
From: Rep. Bruce Chandler
Sent: Thursday, October 01, 2009 5:09 PM
To: Stock Water Working Group Members
Subject: RE: Stock-Water Work Group Submittals

Work Group Members,

Regrettably, I will be unable to attend the October 2nd work group meeting where you will be gathered to discuss ideas and proposals on the stock-water use of exempt wells. Senator Rockefeller is correct in pointing out the purpose of the work group is to look specifically at stock-watering as only one use of the exempt well statute (as opposed to exempt wells in general), however, I'm not sure if now is the best time for the work group to be taking up this issue. Just recently the attorney general came out with a formal opinion affirming DOE's authority to close basins and rejecting their ability to limit the four uses of exempt wells (of which stock-watering is one). In addition, there is the pending litigation (just recently moved to Franklin County) wherein the stock-water use of an exempt well of Easterday Ranches is being challenged by CELP. With this litigation in the courts, I think it makes much more sense for this workgroup to meet after the courts have weighed in on this issue. I think the courts comments and actions will only help our workgroup in making any public policy recommendations to the legislature affecting stock-watering. These are just my thoughts on the matter, and I want to reiterate that I do not in any way suggest we disband, only that we wait till after session or after the courts provide us with their thoughts on the matter.

Sincerely,

Representative Bruce Chandler