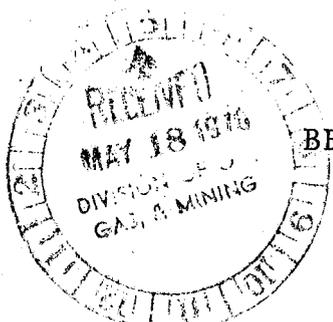


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CIRCULATE TO:

DIRECTOR _____ *ea*
 PETROLEUM ENGINEER _____
 MINE ENGINEER _____
 ADMINISTRATIVE ASSISTANT _____
 ALL RETURN TO *Schmitt* FOR FILING *Copy to Fulton*

BEFORE THE BOARD OF OIL, GAS, AND MINING
 DEPARTMENT OF NATURAL RESOURCES
 in and for the STATE OF UTAH

IN THE MATTER OF THE APPROVAL OF THE)
 NOTICE OF INTENT AND RECLAMATION PLAN)
 SUBMITTED BY SWISHER COAL COMPANY,)
 HUNTINGTON CANYON #4 MINE, EMERY)
 COUNTY, UTAH.)

OBJECTION TO RECLAMATION PLAN

No. 43-015-004

Comes now HUNTINGTON CITY, a Municipal Corporation of the State of Utah and objects to the reclamation plan tentatively approved by the Utah Division of Oil, Gas and Mining, covering the coal mining operation of SWISHER COAL COMPANY on lands located in Section 16, Township 16 South, Range 7 East, Salt Lake Base and Meridian, Emery County, Utah, and does so based upon the following facts and grounds:

1. That Huntington City has the rights to and has been using the water from a spring located in Little Bear Canyon in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9, Township 16 South, Range 7 East, SLB&M, and which spring is located approximately one-fourth mile north of the proposed mine opening and development site.
2. That the water from the spring has been and is being used under water user's claim No. 93-254, priority date, 1875, and is being used for culinary purposes.
3. That the lowest flow out reading available on the spring is 225 gallons per minute and the highest flow out reading available at the present time is 405 gallons per minute.
4. That the proposed underground mining operation will be in close proximity of the spring and there is a real and existing danger and high probability that such mining operation will materially effect the flow of water from the spring to the permanent and lasting damage of Huntington City.
5. That the flow from the spring constitutes two-thirds of the present culinary water supply for Hunting City and its citizens.
6. The cost of replacing this source of water to Huntington City if is lost or disrupted would be approximately ONE MILLION (\$1,000,000.00) DOLLARS.

*Mine 200 above Spring
 W.T. Stearns Huntington
 Cleveland Irrigation
 Co.
 Lake*

*B. Langford
 S.U.
 H.W. Flann
 S.P.S.S.*

WHEREFORE, HUNTINGTON CITY protests the approval of the reclamation plan unless adequate provision is made to guarantee immediate replacement of water lost from interference with the flow of the spring or sufficient surety is established to properly reimburse HUNTINGTON CITY monetarily for such loss and generally to prevent present and future degradation of hydrologic regimes as specified in the objectives of the Mined Land Reclamation Act. P. 58 Min

DATED this _____ day of May, A. D., 1976.

HUNTINGTON CITY, a Municipal Corporation

By Robert O. Sumbrine
Mayor

Boyd Bunnell
BOYD BUNNELL
Attorney for HUNTINGTON CITY
Box 145
Price, Utah