



BEFORE THE NEW MEXICO STATE ENGINEER

IN THE MATTER OF NEW GROUND WATER)
APPROPRIATIONS AND APPLICATIONS TO)
TRANSFER WATER RIGHTS TO EXISTING)
GROUND WATER WELLS IN THE VICINITY OF)
THE BLUEWATER/HOMESTAKE FORMER)
MILLING AREA OF CIBOLA COUNTY WITHIN)
THE RIO GRANDE UNDERGROUND BASIN)

STATE ENGINEER ORDER

WHEREAS, the United States Nuclear Regulatory Commission (NRC), with support from the United State Environmental Protection Agency (EPA), the United States Department of Energy (DOE) and the State of New Mexico Environment Department (NMED) is providing regulatory oversight for ongoing monitoring, closure and remedial actions at the former Bluewater and Homestake Uranium Milling operations site (Site) near Bluewater and Milan New Mexico, respectively; and

WHEREAS, the groundwater in these areas is contaminated with nitrate, selenium, uranium, combined radium-226 plus radium-228, chloride, sulfate, total dissolved solids, and molybdenum; and

WHEREAS, on the 15th day of February, 2018, the Office of the State Engineer (OSE) received a request from NMED to issue an order restricting the permitting and drilling of wells for new appropriations of groundwater, including under Sections 72-12-1.1, 72-12-1.2, 72-12-1.3, and 72-12-3 NMSA 1978, or replacement or supplemental wells under Sections 72-12-22, 72-12-23, and 72-12-24 NMSA 1978, and also restricting the permitting of any change to the point of diversion of any existing water rights to wells within the boundaries of the Site as identified on the maps attached to this Order as Attachments A and B, in order to protect human health and prevent interference with the remediation activities. These maps show the estimated extent of the contaminated groundwater within the Alluvial (attachment A), and the upper, middle and lower Chinle (attachment B) aquifers; and

WHEREAS, the extent of contaminated groundwater lies entirely within the area delineated by the coordinates below and as shown on Attachments A and B. The Site located within the Alluvial (attachment A) is described by latitude and longitude as such: Latitude 35°16'47.50" N, Longitude -107°57'30.20" W; Latitude 35°15'07.10" N,

Longitude -107°57'30.60" W; Latitude 35°13'14.50" N, Longitude -107°54'57.50" W; Latitude 35°12'14.00" N, Longitude -107°54'23.50" W; Latitude 35°12'14.00" N, Longitude -107°52'19.00" W and Latitude 35°16'45.80" N, Longitude -107°50'09.50" W. The contaminated area within the Chinle (attachment B) is contained within the larger Alluvial area and described by latitude and longitude as: Latitude 35°16'35.00" N, Longitude -107°54'25.60" W; Latitude 35°12'28.50" N, Longitude -107°54'24.00" W; Latitude 35°12'28.50" N, Longitude -107°52'09.00" W; Latitude 35°16'33.70" N, Longitude -107°50'09.50" W; and

WHEREAS, this request comes not only to protect human health, but also to prevent interference with groundwater flow associated with ongoing remediation; and

WHEREAS, this Order shall be in effect in perpetuity or until such time as the groundwater concentrations have decreased to levels less than the Water Quality Control Commission (WQCC) standards set forth in 20.6.2.3103 NMAC, and is applicable to any proposed water wells (public or private) within the specified area; and

WHEREAS, the moratorium set out in this Order shall exclude the areas within the NRC licensed boundaries for the Homestake Mining Company of California Site and the Bluewater Site; and

WHEREAS, the moratorium set out in this Order shall not apply to applications for permits for the drilling and installation of wells associated with the remedial action or the measurement of contaminant concentrations.

NOW THEREFORE, IN THE INTEREST OF PUBLIC SAFETY AND PROTECTION OF HUMAN HEALTH, IT IS HEREBY ORDERED that no new appropriations of groundwater, including by new wells permitted under NMSA 1978, Sections 72-12-1.1, 72-12-1.2, 72-12-1.3, or 72-12-3, or replacement or supplemental wells under Sections 72-12-22, 72-12-23, and 72-12-24 NMSA 1978, and no changes to the point of diversion of any existing water rights to wells shall be allowed within the area described above, except for those in support of NMED remedial actions or the measurement of contaminant concentrations. These restrictions shall remain in place for perpetuity or until such time as the groundwater concentrations have decreased to levels less than the WQCC standards set forth in 20.6.2.3103 NMAC. Any well owner wishing to plug an existing well within this area must coordinate with both the NMED and the OSE.

WITNESS my hand and official seal this 02 day of MAY 2018



Tom Blaine, PE
New Mexico State Engineer

Reviewed:



Gregory C. Ridgley
General Counsel



0 0.5 1 Miles



RECEIVED
OFFICE OF STATE ENGINEER
SANTA FE NEW MEXICO
DATE 2/28/18

Page 2

Legend - Attachment A

-  Bluewater NRC Licensed Site Boundary
-  Homestake NRC Licensed Site Boundary
-  Proposed Alluvial Aquifer Prohibition Boundary

Attachment A

Alluvial Boundary Map Coordinates - Former Bluewater and Homestake Uranium Milling Sites

Latitude	Longitude	Description
35°16'47.50"	107°57'30.20"	NW of Bluewater Mill (Section 12, T12N,R11W)
35°15'07.10"	107°57'30.60"	East of Bluewater (Section 24, T12N,R11W)
35°13'14.50"	107°54'57.50"	NW of Milan (Section 32, T12N,R10W)
35°12'14.00"	107°54'23.50"	N of Milan (Section 4, T11N,R10W)
35°12'14.00"	107°52'19.00"	NE of Milan (Section 3, T11N,R10W)
35°16'45.80"	107°50'09.50"	NE of Homestake Mill (Section 12, T12N,R10W)

RECEIVED
OFFICE OF STATE ENGINEER
SANTA FE NEW MEXICO
DATE 2/21/18

0 0.5 1 Miles



RECEIVED
OFFICE OF STATE ENGINEER
SANTA FE NEW MEXICO

DATE 2/21/18

Legend - Attachment B

-  Bluewater NRC Licensed Site Boundary
-  Homestake NRC Licensed Site Boundary
-  Proposed Chinle Aquifers Prohibition Boundary

Attachment B

Chinle Boundary Map Coordinates – Former Bluewater and Homestake Uranium Milling Sites

Latitude	Longitude	Description
35°16'35.00"	107°54'25.60"	East of Bluewater Mill (Section 16, T12N,R10W)
35°12'28.50"	107°54'24.00"	N of Milan (Section 4, T11N,R10W)
35°12'28.50"	107°52'09.00"	NE of Milan (Section 2, T11N,R10W)
35°16'33.70"	107°50'09.50"	NE of Homestake Mill (Section 12, T12N,R09W)

RECEIVED
OFFICE OF STATE ENGINEER
SANTA FE NEW MEXICO
DATE 2/21/18