

WENDELL OWEN
CO-OP MINING COMPANY
BOX 1245
HUNTINGTON, UTAH 84528

Phiz
Portle

File ACT/015/025
Copy to Joe for
any action.
address change

RECEIVED

May 19, 1981

#7

MAY 26 1981

DIVISION OF
OIL, GAS & MINING

James W. Smith
Division of Oil, Gas, & Mining
1588 West North Temple
Salt Lake City, Utah 84116

Dear Mr. Smith;

I must apologize for the delay in responding to the letter of May 7, 1981 from the Division. I have been away from the mine, and returned on Monday May 18th to find the certified letter had been signed for and picked up by an employee on May 9th. In order to avoid this problem in the future, please note the change of address to box #1245 in place of box #300 as shown at the top of this page. Please address all communication, both certified and regular to my personal attention, box #1245 Huntington, Utah, and send a copy to Carl E. Kingston
53 West Angelo Ave.
Salt Lake City, Utah 84115.

As there seems to be a little confusion as to the situation at the Bear Canyon property at the time of the March 26, 1981 inspection by Joe Helfrich and Tom Portle, I am enclosing a signed statement by Dennis White concerning the culverts and berms. I had assigned Dennis the job of installing these structures, including the rip rap and trash collectors. These trash racks were in place on every culvert before he phoned Joe Helfrich. The only fuel storage during construction is a 500 gal. tank truck equipped with a pump, hose, and nozzle that is used to refuel the tractors. Since this truck would obviously run over and break down a dirt berm every time it had to go to be refilled, Joe Helfrich suggested to Dennis place bales of straw around the truck that could be moved to let the truck in and out. This was done immediatly.

In regard to the Class I haulage road, there is some question as just what the Company has the responsibility, or even the right to change. The greater part is outside of the permit area, a good part in Bureau of Land Management property. It has been there for many years, and is a right of way to other interests other than Co-op Mining Company. It is our intention to work in harmony with the Division on this road, but since it is not being used as a haulage road, and will not be used as such for some time, we do not feel it needs to be resolved prior to other preparation work in other areas.

The letter states the Division has not been contacted by Mr, Owen or Castle Valley Special Service District concerning outcome of their protest. Please refer in your files to an order of the Board of Oil, Gas, and Mining on June 18, 1980 stating the Board lacks jurisdiction to condition approval upon an agreement between the parties with respect to replacement of the water supply.

Respectfully,

cc: Carl E. Kingston
John Garr

Wendell Owen

Wendell Owen

May 20th 1981

Dear Joe Helfrich

Wendal Owen asked me to take the responsibility of making sure the culverts was in with riprapping and trash guards, and check all burnms on the roads and the pad at the mine portal area at the co-op Bear Canyon Mine - After completing these things to the best of my knowlage at Wendal's request I telephoned you and ased if you would come and make an inspection to see if there was anything else that needed to be done to get the final permit.

On the 26th of March 1981 you came and made an inspection of all the things mentioned above. At that time we drove to the top in your car and inspected the burnms at the mine portal area.

You and I walked down the road and inspected the burnms on the road, and all the culverts for the riprapping and trash guards while Tom drove the car to the botom. At that time you inspected the topsoil stock pile and the topsoil stockpile sign.

You said everthing looked ok except the diesel tank wasnt in and the water discharge from the old mine portal to be fixed so it wouldn't erose. At that time I mentioned that the diesel tank couldn't be put in untill the cat work was done, and that I was using the fuel trucks to fuel these equipment with. You said that was ok if I would put the truck inside a dirt burn or some straw bales. You also asked if the eighteen inch

culvert had been put in, and I said yes it was in with a trash guard. At that time Tom asked if you wanted to go and look at the eighteen inch culvert and you said no you would take my word that it was done, and that you didn't have time and needed to get going.

Wendal Owen showed me a letter that you had sent to him stating that the eighteen inch culvert didn't have a trash guard and that the sixty inch culvert didn't have a trash guard or wasn't riprapped. Both of the culverts was complete with trash guards and riprapping at the time of that inspection.

I have put the fuel truck in a pit with a dirt berm around it with straw bales in front of the truck. The water discharge from the old mine portal has been fixed so it won't erode.

To my knowledge every thing is in order to this date.

Thank you
Dennis White