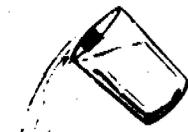


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NORTH EMERY WATER USERS ASSOCIATION

P.O. BOX 418
ELMO, UTAH 84521
TELEPHONE 853-2849



February 28, 1984

FILE
ACT/015/018, #2
copy to Mary
Palm

Dr. Dianne Nielson, Director
Division of Oil, Gas and Mining
4241 State Office Building
Salt Lake City, Utah 84114

ATTN: James Smith

Dear Dr. Nielson:

Having been directed by the Board of Directors of the North Emery Water Users Association (NEWUA), I would like to put the Board on record concerning the Utah Power & Light Company, Deer Creek Mine Act /015/018.

NEWUA is a non-profit Association providing culinary and livestock water to approximately 636 connections in the Northern portion of Emery County. The sources of water for our system come from Springs in Rilda Canyon and Huntington Canyon.

All of our Springs are in close proximity to the Deer Creek Mine properties. The map enclosed shows coal leases in the area of our Springs and the location of our Springs.

The three Springs on the Southwest side of Huntington Creek, located in Sections 26 and 27, are within 2,000 feet of the Deer Creek Mine Lease. We are concerned that mining in this area may contaminate and/or interrupt the Aquifer supplying these Springs.

The Rilda Canyon Springs consist of three individual Spring areas; two in the bottom of Rilda Canyon and one in a side canyon tributary to Rilda Canyon. Two of these Springs, the North Spring and South Spring, are within the Deer Creek Mine Lease.

The Rilda Canyon Springs produce up to 70 percent of the total water supply to NEWUA. The Rilda North Spring produces up to 80 percent of the flow from the Rilda Canyon Springs.

In a study prepared for West Appa Coal Company, Vaughn Hansen Associates found that water in the Rilda North Spring issues from fractures in the north side of the Canyon. Based on this finding and others in studies by Vaughn Hansen Associates for other clients, we believe the possibility of contamination or diminution exists from the Deer Creek Mine.

Dr. Dianne Nielson
pg. 2
February 28, 1984

A portion of the Deer Creek Mine Lease lies directly to the north of our Springs.

Vaughn Hansen Associates postulates that recharge for the Rilda North Spring is through a fracture zone in the Starpoint Sandstone, which underlies the Hiawatha coal seam. If the fracture zone extends north to the Huntington Creek, the Deer Creek Mine will be located directly on top of the zone.

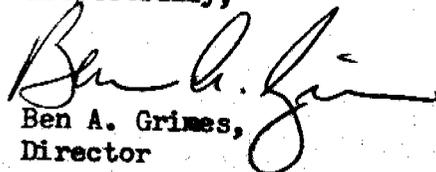
The presence of anomalies during the Vaughn Hansen Associates VLF study for West Appa, indicate a fracture pattern. This fact is backed up by evidence of fractures on aerial photography as seen with a stereoscope.

We recognize Utah Power & Light Company's right to mine coal in the area. We do not oppose mining but, we must be sure that every effort has been undertaken to insure the integrity of our water supply. We do not feel that an adequate effort has been taken to address the ground-water hydrology in the area as required by UMC 783.13(a), UMC 783.15(a), UMC 784.14(a), UMC 784.14(b), UMC 784.14(c), UMC 817.41(a), UMC 817.41(b), UMC 817.52(a) and UMC 817.54.

In summary, we are concerned with all of our Springs in relation to the Deer Creek Mine. We are concerned that not enough is known about the Aquifers supplying our Springs. We are concerned that not enough is known about the effects that mining may have on our water supply.

We are confident that these questions can be answered and that all parties involved in the mine plan review process can come to mutual solutions.

Respectfully,


Ben A. Grimes,
Director

BAG:ll

enclosure

cc: Joane White
Huntington Cleveland Irrigation Co.
Marv Allen
Mark Page, State Engineer
Office of Surface Mining