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STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
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August 13, 1979

Mr. Movell Jewkes
730 North 4th East
Price, Utah 84501

Dear Mr. Jewkes:

In regards to your concerns about Swisher Coal Company mining beneath your property and the possible affects on the springs thereon the Division is taking the following action. Staff members from the Division are meeting with Swisher Coal Company during the week of August 13, 1979 concerning this matter and concerning compliance of the Gordon Creek Mines with the regulations the Division enforces. At that time the staff will study the mine maps and available subsurface geologic records to attempt to further define the subsurface hydrology. In addition, the staff will discuss with Swisher the formulation of a monitoring program that will attempt to ascertain if mining activities influence your springs. The plan will be made available for your review and input prior to implementation.

If you wish to take a stronger action, other alternatives are available. You may petition the Board of Oil, Gas and Mining, as provided for in Section 40-8-8 of the Utah Mined Land Reclamation Act of 1975, for a hearing concerning the matter. Before doing so, I strongly suggest that factual data be collected concerning flow records from the springs, geologic information be compiled that defines the groundwater regime and documentation be provided on the mine's entering under your property. Essentially, there must be documentation that the flow from the spring was diminished by the mining activity. Without such documentation I do not foresee the Board taking any strong action concerning water replacement.

You have the legal right to review the mine plan at any time. If you feel that your concerns are not adequately addressed please set forth the reasons for such and submit them in writing to the Division. The Division will require a new mining permit application when the permanent program regulations become effective.

I will keep in touch with you on this matter. If you have any questions please call.

Sincerely,

K. Michael Thompson

K. MICHAEL THOMPSON
ENGINEERING GEOLOGIST

KMT/te

cc: Larry Damrau, Office of Surface Mining