



0015
STATE OF UTAH
NATURAL RESOURCES
Water Rights

041/002 #2

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer

Southeastern Area • 453 S. Carbon Avenue • P.O. Box 718 • Price, UT 84501-0718 • 801-637-1303

April 14, 1992

RECEIVED

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Division of Oil, Gas & Mining
Attn: Daron Haddock, Permit Supervisor
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

DIVISION OF
OIL GAS & MINING

Re: Permit Renewal Application
Southern Utah Fuel Company (SUFCO)
Convulsion Canyon Mine

Dear Daron:

The above referenced mine permit application has been reviewed. The comments listed below, address concerns or requirements of this office.

1) Page 3-31, discusses the enhancement or maintenance of wildlife habitat which may include development of springs or other water sources. As indicated in the text, any anticipated changes or developments to water sources should be coordinated with this office.

2) Pages 3-38, 3-47 and Appendices 2-2 & 2-3 discuss supplemental irrigation which may be used during reclamation. In the event that irrigation is required, it will be necessary to file additional paper work with this office to accommodate such uses.

3) Page 3-39 and Plate 3-3 identify a wildlife guzzler in the NE4NE4 Section 28, T21S, R5E, SLB&M. Upon review of office files, a water right could not be identified for this development. Since the use is considered consumptive, an Application to Appropriate Water should be filed with this office by SUFCO or the land managing agency.

4) The mine plan identifies three sedimentation ponds within the permit area. The underground waste disposal site pond has been approved pursuant to the requirements set forth by Section 73-5A-202 of the Utah Code. However, Form R-69, has not been completed for the remaining two structures. Therefore, a form should be completed for each existing facility and be submitted to this office.

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5) Several sections of the mine plan (Chapter 7, Appendices 3-2, 3-3, 7-2) discuss the possible effects of mining induced subsidence upon the area water resources. Due to the natural sealing effect of swelling shales, impacts related to subsidence are expected to be minimal. However, it should be noted that any loss or diminution of flow from any source should be considered significant. In the event that replacement or mitigation is required, proposals should be coordinated with this office.

I appreciate the opportunity to review SUFCO's mine plans. Should you have any questions regarding the foregoing comments, please feel free to contact me.

Sincerely,

William A. Warmack

William A. Warmack
Assistant Regional Engineer

cc: Southern Utah Fuel Company
Attn: Mr. Ken Payne, Manager
P.O. Box P
Salina, Utah 84654

WAW/mjk