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April 16, 1976

Mr. Boyd Bunnell, Esq.
Oliveto Building
Price, Utah 84501

Re: Swisher Coal Company-Huntington
Canyon #4 Mine (#43-015-004)
Sec. 16, T. 16 S., R. 7 E. SLBM
Emery County, Utah

Dear Mr. Bunnell:

The Division is in receipt of your letter dated April 13th setting forth your protest to the Swisher Coal Company, Huntington Canyon #4 mine. Actually, the reclamation plan for this mine has not yet been published in accordance with the Mined Land Reclamation Act of 1975. We think the request by Huntington City is a reasonable one however.

Perhaps more information on the quantity of production from the spring referred to in your letter would be in order. At this point it seems that there is no history of the seasonal fluctuations from the 450 GPM mentioned in your letter. I

Upon receiving a flow history the Division will request Swisher Coal Company to provide a guarantee to Huntington City that in the event the spring flow is reduced the Company will reimburse the City in water of equal quantity and quality. The means for this guarantee could be filed as an affidavit of performance with the City.

We appreciate the Cities concern in this matter and will continue to cooperate on further mining and reclamation activities in the Huntington area. Please contact this office if we can be of further assistance.

Very truly yours,

Ronald W. Daniels
Coordinator of Mined
Land Development

RWD/lc

cc: Swisher Coal Company
Mr. Dave Shaver, Mining Engineer