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File  
ACT/015/018-A  
ACT/015/018-B



United States Department of the Interior  
OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
BROOKS TOWERS  
1020 15TH STREET  
DENVER, COLORADO 80202

JIM

DEC 10 1981

November 30, 1981

RECEIVED  
DEC 07 1981

DIVISION OF  
OIL, GAS & MINING

Mr. Edward S. Crawford  
1809 Yalecrest Avenue  
Salt Lake City, Utah 84108

Dear Mr. Crawford:

Reference is made to your letter of November 12, 1981 concerning the ongoing mining operations at the Wilberg and Deer Creek Mines. It is true, at present, these operations do not have new permanent program mine plan approvals. These mine plans are currently undergoing review by Utah's Division of Oil Gas and Mining and OSM's Technical Service Center in Denver, Colorado. Both of these mines, however, had interim program mine plan approvals which, according to 30 CFR 741.11 (a), allows continued operation for eight months after the approval date of the Utah State program by the Secretary of the Interior. In addition to this extension which expired on September 21, 1981, 30 CFR 741.11 (c) allows for continued operation past the eight months as long as the three conditions under this section are met. In short these conditions are: 1. The operator must submit a timely application for the new permit; 2. The Director has not yet rendered a final decision on the application; and 3. The operations are being conducted in accordance with the old approved mining plan and the applicable regulations.

Since Utah Power and Light hasmet these conditions, we can not force the mining operations to cease as you request.

If you have any questions please contact me.

Sincerely,

Robert H. Hagen  
Albuquerque Office Director

cc: Jim Smith

November 12, 1981

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DIVISION OF  
OIL, GAS & MINING

Mr. Tom Ehmett  
U.S. Department of Interior  
Office of Surface Mining  
Denver, Colorado 80201

Dear Mr. Ehmett:

This letter is written in response to the letter of Jim Smith of the Utah Division of Oil Gas and Mining to you dated November 4, 1981 concerning my telephone conversation with him in regard to our protests to Utah Power & Light's mining plans for the Wilberg and Deer Creek Mines in Emery County.

In my conversation with Mr. Smith, I neither authorized nor suggested the action he has related to you regarding our protest. I inquired by telephone to Mr. Smith on November 2 as to the status of your letter of October 16, 1981 to him requesting a ten-day reply. I did express my concern regarding the USGS water study on East Mountain and stated that it should be included in the permit review.

Our main concern is, as previously stated, that mining continues and nothing is being done to protect the aquifers. To follow the plan Mr. Smith has suggested in his letter, which would be to continue with the normal review process, could take several months. Much damage to our property could take place in that period of time. My position is, as it always has been, that mining should cease until there has been a complete review of the mining and reclamation plans. Any decision of the magnitude of this kind by me most certainly would be by written communication from my attorney, not through a casual telephone conversation with Mr. Smith. Consequently, my prior concerns and requests remain in effect.

Very truly yours,

*Edward S. Crawford*

EDWARD S. CRAWFORD

cc: J. Smith  
Utah Division of Oil, Gas & Mining

File ACT/AS/CIS A &  
Copy to Route &  
Sally & Tom T.  
JIM & Lee

AUG 19 1981

AUG 12 1981

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AUG 14 1981

DIVISION OF  
OIL, GAS & MINING

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M.A.  
DWA

Mr. E. S. Crawford  
1809 Yalecrest Avenue  
Salt Lake City, Utah 84105

Dear Mr. Crawford:

I have been contacted by the U.S. Geological Survey in regard to your letter of May 19, 1981, to Mr. Jackson Moffitt. In this letter, you asked for an assessment and any appropriate action to protect your water rights on East Mountain. As you know this Office is preparing an Apparent Completeness Review (ACR) for the Utah Division of Oil, Gas and Mining (UDOGM) for both the Wilberg and the Deer Creek Mines. After an ACR has been completed, the UDOGM will perform a Technical and Environmental Assessment TEA on these mining and reclamation plans. It is most appropriate to take action on your request at that time. The Utah program (which already has a conditional approval) has regulations to subsidence control (UMC 817.121 - 126) and water rights and replacements (UMC 817.54). These regulations provide several options for surface owner protection. A decision on which one of these options will be most appropriate will not be made until a TEA is performed.

UP&L has instrumented several panels over both the Deer Creek and Wilberg Mines. The information being obtained is useful in measuring and predicting the effects of subsidence in future mine areas. To date, subsidence has been measured over the Deer Creek panels; however, no surface manifestations (i.e., fractures, vegetation changes and spring flow diversions) have been observed.

Sincerely,

Original signed by

DONALD A. CRARE

cc: Jackson Moffitt, USGS, SLC ✓  
James Smith, UDOGM, SLC ✓  
Reed Christensen, Manti LaSal Forest, Price

bcc: Chron  
OFC  
Reading File/ED  
John Nadolski

John Nadolski:blu:gm:06/25/81:hp:7/7/81  
Retyped: 7-8-81:blu Retyped:08-07-81:blu