

# Deseret News

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## Utah groups challenge water plans for proposed uranium mill

*Published: Wednesday, Feb. 3, 2010 1:21 p.m. MST*

MOAB — Two Utah-based conservation groups have filed a challenge in Colorado Water Court to three applications for groundwater that flows into the Dolores River.

The subject of the challenge is an application for three groundwater rights permits needed for development and processing at the proposed Pinion Ridge Uranium Mill in Paradox, Colo.

Energy Fuels Resources is applying for 282 acre-feet of water per year from deep wells on its property and adjacent property to process ore and an additional 428 acre-feet a year in capture and use of precipitation for those areas of the mill that will have zero discharge.

The conservation groups, Red Rock Forests and Living Rivers, filed a "statement of opposition" in water court, asserting concerns about the lack of an "augmentation plan" for the water rights and saying that the proposed use may violate the anti-speculation doctrine under Colorado water law.

Harold Shepherd, acting director for Moab-based Red Rock Forests, said the groups are concerned about the "speculative" nature of uranium mining and milling in southeastern Utah and western Colorado. The groups also are concerned the company will hold onto the water granted by the application without ever developing the mill.

Shepherd pointed to concerns about adding stress to the river system should the area become more arid, and the impact to existing water users.

John Weisheit, conservation director for Living Rivers, said the Dolores River is under consideration for designation as a federally protected Wild and Scenic River, which could be threatened if the applications are granted.

But Frank Filas, the company's environmental manager, said applications were based on maximum annual rainfall recorded in that area, and Energy Fuels Resources' surface monitoring plan shows the water draw will have minimal impact to the river.

Additionally, he pointed out the water rights are conditioned based on use, so he's unclear why the groups would be concerned about the company holding onto water if the mill is not constructed.

The company also developed a monitoring and mitigation plan as part of the permitting process required by Montrose County.

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