



0031

STATE OF UTAH
NATURAL RESOURCES
Water Rights

*File net/015/009
#2*

*Bill Harman called
1/10/91 re: This situation.*
Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer

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

This letter is incorrect.

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JAN 11 1991

DIVISION OF
OIL, GAS & MINING

January 9, 1991

Division of Oil, Gas & Mining
Attn: Pam Grubaugh-Littig, Permit Supervisor
355 West North Temple
3 Triad Center, Suite 320
Salt Lake City, Utah 84180

Re: Beaver Creek Coal Company
Trail Mountain Mine #9
Gordon Creek Mines 2, 7, and 8

Dear Pam:

In reviewing the recent submittal concerning the activities at the Trail Mountain Mine #9, it appears that we have two basic concerns. One is their water right at the mine. At the present time, there is on file with this office, approved Exchange Application #2402 (93-Area) in the name of W.K. Minerals Inc. This particular right provides 17.6 acre feet of water per year. According to recent figures obtained through your Division, it would appear they will need to obtain an additional 40 shares of water (35.2 AF) from the Cottonwood Creek Consolidated Irrigation Company. This will make available to them a total of 52.8 acre feet if delivery is at 0.88 acre feet/share. This should be sufficient for their present needs, and cover their use of the well and the in-mine consumption. Title to the existing Exchange Application should be brought up to date by Beaver Creek. The second item of concern pertains to the monitor well TM-3. As you are aware, Beaver Creek should obtain a permit prior to the construction of any monitor wells.

In regards to the reclamation of the Gordon Creek Mine sites, it will be necessary for the Company to obtain a temporary water right in a sufficient quantity to provide for their needs during this process. This should be obtained prior to any work requiring the use of water. The second issue deals with what is known as Sweets Pond. At the present time, there is not a valid water right for this storage facility. It is our understanding that Beaver Creek would like to leave the pond intact. This can only take place if a water right is obtained. Again, this matter should be taken care of prior to the completion of the reclamation work. If this does not occur, we will

Division of Oil, Gas & Mining
Attn: Pam Grubaugh
January 9, 1991
Page 2

require that the pond and diversion be removed. The third item concerns the reference in the reclamation plan to work being done on Gordon Creek. This work will require a permit which must be approved prior to any construction. Other tributaries to Gordon Creek may also need permits prior to any work on them.

I appreciate the opportunity to review these documents. Should you have any questions concerning these items, please feel free to contact me.

Sincerely,



Mark P. Page
Area Engineer

cc: Beaver Creek Coal Company
Attn: Dan Guy
P.O. Box 1378
Price, Utah 84501

MPP/mjk