

Summary

This is an application for conditional Groundwater and Surface Water rights associated with the proposed Pinon Ridge Milling Facility in Montrose County. Applicant is claiming new groundwater rights for up to 7 wells with a maximum pumping rate of 0.78 cfs, and up to 564 acre feet. Additionally, applicant is claiming a new surface water right for the Zero Discharge Facility, which is expected to capture all precipitation and runoff from various locations on the Mine property. The amount of water claimed for the Zero Discharge Facility is 428 acre feet, which is based upon the maximum recorded annual rainfall over the Facility. No augmentation plan is requested because the applicant believes there is water available for appropriation.

CWCB Appropriations

The CWCB holds the following instream flow water rights that could be injured by this application:

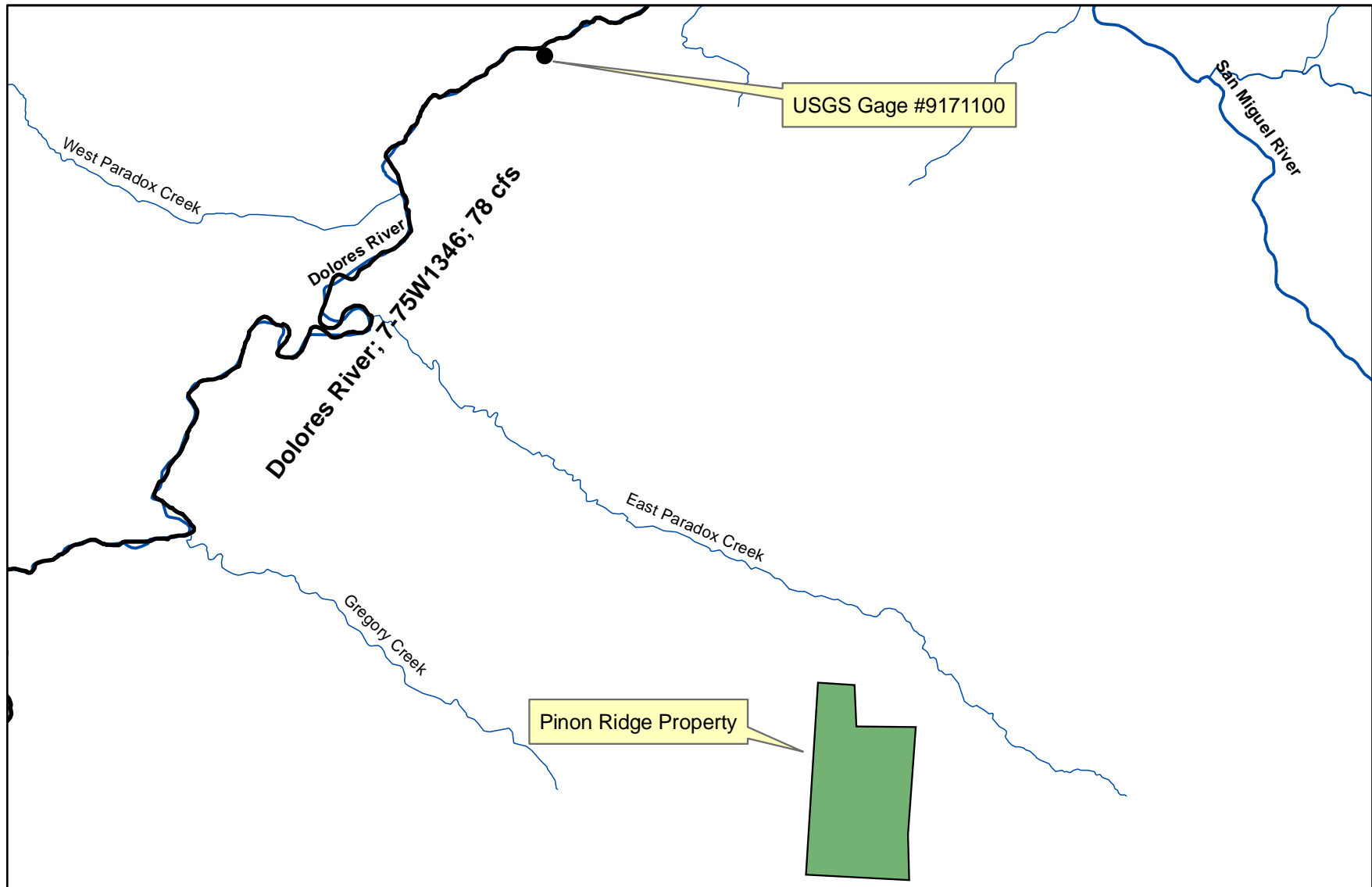
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
7-75W1346	Dolores River	78	5/1/1975	Dolores	San Miguel, Montrose, Montezuma, Dolores

Potential for Injury

Due to the nature of the proposed water rights, it will not be possible to curtail out of priority depletions. The proposed wells could have significant lagged depletions, and the Zero Discharge Facility will be designed to capture all precipitation and prevent runoff from the property. The Division of Water Resources has not required plans for augmentation in this area because the area has not been deemed over-appropriated by DWR. However, the CWCB has previously placed a call for the Dolores River instream flow right, and gage data indicates that the instream flow amounts are often not met.

Other Objectors

Other objectors include Sheep Mountain Alliance, the Bureau of Land Management, and the Red Rock Forests and Living Rivers Conservation Groups.



May 18-19, 2010 Board Meeting
Consent Agenda Item 1g; Statement of Opposition
Case No. 4-09CW144; Energy Fuels Resource Corporation

