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Utah State Legislature

Senate • Utah State Capitol Complex • 320 State Capitol
PO Box 145115 • Salt Lake City, Utah 84114-5115
(801) 538-1035 • fax (801) 538-1414

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PO Box 145030 • Salt Lake City, Utah 84114-5030
(801) 538-1029 • fax (801) 538-1908

September 16, 2009

Snake Valley Agreement
c/o Utah Department of Natural Resources
Division of Water Rights
1594 West North Temple, Suite 220
Salt Lake City, UT 84114

Dear Director Styler:

Thank you for the opportunity to submit comments on the proposed Agreement for Management of the Snake Valley Groundwater System (Agreement). As you know, our committee has been following this issue for the past few years and have considered multiple pieces of legislation to address it.

In August of 2006, committee members visited the Snake Valley area. We met with many citizens and listened to their concerns regarding the proposal to withdraw water from the Snake Valley. We consider this a critical issue, not only for the citizens within the Snake Valley area, but for the state as a whole.

In particular, we are concerned about the effect mining groundwater from the aquifer would have. Although Section 5.4 of the Agreement prohibits mining or overdrafting groundwater, the Agreement does not specifically address how mining would be determined and over what period of time.

Our committee is familiar with the controversy and difficulties associated with possible groundwater mining in other parts of the state and have visited the Beryl/Escalante Valley to witness and learn from these difficulties. It is challenging in Beryl Valley to tell exactly how much water is being mined or whether the drop in the water table is a local effect of adjacent wells. For example, there was a wide variety of water table readings between different wells that were tested.

Based on this experience, we request the addition of a few sentences in the middle of Section 5.4 of the agreement to include the following concept:

Before SNWA exports any groundwater from Snake Valley, the state engineers will establish and jointly agree upon:

- (1) the method that will be used to monitor and determine when groundwater mining is occurring;
- (2) the time period over which the mining determination will be made to distinguish mining from the natural fluctuation of the aquifer level;

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- (3) the method that will be used to distinguish between groundwater mining, drought, and local interference between wells; and
- (4) the criteria that must be met before reductions in withdrawals are required.

We thank you for your consideration and respectfully request that you incorporate these suggestions into the Agreement.

Thank you for your efforts in this regard.

Sincerely,



Dennis E. Stowell, Senate Chair
Natural Resources, Agriculture,
and Environment Interim Committee



Roger E. Barrus, House Chair
Natural Resources, Agriculture,
and Environment Interim Committee

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