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From: Jim Smith
To: Wayne Hedberg
Date: 1/23/2006 3:26:08 PM
Subject: Fwd: Re: Water users legislation HB 228

Wayne,

I just visited with Jerry Olds for about 10 minutes regarding HB 228 and the possible consequences for coal mining, in particular for the mines in the Huntington drainage. Some of the points in Jerry's replies to the concerns I expressed were:

1. the intent of the law is large ground-water basins, not smaller areas such as the Electric Lake sub-basin, and basically large basin-wide drawdowns occurring because of long-term withdrawals for irrigation.
2. the legislation is aimed at eliminating long term, continuous drawdown, not the situation typically found at coal mines where there is a short period drawdown, followed by a long period of stability, and where the drawdown may be large locally but does not affect the entire basin.
3. the requirements for understanding the hydrology before making the determination would allow time for input from the mines and others and would preclude quick or snap judgements
4. it would require 1/3 of the individual water right holders to request state engineer adopt a groundwater management plan, i.e., HCIC is one water right holder, so they alone could not push this process in the Hunting Canyon basin (if that really is a ground-water basin as considered in HB 228).

Overall, Jerry expressed that the Division of Water Rights is not seeing this bill as impacting the coal mining industry, that it certainly is not the intent of this bill. He noted our concerns and will keep them in mind as his division works on this legislation.

JIM

>>> Wayne Hedberg 01/23/2006 8:25 AM >>>

Jim, just to let you know, we may be looking to you as the go to person for mining (i.e., primary contact) with input from other hydros as need be.

Hope that's OK with you sir?

Thanks,

Wayne

CC: hydrology working group; Lucia Malin