



STATE OF UTAH
NATURAL RESOURCES
Water Rights

0017

ACT/015/0091 #2

Copy Tom
Norman H. Bangertter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer
FAKED TO DAW 4/3/91

Southeastern Area • 453 S. Carbon Avenue • P.O. Box 718 • Price, UT 84501-0718 • 801-637-1303

April 1, 1991

RECEIVED

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DIVISION OF
OIL GAS & MINING

Division of Oil, Gas & Mining
Attn: Pamela Grubaugh-Littig
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Re: Responses to Technical Deficiencies, Federal Lease Tract Addition
Beaver Creek Coal Company (BCCC), Trail Mountain #9 Mine

Dear Pam:

The responses to Division Technical Deficiencies and Forest Service comments, primarily sections R614-301-700, R614-301-727, and R614-301-728, have been reviewed. Several discussions were presented that may require further correspondence with this office at a later date, and are enumerated below:

1. Pages 7-15 and 7-15a address the replacement or repair of water rights impacted by mining induced subsidence. Changes or modifications that are required for adversely affected rights should receive prior approval from this office before proceeding with any mitigation measure.

2. The possibility exists that a diminution in flow may occur to either Cottonwood Creek or Straight Canyon Creek as a result of the mine's expansion. Further, interception of water associated with the NE-SW trending syncline has been discussed, and may also have an impact upon the region's groundwater. Again, any mitigation measures proposed to alleviate a loss in flow should be coordinated with this office.

3. To reiterate the January 9, 1991 letter from Mark Page to yourself, BCCC should obtain a permit from this office prior to the construction of any monitor wells. It appears from Figure 7-9A, that the area proposed for monitor well TM-3 is presently being mined, and BCCC has committed to installing the well within 90 days after the proposed site is mined. As of this writing, a permit to install the well has not been received or approved by this office.

As stated earlier, these issues do not require further processing from our office at this time. However, we should be kept apprised of related water right developments as they occur. Should you have any questions regarding the foregoing discussion, please contact me.

Sincerely,

William A. Warmack

William A. Warmack
Assistant Area Engineer