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January 27, 2005

Ms. Pamela Grubaugh-Littig  
Utah Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

*Via Hand Delivery*

*C/015/009  
Copy PAH, Susan  
Dwayne H. JivS.*

**Re: Huntington-Cleveland Irrigation Co.'s Comments on Pacificorp's proposed Trail Mountain Mining and Reclamation Permit Renewal (C/015/009). FAX Pacificorp**

Dear Ms. Grubaugh-Littig:

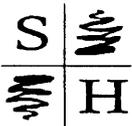
The purpose of this letter is to provide the comments of Huntington-Cleveland Irrigation Company ("Huntington-Cleveland") to the above referenced Application in response to the request for such comment published in the *Emery County Progress* on December 28, 2004.

Huntington-Cleveland would like to acknowledge the actions and efforts of the Applicant in addressing hydrologic concerns in the operation of its mines. Huntington-Cleveland supports Applicant's continuation of mining at Trail Mountain so long as such mining can be accomplished without affecting the hydrologic balance and causing any unaddressed contamination, diminution or interruption of water for which Huntington-Cleveland holds the right. *See* Utah Code Ann. § 40-10-18(15)(c) (1998). Huntington-Cleveland is the holder of the majority of water rights in the Huntington Creek drainage. Huntington-Cleveland uses a proportion of its water rights to provide a drinking water source for its shareholder municipalities and districts. It is therefore vitally important that this source is protected.

Although the Trail Mountain Mine lies within the Cottonwood Creek drainage, there is potential for mining activity to affect Huntington-Cleveland's water rights. For instance, the mining plan for Trail Mountain mine shows mining activity approaching closer to Joes Valley Reservoir. Substantial mining impacts to that reservoir, such as has happened with Electric Lake, would have far-reaching effects—potentially reaching to the Huntington Creek Drainage. Therefore, Huntington-Cleveland wants to ensure that Applicant and the division exercise the utmost care in protecting that reservoir.

We appreciate the efforts of the Division in fulfilling its role in protecting the hydrologic balance and water-users' rights in coal mining areas. We would appreciate receiving notification if there is a conference or any other developments with this application. As always, please feel free to contact me with any questions.

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UTAH DIVISION OF OIL, GAS AND MINING

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January 27, 2005  
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Yours truly,  
**SMITH HARTVIGSEN, PLLC.**

  
For J. Craig Smith

cc: Board of Directors, Huntington-Cleveland  
Dennis Ward, President  
Sherrel Ward, Vice President  
Duane Kay Jensen, Secretary