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Director

March 12, 1980

Mr. Wendell J. Owen
Co-op Mining Company
P.O. Box 300
Huntington, Utah 84128

RE: Bear Creek Canyon Portal
Emery County, Utah
ACT/015/025

Dear Mr. Owen:

The Division staff has completed its review of the plans submitted for the Bear Creek Canyon Portal. The Division is prepared to approach the Board of Oil, Gas and Mining for the issuance of tentative approval under the interim regulatory program provided, however, that the following stipulations are agreed upon.

1. Mining will not occur within 100 feet on either side of the two major normal faults that cross the property, trending north-south. Consult the enclosed map.
2. Culverts shall be placed in accordance with the proposed permanent program requirements. A copy of the applicable requirements are enclosed for your reference. Any section of road that is used for coal haulage shall be designed, constructed and maintained as a Class I road. All other sections of road shall be designed, constructed and maintained as a Class II road.
3. The proposed road crossing of Bear Creek shall utilize culverts that will pass at a minimum 130 cubic feet per second with headwater no higher than the culvert intake. This requires either one 60 inch culvert, two 48 inch culverts, or three 42 inch culverts.

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The wash adjacent to the sediment pond that was filled-in must have a culvert placed in it. A culvert capable of passing at a minimum 3 cubic feet per second is required. An 18 inch culvert is adequate.

Inlets and outlets of these structures must be rip-rapped and trash racks must be provided upstream of the inlets.

4. The disturbed area at the face-up shall be graded so as to drain runoff occurring from the disturbed area only into the underground workings. Runoff from the undisturbed area shall be diverted from the pad by the use of revegetated berms and other appropriate diversion structures.
5. The proposed fuel storage facility, as shown on the map received December 19, 1979, shall be bermed such that if a spill occurred complete containment of the fuel capacity is possible.
6. The mine site is to be inspected by the Division when surface construction is completed for compliance with the permit. If violations are found, compliance shall be completed prior to the mining of coal.

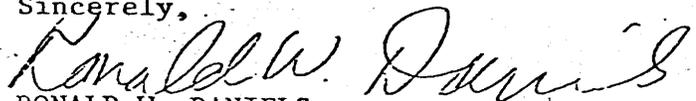
In addition to the above stipulations, that must be agreed upon prior to issuing tentative approval, the Division must resolve the protest submitted by the Castle Valley Special Service District.

Upon receipt of agreement to the stipulations and resolution of the protest filed by the Castle Valley Special Service District the Division will approach the Board for the issuance of tentative approval under the interim regulatory program. Co-op Coal Company is advised that a new permit will be required when the permanent program becomes effective. The gathering of data for the permit application should begin immediately.

PLEASE NOTE THAT NO MINING ACTIVITIES MAY BEGIN UNTIL FINAL APPROVAL IS ISSUED.

If you have any questions, please feel free to call.

Sincerely,



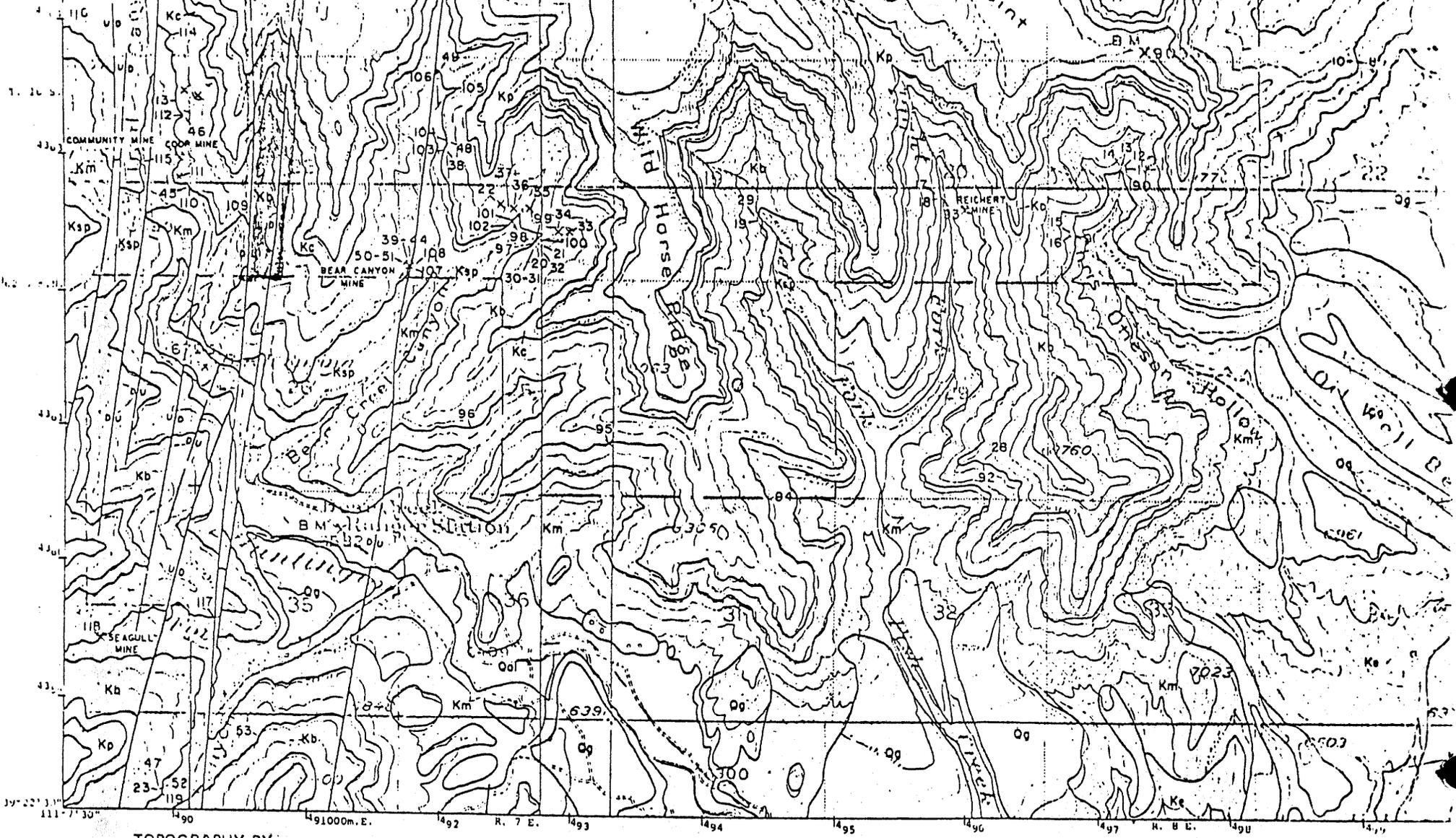
RONALD W. DANIELS

COORDINATOR OF MINED LAND DEVELOPMENT

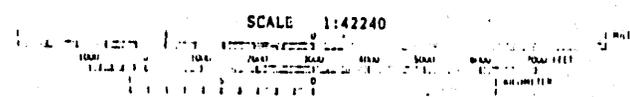
RWD/te

Enclosure: Sections MC 817.50-817.166 of Proposed Permanent Regulations.
Map

cc: Eldon Kingston, Co-op Mining Co.
Donald A. Crane, Region V, O.S.M.



TOPOGRAPHY BY
 UNITED STATES
 DEPARTMENT OF THE INTERIOR
 GEOLOGICAL SURVEY



Geology and coal data by
 E. M. Spieker, 1931, USGS

Figure 40. Coal and geology map, Hiawatha NE quadrangle (explanation pages 136-137).