EagleRockCEm Resource

From: pharb2@msn.com
Sent: Friday, June 05, 2009 5:39 PM
To: EagleRockEIS Resource
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Attachments: Comment article for submission.pdf

I don't live in Idaho so I cant really comment on an enrichment plant project that Areva wants to build. I do submit an article on the water supply that the LES plant will get its water from in Lea county, New Mexico ; because I have an idea the Les plant will come up in comments concerning the idaho areva facility.

The ogallala aquifer in Lea county, New Mexico is in extreme decline.

Regards
Phillip Barr
New Mexico

Federal Register Notice: 74FR20508
Comment Number: 17

Mail Envelope Properties (BAY104-DS4AC6AF75DE92323FD50619E480)

Subject:
Sent Date: 6/5/2009 5:38:46 PM
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From: pharb2@msn.com

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New rules aim to protect water users

LEVI HILL
NEWS-SUN

Proposed new guidelines for acquisition of water rights in the Lea County area should protect water users of all levels and help ensure there is water for future generations.

That was the message from members of the New Mexico Office of the State Engineer Thursday at a public meeting at the Lea County Event Center.

"The guidelines are a framework on how we treat applications," said John D'Antonio, state engineer. "The guidelines exist to protect the existing water rights. They are not as rigid as rules and regulations, but they define the way we look at hydrological models so we better know what is going on."

The proposed guidelines were first drafted in 2003 and have gone through a development process with the Lea County Water Users Association for more than five years before the state office set them into motion for approval.

Thursday's meeting was one in a series to gather input on the guidelines, which pertain to the High

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Plains aquifer beneath Lea and parts of Gaines counties and the Ogallala Formation, which covers parts of seven states including New Mexico.

The new guidelines coincide with the state declaring the Lea County Underground Water Basin a "closed basin," meaning no new water rights can be filed in the basin.

"A lot of basins in New Mexico are considered closed to new appropriations," D'Antonio said. "This is to protect those in the basin from newcomers."

The closing does not apply to the transfer of water rights from one use to another and the new guidelines do not apply to domestic use, stock or temporary construction well applications, said Tom Morrison, a consultant for the state engineer's office.

"The guidelines do not have anything to do with issuing those permits," he said. "They also do not alter the existing permit conditions."

Under the new guidelines, water right transfers would have to meet a series of conditions before they could be approved. Those conditions have been set in place because hydrological projections show that large portions of the county will have water saturation thickness below 55 feet by 2045, Morrison said. Those areas have been declared critical management areas.

Saturation is the depth of water from either the red bedrock bottom of the aquifer or, in the case of wells, the depth of water above the well pump.

Much of the water loss is along Lea's eastern border with Texas.

"This is a 40-year planning model we have set up extending to 2045," he said. "That model extends into Texas six-seven miles because they are pumping more water than us and they are affecting our water supply."

Under the new guidelines, water rights could not be transferred to other uses if studies show those uses would cause more than a 0.2 foot per year decline in the aquifer level in non-critical management areas and more than 0.025 feet per year in CMAs.

The rights also could not be transferred if the new use would deplete the saturation thickness to 55 feet or less or if it reduced saturation at neighboring domestic wells to less than 20 feet.

D'Antonio said meetings with the Lea Water Users groups have also put into motion the potential for future requirements on well metering for all wells.

The guidelines will be up for approval at a future date. For more information on the guidelines, contact the Office of the State Engineer at 505-764-3864.