the mining and reclamation plan.

The application to drill the water well has already been submitted to the Division of Water Rights..

If there are any questions, please contact me at 435-636-2880. We appreciate your help in this matter.

Sincerely yours,



Ken Payne
Project Manager

KP:gb

enclosures

x/c: R. Pick
R. Olsen