

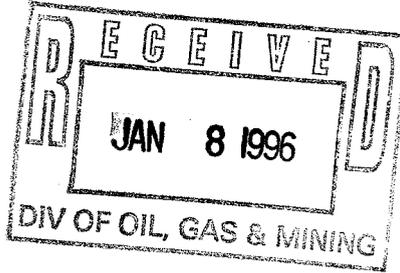
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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor
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State Engineer

Southeastern Area
453 South Carbon Avenue
P.O. Box 718
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801-637-1303



January 5, 1996

E.M. (Buzz) Gerick
Western States Minerals Corp.
250 S. Rock Blvd., Suite 130
Reno, NV 89502

Re: JB King Minesite, WSMC Response

*Route to Susan, then
file ACT/015/002 #2*

Dear Mr. Gerick:

In regards to your responding letter, dated December 18, 1995, I offer the following comments.

Regarding response to question #1: Our records do now indicate water rights 94-295 & 94-316 to be in the name of Utah State Lands, and no further action is required by Western States Minerals Corp. concerning these rights.

Regarding response to question #2: Because no beneficial use is associated with this pond, no water right is required. Because the dam is incised and has a capacity of less than 20 acre-feet, no plans are required with the application. However, a APPLICATION FOR A DAM NOT REQUIRING SUBMISSION OF FORMAL PLANS UNDER SECTION 73-5A-202, is required for this pond as stated in Utah Water Rights Law, Utah Code Annotated, 1953, as amended, Title 73-5a-201. I have enclosed the above mentioned application for your convenience.

If I can be of further assistance, feel free to contact me at 637-1303.

Sincerely,

Casey Ford
Assistant Regional Engineer

cc: Pamela Grubaugh Littig, DOGM
Jan Parmenter, Trust Lands

