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WESTERN STATES MINERALS CORPORATION

ACT 015/002 #2

November 26, 1996

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DIV. OF OIL, GAS & MINING

Ms. Susan White
Utah Division of Oil, Gas, and Mining
1594 W. North Temple Suite #1210
P.O. Box 145801
Salt Lake City, UT 84114-5801

Re: Proposed Spillway Relocation for the J. B. King Coal Mine

Dear Ms. White:

Thank you for meeting Buzz Gerick and myself at the J.B. King Reclaimed Coal Mine on November 12, 1996. During our on-site meeting we discussed the relocation of the existing spillway for the sediment pond such that off site runoff cannot backflush into the existing sediment pond. On November 14, 1996, Buzz Gerick and I inspected the area and determined that the spillway should be reconstructed approximately 50 ft. south of its present location. The proposed location of the new spillway is marked in the field with a wooden stake. Elevations were surveyed along the crest of the sediment pond embankment and the western toe of the embankment to ensure that the proposed spillway location would not have the same backflow problems previously experienced.

WSMC plans to submit to the Division design plans for the proposed spillway location. Upon review of the J.B. King Mine Permit, it was determined that an asbuilt drawing of the spillway and sediment pond was not detailed enough for design purposes. Therefore, WSMC has retained the services of Wesley K. Sorrenson , P.E. to provide an asbuilt drawing of the J.B. King sediment pond . Mr. Sorrenson is expected to start his work on this project at the beginning of December 1996. This information will be used to evaluate the capacity of the sediment pond and provide additional design criteria for the spillway.

WSMC will submit an asbuilt drawing of the sediment pond and the proposed design near the end of December 1996, for your review. Upon approval of this design, WSMC plans to relocate the spillway in the Spring of 1997. WSMC believes that the existing sediment pond and spillway) will remain fully functional during the upcoming Winter of 1996-97, until the spillway is relocated.

If you have any questions or require additional information please call me at (702) 856-3339.

Sincerely,

Larry D. Berg

Larry D. Berg, P.E.
Environmental Coordinator

cc: E.M. Gerick

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