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March 21, 1979

Division of Oil, Gas and Mining
Department of Natural Resources
1588 West North Temple
Salt Lake City, Utah 84116

Attn: Mr. Ronald W. Daniels

Re: Amendment to Wilberg Mine Reclamation Plan

Gentlemen:

This letter is written in response to Utah Power & Light Company's letter of January 15 wherein they enclosed an addendum to the Reclamation Plan for the Wilberg Mine operation. After careful consideration of the addendum, which has included discussing the same with various experts in the field, it is our judgment on behalf of the Crawfords who are the surface owners, that the addendum to the Reclamation Plan is unfeasible, unrealistic and in fact, just so many words in an attempt to circumvent the requirements of the state and federal statutes requiring realistic reclamation plans. Again, I would like to quote from the Final Environmental Statement, Emery, Chapter 6 which in part reads:

> "The subsidence effects above the Wilberg Mine must be considered as long-term. Complete restoration of the area to its original condition would be considered unreasonable and impractical. Use of the surface for cabin sites, sewer and water lines, recreational pursuits such as camping, hiking, ORV, and hunting, and use by livestock and wildlife could be foreclosed in part or entirely.
>
> Subsidence following mining operations could intercept ground water aquifers above the mined areas. Springs, including nine that have been measured, could be affected with the possible loss of over 180 acre-feet per year of surface discharge."

The Reclamation Plan submitted further verifies the above statements in the Environment Impact Statement. The Reclamation Plan is impractical, unrealistic and does not guarantee long-term use of the surface owners. Mr. Crawford has discussed the plan with the State Engineer's office and they are of the same opinion. To be more specific, the plan acknowledges the possibility of catastrophic occurrence above the mine, but it also indicates the surface would have to be unsafe to inhabit in order to initiate the plan. Much undesirable surface damage could occur prior to either of the above situations. Pumping water from Cottonwood Creek or Huntington Creek could be accomplished only at a great and unreasonable expense and its permanency over a lifetime span of use is questionable. The same applies for the drilling of the well and maintaining the same at an elevation of 9500 feet. Also, if the mine caves in as is contemplated, the amount and quality of any available water is highly speculative.

Mr. Crawford has himself contemplated a water impoundment system on his property on the lower reaches of the left fork in Grimes Wash. This, however, is directly above and adjacent to the mine portal and facilities. Any flooding by a flash storm in the head of the cove could cause severe damage to the portal area of the mine.

We have no objections to the monitoring system, and as noted in Mr. Jerman's letter of January 15, I have agreed to the method proposed. This, however, provides no solution to the problem whatsoever, only a means of measuring damage. There are two alternatives I would like to suggest. The mining plans should be altered immediately to leave enough coal in place to prevent any of the above damages from occurring. We have also been advised by the Department of Interior that back-filling after the mining operation is being conducted in some areas. This could be given some consideration also.

We are experiencing surface damage as noted this past November in the form of subsidence cracks three feet wide. This surface damage cannot be repaired. We, therefore, request immediate relief regarding the mining operation and mine plan itself.

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To the best of our knowledge, UP&L owns no springs on East Mountain except a portion of Burnt Tree Spring. The Crawfords have a filing on that spring themselves. It is also subject to loss by the mining operation as indicated in the Environmental Impact Statement.

Please give this matter your immediate attention.

Very truly yours,

H. WAYNE WADSWORTH
Attorney for Edward S. Crawford, et al

HWW:jd

cc: Ralph L. Jerman, Esq.
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Don Crane, OSM (Denver)