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JON M. HUNTSMAN, JR.
Governor
GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER
Executive Director

JERRY D. OLDS
State Engineer/Division Director

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DIV. OF OIL, GAS & MINING

Task # 2328

November 9, 2005

Jim Baza, Director
Division of Oil, Gas and Mining
P.O. Box 145801
Salt Lake City, UT 84114-5801

Re: West Ridge Mine, Panel #7

Dear Mr. Baza:

We have completed our review of the West Ridge Mine, Mining and Reclamation Plan for panel #7. Mining in this panel will be relatively close to the Grassy Trail Dam / UT00126. Significant concerns were raised about the potential for negative impacts resulting from mining activities to this high hazard structure. In accordance with the Memorandum of Understanding between our agencies, representatives of your staff have worked closely with the Dam Safety Section of the Division of Water Rights to fully address these issues and concerns.

The Mining and Reclamation Plan document presents the results of a detailed investigation conducted by competent professionals regarding the potential impacts to the dam. These documents conclude that these impacts are anticipated to be negligible. Nonetheless, due to the close proximity, a detailed site observation plan has been proposed and implemented to evaluate the performance of the dam during mining activities. This plan is also designed so as to provide early warning in the event that detrimental impacts do develop. Based on our review, we are in agreement with these conclusions and plans.

It is our understanding that in the unlikely event that the instrumentation and observation data detects impacts that threaten the safety of the dam, mining activities will be halted to protect this structure, the failure of which would threaten downstream human life and property. Further, any damage done to the dam will be repaired.

This office has no objection to the permitting of the proposed mining activities.

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Your assistance, and that of your staff, in this matter is appreciated. If you have any questions or need to discuss these matters in further detail, please contact David Marble of the Dam Safety section at 538-7376.

Sincerely,

A handwritten signature in black ink that reads "Jerry D. Olds". The signature is written in a cursive style with a large, prominent "J" and "O".

Jerry D. Olds, P.E.
State Engineer

JDO/jm

cc: Mark Page – Regional Engineer