

Supporting Document Q

Plan Development Database

2003

MIDDLE RIO GRANDE REGIONAL WATER PLAN

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Chapter One

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-1	Closed	Bob Wessely	Chapter 1	Leslie R. Kryder, LesLie Consulting, LC	Incorporate
6/30/03					
Summary or Issue					
Comment					
This chapter is not yet ready for editing. 1. Introduction -numerous small facts are highlighted as missing or needing verification. -1.3 missing content -1.6 & 1.7 have some very brief text written; are they complete? -1.8 & 1.9 nothing written for these sections					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-2	Closed	Bob Wessely	Chapter 1	Mato Ska <m_zehr@hotmail.com>	Incorporate
Summary or Issue					
Comment					
Goal K is missing in the Introduction [Paragraph 1.3.3].					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-3	Closed	Bob Wessely	1.4	Joe Quintana <jquintana@mrcog-nm.gov>	Incorporate
Summary or Issue					
Comment					
<p>[Leslie] In the interests of accuracy, I'm wondering if you could review the following paragraphs. I plugged in the numbers you sent from the spreadsheets, but it occurred to me that it might not have been clear which numbers applied to phase one and which to phase two.</p> <p>Were the numbers you sent just for phase I or should they be divided between the two phases? The numbers should be divided between the two phases although MRCOG was only required to match the \$150,000. The difference was then used as part of the Phase II work.</p> <p>Leslie</p> <p>Funding the Planning Process The planners obtained funding from several sources in two phases.</p> <p>Phase I – Phase I of the plan development process began in the summer of 1999. The MRCOG obtained \$150,000 appropriated by the State legislature to the ISC for Phase I planning activities. In addition local governments contributed \$161,352 to the process. Phase I ended in early 2002 with the</p>					

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publication of the FWUP [[ref-FWUP report e-mailed earlier]]. See July 1, 1999 Statement of Work in Appendix {{1.4-1}}

Phase II –In 2001, the State Legislature appropriated **some** funds for regional water planning and the Interstate Stream Commission allocated the funds among the water planning regions. On March 12, 2002, the Water Assembly, the Mid-Region Council of Governments, the Water Resources Board and the Interstate Stream Commission negotiated a Phase II contract providing for completion of the regional water plan. Resources were identified from ISC funds (25 %), local government funds (25%) and volunteer in-kind resources (50%)(**Note: the in-kind resources although important and a part of the Scope of Work is not considered a part of the monetary match with the ISC**). This contract divided the participation in the program among the Water Assembly, MRCOG, and the Water Resources Board as established through the partnership Memorandum of Understanding and the October 2000 roles and responsibilities agreement. See Dec 1998 Memorandum of Understanding in Appendix {{1.4-3}} and Oct 2000 Roles and Responsibilities Agreement in Appendix {{1.4-4.}} and March 12, 2003 Statement of Work in Appendix {{1.4-x}}

In addition to the contracts from ISC, local governments provided \$280,253 for MRCOG staff and other direct costs in support of the program.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-4	Closed	A&F	1.9	Martin Zehr	Defer
8/30/03					9/10/03
Summary or Issue					
PAGE 20 SUGGESTION TO REPLACE COLLOQUIAL DEFINITION OF WET WATER – NEED YES/NO FROM AC (COMMENTS 1-4, 1-6, AND 1-18 ARE ALL ABOUT GLOSSARY)					
Comment					
Wet Water – The kind you can pour. Wet water is the phrase used to identify batches of molecules of water vapor, liquid, or solid, but usually liquid					
I would suggest that the emphasis here be less on the physical properties of water, and more on the quantifiable and measurable aspects of what is actually available for use. By making this distinction, the significance becomes apparent to all.					
Wet water: The amount of water that flows in the Rio Grande and is measurable and available for actual withdrawal. Albuquerque municipal supplies come from ground water, and they can be measured by how much is withdrawn, but it can not be measured how much there remains in the aquifer.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-5	Closed	Elaine H and TE	1.6	Joe Quintana <jquintana@mrcog-nm.gov>	Incorporate; see "Summary"
8/25/03					9/10/03
Summary or Issue					
SUGGESTION TO INSERT BLOCK OF TEXT IN 1.6 ON PAGE 17 (PREVIOUS PLANNING); NEED YES/NO FROM AC					

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Yes, but put in appendix. Elaine H will write a one or two sentence summary for reference to the item in the appendix. TEs will ask Joe Quintana to provide a list of additional historic items for the appendix.

Comment

Subject: FW: #227R Verification question

Here's additional text that might be included in chapter 1.

Leslie

-----Original Message-----

From: Joseph Quintana [mailto:jquintana.at.mrcog-nm.gov@LCLC.at.lapin.mailshell.com]
Sent: Monday, August 25, 2003 2:52 PM
To: 'leslie@leslieconsulting.com'
Cc: Mike Trujillo
Subject: RE: #227R Verification question

Leslie - Here is more information on the history of regional water planning:

The MRGCOG received a water planning grant from the ISC in 1989 and a four-volume set of reports on the regional water planning process was produced. The final volume was released in 1993. It was intended by these reports to provide a foundation for the eventual development of a regional water plan. These planning reports came out before the regional water planning template was developed by the ISC and a "Water Plan" was not a product of this earlier work. However, a combination of reports released around 1993-94 from the USGS and New Mexico Tech revealed new data that indicated a significantly reduced volume of water available in what was then called the Albuquerque-Belen Basin. The water assessment that had been published in the MRGCOG reports had been based on available data at that time but was essentially discredited by the new studies. Also, the MRGCOG received an EPA grant (Section 502(j) of the federal Clean Water Act) in 1990 to develop a regional water quality management program. With that EPA grant, a two-volume report on Regional Water Quality Management and a Student Factbook on Water Resources in the Middle Rio Grande Area were published. Subsequent to those regional water planning reports, the MRGCOG redirected water planning activities to local government technical assistance using many of the recommendations from the regional reports. Local water planning involved the adoption of various water conservation and management regulations and ordinances to protect local water resources. The N.M. State Engineer's call for a water plan in the Middle Rio Grande in 1996 was the catalyst for the current regional water planning effort. The City of Albuquerque, U.S. Bureau of Reclamation, State Engineer's Office, and UNM were instrumental in pushing forward with the development of a regional water plan for this area. The formation of the Water Assembly evolved around this time.

-----Original Message-----

From: Leslie [mailto:leslie@leslieconsulting.com]
Sent: Wednesday, August 20, 2003 3:19 PM
To: Joe Quintana
Cc: Mike Trujillo
Subject: #227R Verification question

Joe,

Following is the current text of the water plan. I'm trying to pin down the report being referred to. Is this report the FWUP? Or maybe it's one of the others you already sent me, but I don't know which.

Please clarify.

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After the initial legislation on regional water planning was passed, the Mid Region Council of Governments (at that time Middle Rio Grande Council of Governments) created a report on water resources in the region ((get exact name and substance of report)). However, no further planning took place. Near the end of 1996 interested parties, including Norm Gaume, Frank Titus, Steve Hansen, and John Shomaker began to campaign for an active planning process.

Thanks for your help,

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-6	Closed	TE	1.9	Leslie [leslie@leslieconsulting.com]	ISC Glossary
9/02/03					9/10/03

Summary or Issue

CHOICE OF FORMAL GLOSSARY IN APPENDIX – (A) WATER BUDGET (with mods), OR (B) ISC REGIONAL PLANNING HANDBOOK – NEED “A” OR “B” FROM AC (COMMENTS 1-4, 1-6, AND 1-18 ARE ALL ABOUT GLOSSARY)

Commenters may later suggest deleting irrelevant items or revising those that might conflict with Water Budget.

Comment

Subject: FW: Glossary

A decision is needed about this comment from Frank Titus. Also, if the current glossary is used, the definition of depletion needs to be changed. LK

-----Original Message-----

From: Aguagadfly@aol.com [mailto:Aguagadfly.at.aol.com@LCLC.at.lapin.mailshell.com]

Sent: Tuesday, September 02, 2003 4:18 PM

To: leslie@leslieconsulting.com

Subject: Glossary

Here are two options for a glossary, Leslie. (1) for a short one, use the one in the Action Committee's 1999 water budget pamphlet, as I mentioned on the phone this morning. (If you use this, see the revision I'll give you below.) (2) For one that's more comprehensive, use the one in the Regional Water Planning Handbook. (I had failed to remember this one until being reminded of it today.) It is six pages long. If you want it in electronic format, go to the front page of the state engineer's web site (<http://www.seo.state.nm.us/>) and click on "search engine & site map" block, then type in, "glossary." On the resulting Google page, click on (New Mexico) SEO glossary.

If you use the glossary in the Action Committee's 1999 water budget, the definition for DEPLETION needs to be changed as follows. To the end of the first sentence, add: "in a given time interval (ie. day, season)." To the end of the second sentence, that is, after Elephant Butte Dam, add: "plus or minus changes in reservoir storage." This change to the definition came from Kevin Flannigan of the ISC staff, who I queried this morning.

If you need more help or comments, call me. (That's likely to get a more timely contact than email.)
Frank

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-7	Closed	TE		SKelly@cabq.gov [mailto:SKelly@cabq.gov]	Various; See Comment Text
9/03/03					
Summary or Issue					
SEVERAL SUB COMMENTS FOLLOW:					
Comment					
<p>(a) INCORPORATE PAGE 3, 4th BULLET: 3rd bullet: insert bolded language: Albuquerque is no exception with regard to some of its water rights holdings.</p> <p>(b) DEFER - MOOT – ANTECEDENT NOT FOUND, PROBABLY REFERS TO AN OBSOLETE DRAFT - Page 4: “projected long-term drought” – state the source of this prediction.</p> <p>(c) INCORPORATE - FOUR CITATIONS – TEs WILL ASK JOE QUINTANA TO PROVIDE THESE AND ANY OTHER REFERENCES FOR THE APPENDIX – SEE ABOVE COMMENT 1-5. SUGGESTION TO INSERT FOUR CITATIONS IN SECTION 1.6, PAGE 17 (PREVIOUS PLANNING) - Page 11: Add additional citations for important City, State, USGS, BOR studies. Here are some specific citations.</p> <p>“City of Albuquerque Water Resource Management Strategy,” City Of Albuquerque, Public Works Department (May 1997).</p> <p>“City of Albuquerque Water Resource Management Strategy, Evaluation of Alternatives and Strategy Formulation,” City Of Albuquerque, Public Works Department, CH2MHill (February 1997).</p> <p>“Middle Rio Grande Water Assessment, Final Report,” U.S. Bureau of Reclamation, Albuquerque Area Office (1997)</p> <p>“City of Albuquerque Water Resource Management Strategy,” City Of Albuquerque, Public Works Department, May 1997.</p> <p>(d) DEFER - SUGGESTION TO DELETE “WET” THROUGHOUT COLLOQUIAL GLOSSARY, SECTION 1.9 ON PAGES 19 AND 20 Page 13 Glossary (I would delete the “wet” modifier of “water” throughout.)</p> <p>(e) DEFER - SUGGESTION TO REVISE SIX COLLOQUIAL DEFINITIONS IN GLOSSARY SECTION 1.9, PAGES 19 AND 20:</p> <p>Depletions – suggest different definition: “The portion of a withdrawal that is evaporated, transpired, or incorporated into crops or products, or otherwise consumed and removed from the water environment. It is the difference between what is diverted and what is returned by way of return flows.”</p> <p>Diversions – suggest different definition: “Water that is diverted from a stream or ditch or pumped from a well.”</p> <p>Forfeiture – change 2d sentence: Since 1965, rights are forfeited only if there are four years of non-use and the State Engineer has issued a letter claiming non-use and providing one year opportunity to cure.</p> <p>Pre-1907 Right – delete “claimed, rather than authorized” and change definition: “Water rights in use before the 1907 Water Code. These rights are privately-held and transferable</p>					

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contingent upon following the State Engineer procedure which requires notice and opportunity for protest.”

Return flows – delete “give backs from extractions, delete Deletions/consumptions and add new definition: “Consumptive Use” – similar to “depletions” above.

Wet water – change to read “wet water is the phrase used to identify water, when necessary to distinguish from ‘water rights’.”

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-8	Closed	TE	1.1	Elaine Hebard <EMHebard@unm.edu>	Incorporate
9/08/03					9/10/03
Summary or Issue					
SUGGESTED CLARIFICATION IN 1.1 ON PAGE 1; NEED AC OK					
Comment					
Add at end: "As this plan and process evolve, so will this document, since neither are static."					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-9	Closed	TE	1.2	Elaine Hebard <EMHebard@unm.edu>	Various; See Comment
9/08/03					9/10/03
Summary or Issue					
FOUR ROUTINE EDITORIAL UPDATES IN 1.2 ON PAGE 1; NO AC ACTION NEEDED					
Comment					
<p>INCORPORATE - beginning of second pp - change "unfortunately" to "however".</p> <p>INCORPORATE - 2nd pp Replace "Albuquerque" with "Santa Fe Group"</p> <p>INCORPORATE - 3rd pp - List of States is correct</p> <p>INCORPORATE - 6th pp - change "as they:" to "which"</p> <p>Historical points:</p> <p>(a) INCORPORATE, ALSO ADD REFERENCE TO HISTORICAL WATER RIGHTS (TREATY OF GUADELUPE HIDALGO) - EDITORIAL COMMENT, PAGE 2, LINE 5 - a. In 1982, the United States Supreme Court ruled in the case of Sporhase v. Nebraska ex rel. Douglas, 458 U.S. 941 (1982), ...</p> <p>(b) INCORPORATE -SUGGESTED ADDITION, PAGE 2, LINE 7 -b. Add: "In the early 1980's, El Paso filed suit against New Mexico seeking additional water through well permits. The ruling in City of El Paso v. Reynolds, 563 F. Supp. 379 (D.N.M.1983), relied on the Sporhase decision when determining that New Mexico could not bar El Paso from seeking such permits based solely on wanting to keep groundwater within the State. The Court did, however, set out certain conditions where a state might be able to meet the needs of its</p>					

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residents first. Such a decision gave rise to regional water planning in New Mexico, as can be seen in the resultant statutes."

(c) **INCORPORATE –INDICATE "DOCUMENT WRITTEN BY" INSTEAD OF "ISC THANKED"** SUGGESTED ADDITION, PAGE 2 LINE 18 - c. A note about the ISC "issuing" the Handbook. As noted in the publication, the Commission thanked a group of volunteers who prepared the contents of the Handbook. In that way, it reflected what the larger community felt was necessary in a water plan.

(d) **INCORPORATE -** SUGGESTED FURTHER ADDITION, PAGE 2 LINE 18 - d. Add: "Additionally, the ISC adopted acceptance criteria, which are fully set forth in Appendix ___" at the end of the 3rd point.

(e) **DEFER -** SUGGESTED REPLACEMENT FOR PARA, PAGE 2, LINES 19-22 - e. "Additional impetus" pp - There is some very clear language explaining this issue on the City's own website - language which I would substitute for most of the paragraph as currently written:

Albuquerque's Aquifer and How We Meet The Challenge
<http://www.cabq.gov/waterconservation/insert.html>

All of our water is pumped from the ground. For decades we believed Albuquerque's aquifer was virtually limitless. We thought it was rapidly replenished by the Rio Grande and other sources.

However, the [United States Geological Survey](#) (USGS) released new studies in 1993 that indicate water levels are dropping significantly (up to 160 feet since 1960). The studies show there is much less groundwater than anticipated, that drilling deeper may provide lower quality water, and that the aquifer is not being replenished as quickly as we assumed."

Strategy Overview
<http://www.cabq.gov/waterresources/strategyoverview.html>

"About half the water the City now pumps from the aquifer is not replenished. As the City drills deeper and deeper wells, ground-water quality is deteriorating. Over the long term, land subsidence can occur, damaging buildings, infrastructure and the aquifer ... Measurements show that the aquifer level is dropping at 77% of the test sites. This ongoing study shows continual decline in the aquifer."

(f) **INCORPORATE -** SUGGESTED PARA INSERTION PAGE 2, END IF SECTION 1.2, JUST BEFORE SECTION 1.3 - f. Need to add a pp here as to why this region also needs water planning, in addition to dropping the aquifer. Something like: "In the studies undertaken, we found that we were using substantially more water than was being renewed. In order to meet the mission of the plan --to balance use with renewable supply-- and meet future demands, current usage must shrink."

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-10	Closed	TE	1.3	Elaine Hebard <EMHebard@unm.edu>	Various; See Comment
9/08/03					9/10/03
Summary or Issue					

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Comment					
INCORPORATE - EDITORIAL COMMENT, PAGE 2, SECTION 1.3, LINE 2 - The plan does not "serve" to balance the budget. Rather, it seeks ways that such a balanced budget can be attained.					
INCORPORATE - EDITORIAL COMMENT, PAGE 2, SECTION 1.3, PARA 2, LAST LINE - Delete "one component" - the ISC may use the regional plan in the State Plan.					
DEFER - NEED TEXT FROM SUBMITTER - Rework the last two pps - needs?					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-11	Closed	TE	1.3.1	Elaine Hebard <EMHebard@unm.edu>	Various; See Comment
9/08/03					9/10/03

Summary or Issue

Comment					
INCORPORATE - EDITORIAL COMMENT, PAGE 3, PARA 1.3.1, TITLE - ¶1.3.1 Problems					
I would call these issues or constraints					
(a) INCORPORATE - SUGGESTION TO REMOVE "AN EXAMPLE..." FROM FIRST BULLET * Rio Puerco example - are you sure this was due to pumping versus erosion? Citation?					
<p>Rio Puerco On Line http://climchange.cr.usgs.gov/rio_puerco/ The arroyo cycle and climate change are of scientific and practical interest. The Rio Puerco Basin, New Mexico, is an area of historic arroyo incision, long-term geomorphic investigation, and ongoing land management issues.</p> <p>The Rio Puerco Arroyo Cycle and the History of Landscape Changes http://geochange.er.usgs.gov/sw/impacts/geology/puerco1/</p>					
(b) DEFER - NEED CLARIFICATION FROM SUBMITTER - * Pumping isn't draining. When water is extracted, the resultant space is filled by compaction.					
(c) DEFER - EDITORIAL COMMENT - * I would add the issues of the Compact and unquantified present and future water rights for Native Americans.					
(d) INCORPORATE – Tech Editors should clarify language - INCORRECT COMMENT; MAY NEED EDITORIAL FIX - * Other regions would be "exporting" not importing!					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-12	Closed	---	1.3.2	Elaine Hebard <EMHebard@unm.edu>	Defer
9/08/03					9/10/03

Summary or Issue

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NO ACTION SUGGESTED
Comment
1.3.2 Mission

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-13	Closed	TE	1.3.3	Elaine Hebard <EMHebard@unm.edu>	Incorporate
9/08/03					9/10/03

Summary or Issue

ELEVEN EDITORIAL COMMENTS IN PARA 1.3.3 ON PAGES 4 THRU 10 – ALSO, MAJOR NUMBERING CORRECTIONS NEEDED IN ORDER TO MAKE ORGANIZATIONAL SENSE

Comment

We need to show some structure in this long set of subparagraphs. One way is as follows: Give three digit numbers to the bold title subparagraphs, approximately tracking the bullets in the AToC. Particularly, starting with **1.3.4** The Necessity for Collaboration; **1.3.5** The State Needs for Regional Water Planning, etc. ... up to **1.3.9** Water Planning Entities. Also, "The Water Assembly" should be labeled **A** and the Mid Region Council of Governments should be labeled **B**. Then we have **1.3.10** Guiding Process Principles up to **1.3.12** Guidance for Implementation ...

¶1.3.3 Goals

After the goals, there is another section which begins with "Necessity of Collaboration." Not a part of the goals, where does this fit in? How about another sub-heading, such as "document layout?"

Re Pueblo involvement, I would send such wording to the Coalition.

In the subsection entitled Approaches, add Pueblos as one of the jurisdictions listed.

Water Planning Entities needs a heading number, such as 1.4.1. Then the Assembly can be a sub to that, as well as MRCOG.

The description of UUEDA should be more in keeping with the name of the group, like was done for the ag group.

Delete the analogy of the shareholders, etc. (page 8) Delete 1st phrase under Working Teams.

* add website to PPC accomplishments

* Alts group didn't "create" the 44 -- they synthesized the ideas into 44 alts ...

* Public Welfare statement isn't just for decision-makers to ... The statement is also to be used by the OSE when evaluating applications to transfer water rights or to allow new uses (see statement). Rather than say "a way to check their decisions....," say, "the Statement can be used by decision-makers as a guide to the public values."

* Recommendations committee isn't "creating" recommendations -- it is constructing them based upon the legal, scientific and publicly supported foundations.

Page 10 - MRCOG is not unique, neither in the State or in the Country. Structure of WRB was

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changed. Bylaws conflict a bit with MOU.

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1-14	Closed	Elaine H and TE	1.4.1	Elaine Hebard <EMHebard@unm.edu>	Incorporate
9/08/03					9/10/03
Summary or Issue					
ELAINE H WILL SEND BOTH CITES TO TECH EDITORS -SUGGESTED CORRECTION TO PARA 1.4.1 ON PAGE 12; NEED SPECIFIC TEXT FROM SUBMITTER					
Comment					
<p>There are two El Paso cases. Preferences can be made to instate residents if it fulfills a legitimate need. The case was not dismissed due to a technical issue - NM kept changing the law! We finally settled after spending millions. I am attaching the agreement signed on March 6, 1991, which in turn resulted in the formation of the New Mexico - Texas Water Commission. This Commission continues to meet, has added to the original charges and is in the midst of several projects.</p> <p>It wasn't the act of selling water out of state infringing on public welfare, so much as that if folks were able to show a legitimate need for the water, then the state could protect them.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-15	Closed	---	1.4.2	Elaine Hebard <EMHebard@unm.edu>	Defer
9/08/03					9/10/03
Summary or Issue					
SUGGESTED CORRECTION, PAGE 12, PARA 1.4.2, LINE 3					
Comment					
Hydrologically separate? The USGS indicates that the aquifer extends to the Jemez mountains.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-16	Closed	TE	1.4.3	Elaine Hebard <EMHebard@unm.edu>	Incorporate
9/08/03					9/10/03
Summary or Issue					
THREE SUGGESTIONS AND AN EDITORIAL					
Comment					
<p>(a) TEs SHOULD TO TUNE SENTENCE: SUGGESTED CORRECTION, PAGE 13, LAST THREE LINES OF SECOND WHOLE PARA - MRCOG asserted that it should be the fiscal agent for the plan</p> <p>(b) MOVE CONTRIBUTORS LIST TO A FRONT-MATTER ACKNOWLEDGEMENT PAGE; IGNORE THE WORD "WHEN?" SUGGESTED ADDITIONAL DATA NEED, PAGE 13 AND 14, DATES OF CONTRIBUTIONS - On page 14, there are a number of entities shown to have contributed cash. When?</p> <p>(c) ADD AT END OF PARA: EDITORIAL INSERTION PAGE 15, END OF FOURTH WHOLE PARA - Page 15 – "FWUP used Focus 2050 land use analysis. By assigning water uses to current activities,</p>					

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then it was a mathematical determination of what would be used in 50 years, with the trends as set out in the Focus 2050 report.”

(d) **USE THE SO-CALLED SEVEN BOX CHART (THAT HAS EIGHT BOXES)** - SUGGESTED INSERTION; NEED SPECIFICS FROM SUBMITTER (WHAT'S NEEDED AND WHERE DOES IT GO?) - Add in a planning graphic

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-17	Closed	---	1.8	Elaine Hebard <EMHebard@unm.edu>	Defer
9/08/03					9/10/03
Summary or Issue					
NEED CLARIFICATION FROM SUBMITTER					
Comment					
¶1.8 should be moved to page 4 -- since that is where the specific chapters are referred to.					
I hate to say it, but there are several redundancies within the chapter as a whole. Clarity of sections would help a great deal.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-18	Closed	TE	1.9	Elaine Hebard <EMHebard@unm.edu>	Various; See Comment
9/08/03					9/10/03
Summary or Issue					
SUGGESTION TO USE ANOTHER MAJOR GLOSSARY FOR THE APPENDIX, REFERENCED IN SECTION 1.9 ON PAGE 19; (COMMENTS 1-4, 1-6, AND 1-18 ARE ALL ABOUT GLOSSARY)					
Comment					
(a) DEFER - ¶1.9 - glossary ... and then refer to some of the mega ones, such as the Handbook and the Nevada State Plan contains.					
(b) Tech Editors should handle if still relevant after using the glossary indicated in comment 1-6. Tech editors may need to obtain further information. - SUGGESTION TO REVISE EIGHT COLLOQUIAL DEFINITIONS IN SECTION 1.9 ON PAGES 19 AND 20:					
af - "three one-millionths" ???					
adjudication - " Adjudication is the judicial determination of existing rights to place the water of a stream system to a beneficial purpose of use. This requires the joining of all water owners sharing the same source of water." (comes from New Mexico Office of the State Engineer and the Interstate Stream Commission Fact Sheet, "What is adjudication?") Move claim re wet water to wet water definition.					
* consumptions reads awkwardly					
* inflows - delete 1st partial sentence.					
* MRG delete last part of sentence.					

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- * Pre-1907 right - is the definition correct?
- * senior right - substitute "claims" for "dibs".
- * wet water - eliminate the second sentence.

(c) **DEFER** - SUGGESTION TO ADD ONE MORE COLLOQUIAL DEFINITION ON PAGE 20; NEED RECOMMENDED TEXT FROM SUBMITTER - Add - "Urgent Shortfall Reality" - needs to be moved upfront, described and defined.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-19	Closed			Brian Burnett for BWTF	
9/29/03					
Summary or Issue					
No action required					
Comment					
<p>Section K - Goals and Objectives: We support the decision of the Water Board to exclude the proposed Section K in the Goals and Objectives. It is a redundant statement and other sections already cover the subject.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-20	Closed			Brian Burnett for BWTF	Incorporated
9/29/03					
Summary or Issue					
Selected edits have been made					
Comment					
<p>9. The Need for Water Planning - Chapter One, Section 1.2: This section of the water plan is nothing more than opinion. Section 1.2 sets out to portray the water supply and use situation in our planning area as subject to the control of unidentified special interests and with no hope of achieving sustainability. Not once does it mention the City of Albuquerque's water plan in terms of responsible stewardship of its resources and it attempt to alleviate an existing ISC designated Critical Management Area (CMA). This entire chapter is biased to present a hopeless picture of random water source development, no panning and irresponsible water resource management. This is not the case.</p> <p>SOLUTION: Rewrite Chapter One. Reference statements of fact. Refer to opinion as opinion. Present a picture of existing water supply entity planning. Present shortcomings as they might seem to exist, but this Chapter is not factual and has no basis in science as it purports to be founded upon in several places.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-21	Closed			David Stoliker	See notes

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10/28/03					
Summary of Issue					
<p>1. It appears that the sections/chapters were written at different times and much of the information is redundant and conflicting. An example of this is “public involvement” in section 1.3.6. I would move all information regarding a topic to its applicable Section. In this case, I would move section 1.3.6 to Chapter 4. We thought that a very brief “flavor” of the various attributes would be appropriate in the introduction, inviting the reader to look further in the designated chapters.</p> <p>2. I believe that Section 1.3 should be rewritten. It appears that we are repeating section 1.2 “Needs” in the purpose section (e.g., first line in 1.3.1). I think the progression of the lawsuit to legislation to ISC criteria to Water Assembly should be summarized into one location and more detail added. The detail should be in Chapter 5</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-22 10/28/03	Closed			David Stoliker	O
Summary of Issue					
The Mission and Goals should be more prominent. Which one is Goal F (section 1.3.4)?					
Comment					
More prominence in the executive and general summaries (F is the sixth one)					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-23 10/28/03	Open			David Stoliker	
Summary of Issue					
Section 1.3.10 – bullet principles and explain in appendix – need some explanation of what is suggested					
Comment					

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Chapter Two

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
2-1	Closed	TE	2.1	Elaine Hebard <EMHebard@unm.edu>	Incorporate by Reference
9/08/03					9/14/03
Summary or Issue					
SUGGESTION TO COPY TEXT FOR SECTION 2.1 ON PAGE 1 FROM EITHER OF TWO DOCUMENTS; NEED TO SELECT WHICH ONE TO USE –					
Comment					
<p>INCORPORATE - For Section 2.1, copy the stated text from the OSE document (“THE KEY FACT ... caused by historic pumping”). Then make a formal reference to all three cited documents. If they have executive summaries, put the ESs in the printed Appendix.</p> <p>While I'm sorry to say that I haven't read this, I would like to point out several good descriptions of the region ...</p> <p>RMRS-GTR-5: An environmental history of the Middle Rio Grande Basin (toc attached) Dan Scurlock</p> <p>Water Management Study: Upper Rio Grande Basin (TOC and summary attached) Report to the Western Water Policy Review Advisory Commission July 1997 Ernie Niemi and Tom McGuckin</p> <p>Framework For Public Input To A State Water Plan, Prepared By The New Mexico Office Of The State Engineer And The Interstate Stream Commission, December 2002:</p> <p>THE KEY FACT ABOUT OUR WATER: DEMAND EXCEEDS SUPPLY</p> <p>* Growing and increasingly diverse demands for water in the Middle Rio Grande region-including the State's needs for water supply for about half its population and economy, and for wildlife and ecological uses-cannot all be met.</p> <p>* Current water consumption exceeds the long-term average supply that is legally available for use in the Middle Rio Grande.</p> <p>* Since the surface-water system is closely interconnected with groundwater, pumping more groundwater does not solve the problem.</p> <p>“ Many groundwater users, including municipalities and industries, in the Middle Rio Grande were allowed to begin pumping without securing water rights. Because of return flows of treated wastewater and the delayed impact of groundwater pumping on river depletions, this practice has not resulted in net river flow diminishment. However, the accumulated eventual need for groundwater users to acquire and transfer water rights is very large and exceeds the quantity of currently transferable water rights. Under current practices, only pre-1907 water rights can be transferred. The 1930 water rights developed by the Middle Rio Grande Conservancy District have never been available for transfer. Further, the ability of return flows from pumped groundwater to offset river depletions caused by pumping depends on ever increasing groundwater pumping. When pumping levels off, which it must, return flows will no longer be sufficient to offset the depletion of the Rio Grande caused by historic pumping.”</p>					

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
2-2	Closed	---	Chapter 2	SKelly@cabq.gov	Defer
Summary or Issue					
NO ACTION SUGGESTED					
Comment					
This is a new Chapter and I still need to look at it. I'm assuming it's a factual history of water use in the MRG.					

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Chapter Three

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
3-1	Closed	TE	Chapter 3	Leslie R. Kryder, LesLie Consulting, LC	Incorporate
Summary or Issue					
Comment					
Pub Inv. Strategy -looks pretty good overall i.e. ready to be edited -includes a reference to a section that should be moved to another place. Why is this text still here?					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
3-2	Closed	Bob Wessely	3.5	Lynn Montgomery	Incorporate
7/22/03					
Summary or Issue					
Comment					
There is an error that all non-tribal jurisdictions were contacted and involved. Acequias are political subdivisions of NM and have jurisdictions. Suggest substituting “most” instead of “all” and include a footnote that acequias, as local governments, were inadvertently left out of the process.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
3-3	Closed	---	Chapter 3	SKelly@cabq.gov	Defer
9/08/03					
Summary or Issue					
NO ACTION SUGGESTED					
Comment					
I haven't read this thoroughly and may be making some editorial-type comments. Seems like a very thorough summary of the process.					

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Chapter Four

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
4-1	Closed	TE	4.1	Leslie R. Kryder, LesLie Consulting, LC	Incorporate
6/30/03					
Summary or Issue					
Comment					
4.1 missing a list of names; other info still to be verified					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
4-2	Closed	Bob Wessely	4.1.1, p.3	Lynn Montgomery	Incorporate
7/22/03					9/14/03
Summary or Issue					
Comment					
<p>Please do not name or count me as an acequia participant. Acequias were not recognized as local governments, water management agencies, or even existing by the WRB and MRCOG during the water planning process and do not wish to be named as participants. Acequias are going to engage in direct dialogue with the OSE and ISC over this issue momentarily. Separate acequias should not be listed, as none of these took direct part in the water planning process as themselves, and listing them implies they did. On p. 4 of the introduction 1.3.3, acequias should be included in the paragraph; "A statement about the necessity for collaboration" along with the Pueblos, as not taking direct participation in the process. The reason being their political status was never recognized by the Assembly, MRCOG or the WRB. Listing acequias in the objectives sheet is the only place acequias appear, so far, in the Plan. Acequias are going to submit their own appendix directly to the ISC. This will be a white paper outlining acequias' political, social, and cultural status, their values and contributions to society and the world at large, and recommendations to ensure their protection and survival. A footnote should state that acequias, as local governments, were actively kept out of the process by MRCOG and the WRB for reasons known only to them. I have documents that are good evidence acequias were ignored by them, and will pursue whatever remedies available to ensure that acequia participation is not mischaracterized.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
4-3	Closed	TE	4.1.2	Leslie R. Kryder	Incorporate in Chapt 1
8/04/03					
Summary or Issue					
Comment					
Subject: Describe Work Groups and Committees					
I see an enumeration in Ch4 of the participants in each WA work group and committee. Is there going					

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to be a description of the purpose and accomplishments of each work group and committee? I think this is needed, e.g. The Alts committee collected and analyzed candidate alternative actions. It monitored the contractor's evaluation of the 25 alts and performed the . . . blah, blah, blah.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
4-4	Open	TE		emhebard@unm.edu	
09.09.03					
Summary or Issue					
Comment					
<p>In general, the long lists should be moved to the appendix associated with this chapter.</p> <p>Coronado, Ciudad and East Valencia Soil and Water Conservation Districts are included in our region, in addition to Cuba S&WCD.</p> <p>Other Navajo Chapters include Torreon Chapter House.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
4-5	Open	PPC	4.3	emhebard@unm.edu	
09.09.03					
Summary or Issue					
Comment					
<p>* sort by type - to break up the list</p> <p>handouts</p> <p>newsletters</p> <p>booklets</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
4-6	Open	PPC	4.4	emhebard@unm.edu	
09.09.03					
Summary or Issue					
Comment					
<p>The planning process mission - state it from the bylaws:</p> <p>ARTICLE II PURPOSE OF ASSEMBLY</p> <p>The purpose of the Assembly is the development of a Regional Water Plan through an open, inclusive and participatory process. Moreover, participation in regional water planning through the Assembly process shall not in any way be interpreted as modifying, compromising, or placing at risk any water entitlement, claim or management authority held by the participant independently of the regional water planning process.</p>					

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
4-7	Open	TE	4.5	emhebard@unm.edu	
09.09.03					
Summary or Issue					
Comment					
<p>will read again in more depth. much of this material could be summarized and included in Introduction.</p> <p>After reviewing the appendix material, perhaps more comments will be forthcoming.</p> <p>From Chapter 12 - Partial list of non-Pueblo acequias on the Río Puerco and Río Jemez:</p> <p>Río Puerco Acequias</p> <p>Acequia de La Jara Los Pinos Community Acequia de Los Utes Acequia Unidas Archibeque Ditch Garcia-Lucero Gonzalez-Gurule Lagunitas Ditch San Jose Ditch San Luis Acequia Vallecitos Ditch Nacimiento Community Ditch Association (comes from Jemez drainage) Domingo Vigil Nerio Montoya Francisco Chavez # 6 Gabriel Montoya # 7 Nacimiento Ballejos # 4 Copper City Madalena Atencio # 2</p> <p>Río Jemez Acequias</p> <p>Jemez Springs Cañon Community San Ysidro Ditch Nestor Padilla Ponderosa Community La Cueva Ditch Pueblo Ditch East Lateral West Ditch West Lateral Ditch</p>					

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West Main Ditch
 West Side Ditch
 Upper West Ditch
 South Upper Ditch
 Upper East
 George E. Fenton
 Fenton

Number	Status	Team/Person Responsibility	Document Reference	Committer Contact	Disposition Decision
4-8	Closed			Brian Burnett for BWTF	Already Incorporated
9/29/03					
Summary or Issue					
<p>We believe the document indicates the participation level, numerically - quantities that have attended meetings, quantities (and names) that have participated very actively, as well as quantities and statistics in the public opinion survey. Business Water Task Force personnel were involved in developing the Recommendations.</p>					
Comment					
<p>Public Involvement: We appreciate and endorse the effort to include the public in the planning process. However, we are concerned about the final interpretations of this input in the recommendations. We believe that the plan should include a fair assessment of the numbers of involved parties along with a statistical statement linking the percentage of participants to the total public.</p>					

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Chapter Five

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-1	Closed – see notes	Celina J	5.6	Martin Zehr, mjz49@earthlink.net	
9/04/03					
Summary or Issue					
SUGGESTION TO ADD FOUR PARAGRAPH DISCUSSION OF RECENT MINNOW CASE ATTRIBUTES; PAGE 11, SECTION 5.6, END OF SECOND BULLET					
Comment					
<p>INCORPORATE (cite check / verify)- lead w/ case name Suggest we include the text of the decision: "The Supreme Court has emphasized that the language of the ESA 'admits of no exception' to the requirement to give the endangered species the highest priority. See <u>TVA v. Hill</u>, 437 U.S. 153, 173 (1978). The ESA requires federal agencies 'to afford first priority to the declared national policy of saving endangered species' and 'to halt and reverse the trend towards species extinction, whatever the cost.' <u>id</u> at 184,185 (emphasis added).In enacting the ESA, Congress required the federal courts to give greater protection to endangered species over human interests. Also, Congress did not allow federal courts to apply the ESA differently in different regions of the nation. Congress' mandate, expressed in the ESA, to protect endangered species applies equally in wet and in desert regions of the United States." pp. 1-2, RIO GRANDE SILVERY MINNOW, et al., Plaintiffs, vs. JOHN W. KEYS, et al., federal defendants, MIDDLE RIO GRANDE CONSERVANCY DISTRICT, et al., Defendant-Intervenors. <u>MEMORANDUM OPINION AND FINDINGS OF FACT AND CONCLUSIONS OF LAW</u> CIV No. 99-1320 JP/RLP-ACE</p> <p>INCORPORATE text "If the Court allows the Rio Grande to dry this year as proposed by the FWS and BOR, the federal agencies will have violated the ESA, and the Court will have failed in its Congressionally-mandated duty to afford injunctive relief to prevent further harm to the species. See <u>TVA v. Hill</u>, 437 U.S. at 194." p. 6</p> <p>Already incorporated Silvery Minnow—"In 1994, the FWS 'listed' the Rio Grande silvery minnow (Minnow) as an endangered species under the ESA. In 1996, thousands of Minnows were killed when the river dried south of San Acacia Diversion Dam. According to the United States Bureau of Reclamation (Bureau), by 1999 over 95 percent of the remaining wild Minnow population was concentrated in the 60-mile reach between San Acacia</p> <p>Chapter 5 – Page 12 of 16 - 8/11/2003</p> <p>Already incorporated Diversion Dam and Elephant Butte reservoir." [Legal Issues, p.15] "Since 1999, several lawsuits have been filed regarding the requirements of federal agencies under the ESA to protect the Minnow." [Legal Issues, p.15] The most recent court decision ordered the United States Bureau of Reclamation to "meet specified [water] flow requirements" to keep the Minnow alive. However, the issue must ultimately be resolved by the 10th Circuit Court of Appeals, or perhaps the United States Supreme Court. [Legal Issues, p.18] [Insert Paragraph on Latest Minnow Case]</p> <p>DEFER [Should we mention potential Texas lawsuit?]</p>					

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-2	Closed	Celina J	5.6, 5.9.1	RBandeen@aol.com	Defer
9/01/03					12-7-03
Summary or Issue					
Comment					
<p>Good work on this chapter - extensive, well written. However, a few things that you might wish to add:</p> <p>THESE ASPECTS OF SJC PROJECT NOT DEVELOPED BY CONTRACTOR DEFER – will try to incorporate by late October 1. SUGGESTION TO DISCUSS SJ/C-DWP PROTEST, SECTION 5.6, PAGE 11; NEED RECOMMENDED TEXT FROM SUBMITTER</p> <p>Section 5.6 should also mention the extensive protest effort waged over the City of Albuquerque's SJ-C water withdrawal permit application to the OSE, the nature of the protest, the arguments offered by both sides, and the current status of the protest.</p> <p>DEFER – will try to incorporate by late October 2. SUGGESTION TO DISCUSS CABQ RETURN FLOW ON SJ/C, PARA 5.9.1 ON PAGE 14, INSERT NEW BULLET AFTER FOURTH BULLET OF PAGE; NEED RECOMMENDED TEXT FROM SUBMITTER –</p> <p>Section 5.9, Part D (page 14) discusses the concept of return flows. The document should also explain the City of Albuquerque's application of the return flow credit principle to their withdrawal of approximately twice (i.e. 94 kafpy) their SJ-C contract (48 kafpy).</p> <p>DEFER – will try to incorporate by late October 3. SUGGESTION TO EXPLAIN OFFSET REQUIREMENTS, NEED INSERTION POINT FROM SUBMITTER (IS IT ALSO 5.9.1 ON PAGE 14?); NEED RECOMMENDED TEXT FROM SUBMITTER – This section should briefly explain the requirement to offset river depletions caused by aquifer depletion. This is a significant issue in the Albuquerque area, and will affect the schedule of the City's accessing their San Juan Chama allocation, and their ability to meet RG Compact compliance while doing so.</p> <p>My apologies if these things have been explained elsewhere in the text.</p> <p>Thanks for considering my comment.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-3	Closed	Celina J	5.9.2	SKelly@cabq.gov	
9/08/03					
Summary or Issue					
SUGGESTION TO ADD 'OWNERSHIP OF SAVED WATER' AS AN ISSUE IN 5.9.2, END OF PAGE 15 (ALSO SEE COMMENT 8-5					
Comment					
<p>5.9 Legal Issues Needing Resolution</p> <p>I suggest adding an issue here:</p> <p>INCORPORATE Ownership of saved water</p>					

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In the legal feasibility fact sheets, the contractor identified in at least four alternatives (Watershed Plans, Bosque Management, Agricultural Metering and Agricultural Conveyance) where there is an issue of who owns the saved/salvaged water. With regard to watershed restoration and bosque management, under current state law the increased flows would be added to the general “public waters” and managed by the state.

With regard to savings from agricultural metering and conveyance, the legal analysis state, “It is impossible at this time to determine the ownership of any saved water resulting from more efficient use of water within the MRGCD under this alternative. Once MRGCD’s license is issued, any water saved may ultimately be available to water users within the MRGCD, if such saved water falls within MRGCD’s licensed right to divert, use, and store water....If any saved water does not fall within the parameters of MRGCD’s license, under the current state of the law, any saved water would return to the system as “public water.” (Agricultural Conveyance Legal Feasibility Fact Sheet, pg. 2)

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-4	Closed	Utton Center		emhebard@unm.edu	Defer
09.04.04					12-7-03
Summary or Issue					
Comment					
<p>DEFER <u>Organizational note</u> - I know how difficult it is to assemble lots of information. However, the current structure is confusing.</p> <p>* The Overview only has bullets on prior appropriation. The next subchapter is Water & Land Use Laws, which begins with Local Issues, which in turn only includes descriptions of Water Associations.</p> <p>* This chapter should enable folks who don't want to read the full report in the appendix to understand what the guiding principles are, what the structures and organizations (players) are, what the conflicts and the issues are, and how they might best be resolved - from federal, state and local perspectives. I didn't come away with that ability after my skim.</p> <p>* Rather than bulleted quotes, this needs to be written so that it flows. Could the Utton Center, Susan Kelly or John Utton help the TEs edit this in time for a second round of comments?</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-5	Closed	Utton Center		emhebard@unm.edu	Defer
09.04.03					12-7-07
Summary or Issue					
Comment					
<p>DEFER <u>Deferred Topics</u>: While certain issues note that same were deferred, these items are to be dealt with in accord with the OSE's Criteria and Procedures for Acceptance of Regional Water Plans, Adopted by the New Mexico Interstate Stream Commission April 27, 1999 . Such include: Acceptance of a Regional Water Plan by the ISC should include:</p> <p>* Adherence to the criteria for acceptance.</p> <p>* Identification of unresolved interregional conflicts regarding water supply alternatives.</p> <p>* Endorsement resolutions of the regional water plan by local governments.</p> <p>"Regional water plan must address interstate compact compliance issues and recommendations must</p>					

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conform to state law, other applicable legal and institutional constraints, and identify and analyze any federal actions that may impact the region.
 "Regional water plan must identify all unresolved interregional conflict (s) at the time of completion.
 "Regional water plan must include a drought contingency plan and a water conservation plan as it pertains to the water supply for the region.
 Since they should form a substantial portion of the plan, as well as are a main the reason for a regional plan, they cannot be deferred. What laws conflict? etc.

 Even though the suggestion is to rework the chapter, here are some specific comments using the current structure:

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-6	Closed	Utton Center	5.1	emhebard@unm.edu	Defer
09.04.03					12-7-03
Summary or Issue					
Comment					
Add: "1. Prior appropriation", then list bullet points. THESE TOPICS NOT DIRECTLY ADDRESSED BY CONTRACTOR (EXCEPT WATER QUALITY, P. 18 OF SHEEHAN) Is prior appropriation the only legal subject to include? How about tribal water rights? Different types of water rights - pre-1907, etc? Treaty of Guadalupe Hidalgo and other treaties? Establishment of acequias in general. Establishment of MRGCD. Water quality standards. Overage of paper water vs wet water. Excess use. Each of these could be a topic under the overview, or at least mentioned and then referenced to where the full discussion takes place.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-7	See note	Utton Center	5.2	emhebard@unm.edu	Partially Incorporated
09.04.3					
Summary or Issue					
Comment					
DEFER Land use laws should include comprehensive plans, transportation plans, etc. which need to be coordinated with water plans. MRCOG can provide a list of these plans, to be included in the appendix. Water Laws include federal, state and local ones. Again, MRCOG should be able to provide a list of the local ones. Cites to specific codes should be provided (eg, New Mexico Water Code is Section ____). Added text immediately under 5.2: "This section covers water quantity issues, while section 5.5 covers water quality concerns."					

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-8	Closed	Utton Center	5.2.1	emhebard@unm.edu	Defer
09.04.03					12-7-03
Summary or Issue					
Comment					
<p>DEFER – NOT ADDRESSED BY CONTRACTOR this is more appropriate to be included in a separate subchapter, after laying out the legal structure</p> <ul style="list-style-type: none"> * Add the disconnects between land use planning and water planning (see Lora Lucero for more on this) * Ask Paula Garcia for some language from acequias here * Ask Sterling Grogan for some language from MRGCD here * City's Drinking Water Project was protested - include synopsis * Ask WRB members for some language to insert here ground water basin criteria - important but not where located. * local should include subdivision regulations <p>* the listed associations are not "issues" - they merit their own subtopic heading, and I would put them after the discussion of the federal, state and local laws.</p> <p>* check the OSE's web site for fact sheets on a number of issues.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-9	Open	Utton Center	5.2.2	emhebard@unm.edu	
09.04.03					
Summary or Issue					
Comment					
<p>* break this down into (a) Water Law, with subcategories for Water Planning, Water Rights, Administration and so on, (b) Water Quality, (c) etc.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-10	Closed	Utton Center	5.2.3	emhebard@unm.edu	Defer
09.04.03					12-7-03
Summary or Issue					
Comment					
<p>* indicate why being sent to 5.5 (quality)</p> <p>* include reference to 5.4 (environmental)</p> <p>NOT ADDRESSED BY CONTRACTOR BEYOND FEDERALLY CREATED INSTREAM FLOW RIGHTS* not only involved in water quality. Feds have reserved water rights, as well as laws governing water on their enclaves. These reserved water rights are currently listed under Environment</p>					

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law Issues, so should be moved to 5.2.3

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-11	Open	Utton Center	5.2.4	emhebard@unm.edu	
09.04.03					
Summary or Issue					
Comment					
<p>* contact each Pueblo to find out what land use and water laws they have (task for MRCOG); list in Appendix.</p> <p>* Include Navajos, which do not share Pueblo Aboriginal Rights</p> <p>* If going to discuss historically irrigated acreage, the concept of practically irrigated acreage must likewise be included, rather than buried in the federally reserved water rights paragraph. Also, the Winters Doctrine needs to be included (more than referred to in passing in the Pueblo Federally Reserved Water Rights).</p> <p>* add in Navajo laws and issues (check with Michael Benson)</p> <p>* add in the Abousleman case on the Jemez. For example,</p> <p>On December 1, 2000, the Federal Court issued a <i>Partial Final Judgement and Decree on Non-Pueblo, Non-Federal Proprietary Water Rights in the Jemez River System</i> in the case entitled <i>US. et al v. Abousleman, et al</i>, 83cv010-JC. Not only was this important in its own right, but the adjudication itself played an important role in helping the residents enter into shortage sharing agreements. ...) (Also, should be mentioned in 5.6)</p> <p>Note: I would ask Peter Chestnut to edit this section</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-12	Closed	Utton Center	5.3	emhebard@unm.edu	Defer
09.04.03					12-7-03
Summary or Issue					
Comment					
<p>NOT ADDRESSED BY CONTRACTOR* should be moved to be with issues</p> <p>* should not be deferred</p> <p>* ask for agencies and WRB members to help here</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-13	Closed	Utton Center	5.4	emhebard@unm.edu	Defer

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09.04.03					12-7-03
Summary or Issue					
No comment stated					
Comment					
Blank					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-14	Closed	Utton Center	5.4.2	emhebard@unm.edu	Defer
09.04.03					12-7-03
Summary or Issue					
Comment					
NOT ADDRESSED BY CONTRACTOR* Include Navajo					
* Mexico Treaty - 1944					
* Need much more on Treaty of Guadalupe Hidalgo, especially why it is important with respect to water					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-15	Closed	Utton Center	5.4.3	emhebard@unm.edu	Defer
09.04.03					12-7-03
Summary or Issue					
Comment					
DEFER * Avoid bullet points. Could use an insert of information, such as that set out in the text boxes below.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-16	Closed	Utton Center	5.4.4	emhebard@unm.edu	Incorporated
09.04.03					12-7-03
Summary or Issue					
Comment					
INCORPORATE into section 5.4.4 add Cochiti and Jemez Dams, Elephant Butte Reservoir; smaller impoundments					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-17	Closed	Utton Center	5.5	emhebard@unm.edu	See Below

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09.04.03					12-7-03
Summary or Issue					
Comment					
<p>INCORPORATE * issue between Pueblos and City re standards (a bullet point now, but should also be mentioned in issues section)</p> <p>INCORPORATE TEXT FROM “REUSE OF WASTEWATER”, P. 11 OF SHEEHAN* State Environment Department should be mentioned - Drinking Water Bureau</p> <p>(UTTON CENTER WILL DEVELOP THE TEXT) INCORPORATE TEXT FROM “PRIMARY DRINKING WATER DESIGNATION”, P. 30-31 OF SHEEHAN *Storm Water Regulations – NPDES</p> <p>DEFER - NOT ADDRESSED BY CONTRACTOR* Local entities involved include * old Albuquerque Metropolitan Area Water and Waste Water Board, now County/City Water Utility Authority for Bernalillo County and the City of Albuquerque. * Bernalillo County Environmental Health Department (BCEHD). (check out their "Well Owner's Guide " mentioned in http://www.bernco.gov/departments/environmental_health/water_article.html)</p> <p>DEFER - NOT ADDRESSED BY CONTRACTOR http://www.unm.edu/~bber/pubs/BCWFINAL.pdf <i>Perceptions Of Water Quality And Supply In The Unincorporated Areas Of Bernalillo County</i> University of New Mexico Bureau of Business and Economic Research Prepared for: Bernalillo County Environmental Health Department June 2002</p> <p>Other issues - DEFER - NOT ADDRESSED BY CONTRACTOR * Land managers & owners, such as the Forest Service and BLM - roles and responsibilities? - issues? * Example: what about Forest Service & access to work on ditches? Law suit with Nacimiento Ditch is an example * Land grant claims and issues with respect to water?</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-18	Closed	Utton Center	5.5	emhebard@unm.edu	Defer
09.04.03					12-7-03
Summary or Issue					
Comment					
<p>DEFER - NOT ADDRESSED BY CONTRACTOR * several protests re water transfers * Rio Ranchos appeal of the OSE's decision to have water rights in hand prior to use * http://www.seo.state.nm.us/hot-topics/press/riorancho-09-13-2001.html for press release on OSE's</p>					

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opinion; matter may be shortly settled but the principle announced by OSE is important to note - see text box below.

- * Protest on the City's Drinking Water Project
- * Federal Access

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-19	Closed	Utton Center	5.7	emhebard@unm.edu	Defer
09.04.03					12-7-03
Summary or Issue					
Comment					
<p>* add introductory clause as to who administers and what is not included (tribal rights admin) NOT ADDRESSED BY CONTRACTOR * discussion of different types of water rights of MRGCD should be a separate subchapter of just water rights. NOT ADDRESSED BY CONTRACTOR - RESEARCH * add Critical Management Area (CMA)</p> <p>* See also, http://www.seo.state.nm.us/hot-topics/press/mrgbasin-09-29-2000.html, State Engineer Defines Middle Rio Grande Water Rights, New Guidelines to Extend Life of Aquifer, Better Manage Growth for Middle Rio Grande Administrative Area (MRGAA):</p> <p>"Ultimately, for every gallon of water pumped out of the ground, there is one less gallon flowing in the Rio Grande," Turney said. "If a community wants to pump 1,000 acre-feet of ground water, then the flow in the Rio Grande will be ultimately diminished by 1000 acre-feet."</p> <p>"Requiring water rights up front will allow development to occur more responsibly," said Turney. "These guidelines emphasize this generation's responsibility for future generations of New Mexicans. To make the most out of the finite amount of water we have in New Mexico and to manage our water needs in years to come, we are asking for greater accountability from water users."</p> <p>"Another new guideline is the designation of a Critical Management Area (CMA). A CMA is an area with excessive water level decline rates. Under the new guidelines a CMA includes areas where the decline of the water table is greater than 2.5 feet per year."</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-20	Closed	Utton Center	5.8	emhebard@unm.edu	Defer
09.04.03					12-7-03
Summary or Issue					
Comment					
<p>DEFER - NOT ADDRESSED BY CONTRACTOR * add AMAFCA and SCAFCA * acequias</p>					

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-21	Closed	Utton Center	5.9	emhebard@unm.edu	See Below
09.04.03					12-7-03
Summary or Issue					
Comment					
(5.9.1 and 5.9.2 appear to have some duplication, or if not, consolidate certain topics)					
INCORPORATE * remove water market clause unless there is much more explanation					
<ul style="list-style-type: none"> over issuance of paper water rights KC NOTE – Not clear to what this refers? Is it the entire sub section called Potential New Water Markets?? – CJ: I think the confusion is with the 5.9.1 title: “Potential new water markets.” I’d recommend “Potential new water sources” instead. 					
NOT ADDRESSED BY CONTRACTOR – will attempt to incorporate by late October					
* adjudication					
* issuance of domestic well permits					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-22	Open	Utton Center	5.10/5.11	emhebard@unm.edu	
09.04.03					
Summary or Issue					
Comment					
¶5.10 & 5.11 Conflicts -- MUST BE INCLUDED					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-23	Closed	Utton Center	5.12	emhebard@unm.edu	Defer
09.04.03					12-7-03
Summary or Issue					
Comment					
DEFER I like this a lot, but not here. These are potential tools which could be used. What is needed here is a list of tools, ordinances, policies, etc. which are already on the books. A request has been made to MRCOG over the past several years to assemble such a chart. Put 5.12 chart into chapter 10 or 11.					
A number of activities are under way, some of which may find their way into Chapter 10.3, but which should be mentioned here since arise due to Legal Issues.					

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After reviewing these comments, I am struck by the need to revisit this after it has been rewritten

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5-24	Open	Utton center		emhebard@unm.edu	
09.04.03					
Summary or Issue					
Comment					
<p>http://www.seo.state.nm.us/hot-topics/press/riorancho-09-13-2001.html</p> <p>Press Release</p> <p>... Prior to the increase in pumping, Rio Rancho must transfer water rights to offset the effect of the pumping on the Rio Grande. Further, Rio Rancho must adhere to a detailed pumping schedule and must closely monitor the effects of its ground water diversions.</p> <p>The order considers the limited availability of valid surface water rights and the competition for those rights.</p> <p>"Existing water rights, compact obligations, conservation efforts and public welfare might all be jeopardized unless sufficient valid surface water rights are obtained to offset effects on the Rio Grande prior to pumping ground water," said Turney. "It similar to buying short on the stock market. Ultimately the day to pay comes around. And you better have the money , or in this case the water rights, to cover yourself."</p> <p>"To provide certainty of a water supply for future generations, it is in the best interests of the entire region that the City obtain offsetting rights to eliminate the effects of its increased pumping before that pumping occurs," said Turney. "Rio Rancho is projecting its population to increase almost three fold, to almost 150,000 persons within the next 40 years. New Mexico can no longer afford to gamble that sufficient rights will be available in the future when the effects of pumping reach the rivers," he added.</p> <p>"Requiring water rights now will insure there will be no new depletions to the water supply of the Rio Grande Stream system. This in necessary because New Mexico must stay within its depletions allowed under the Rio Grande Compact."</p> <p>Rio Rancho filed its application to increase pumping in 1993. The Village of Corrales and the Bureau of Indian Affairs (BIA), acting on behalf of Sandia Pueblo, filed protests objecting to the granting of the application. An administrative hearing was held on August 7, 8 and 9 of 2000 and reconvened on January 16 through the January 24, 2001. Rio Rancho, Corrales, the BIA and the Water Rights Division of the Office of the State Engineer participated in the hearing. During the course of the hearing, evidence was presented concerning all aspects of the application and its potential effects on the aquifer, the Rio Grande, existing water right owners, conservation and public welfare.</p> <p>The surface waters of the Rio Grande have been considered fully appropriated since the signing of the Rio Grande Compact in 1939. The deeper Santa Fe Formation aquifer and the shallow aquifer in the Middle Rio Grande are hydrologically connected to the Rio Grande surface water system. Ground water diversions from those aquifers eventually deplete the surface flows by the amount of the diversion. Since declaration of the Rio Grande Underground Water Basin in 1956, permittees of ground water appropriations have been required to obtain valid surface water rights in an amount sufficient to offset the effects of the ground water diversions on the Rio Grande stream system. Until recently, permittees had to obtain those offset rights when the effects of the ground water diversion reached the Rio Grande.</p> <p>"The evidence at hearing showed that the ability of appropriators to obtain water rights in the future, when effects reach the Rio Grande, is uncertain--given the limited availability of valid surface water rights and the competition for those rights," said Turney.</p>					

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-25	Closed	Utton Center		emhebard@unm.edu	Incorporated
09.04.03					12-7-03
Summary or Issue					
Comment					
Rio Grande Compact Info					
http://wrri.nmsu.edu/publish/watcon/proc/proc44/rgcompact.pdf					
ARTICLE VII					
<p>In the case of New Mexico, the accrued debit shall not exceed 200,000 acre feet at any time, except as such debit may be caused by holdover storage of water in reservoirs constructed after 1929 in the drainage basin of the Rio Grande between Lobatos and San Marcial. Within the physical limitations of storage capacity in such reservoirs, New Mexico shall retain water in storage at all times to the extent of its accrued debit. In computing the magnitude of accrued credits or debits, New Mexico shall not be charged with any greater debit in any one year than the sum of 150,000 acre-feet and all gains in the quantity of water in storage in such year.</p>					
Summarized:					
Already incorporated					
<p>New Mexico may store water in upstream reservoirs to the extent of its accrued debits, provided that storage in Elephant Butte Reservoir is not less 400,000 acre-feet, and provided that New Mexico maintains water in storage to the extent of its accrued debit. Either the Commission at any time by unanimous vote, or the Texas Commissioner in January of each year, may call for a release of stored water to the limits of the accrued debit. New Mexico water users may avoid fulfilling this call from post-1929 reservoirs by substituting San Juan-Chama water.</p>					
<p><i>Overview of Water Law Applicable to The Middle Rio Grande Water Planning Region</i> Susan C. Kery, Esq., John W. Utton, Esq., Sheehan, Sheehan & Stelzner, P.A., Peter C. Chestnut, Esq., Sue E. Umshler, Esq., January, 2003</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
5-26	Open			Brian Burnett for BWTF	
9/29/03					
Summary of Issue					
Comment					
B. LEGAL PERSPECTIVES					
<p>1. Page 3: Paragraph 1. It is not a legal conclusion that MRGCD water is not subject to loss by non-use or forfeiture. Raton v. Vermejo Conservancy District. (1984) states that Conservancy District Non-Use is not abandonment. That case holds that rights of a conservancy district to the waters of the district shall not be lost by prescription, adverse possession or for nonuse of the water. But the State Engineer has differentiated the method by which the Vermejo Conservancy District was established from the way the MRGCD was established and has taken the position that MRGCD water IS subject to</p>					

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abandonment and forfeiture.

The Legislative Council Service, in a report to the Legislature, touched upon this question in 1998: "Individual pre-1907 rights holders may sell their water rights as they see fit, but the Conservancy Act prohibits the District from selling or otherwise permanently disposing of its rights. Because many of the rights have not been exercised in recent years, some competing water interests insist those early rights have been forfeited. The state engineer formally requested proof of beneficial use from the district in 1997. In response, the district has been cooperating with the engineer to provide that proof, but the district insists that the rights held by the irrigation districts area not subject to forfeiture or abandonment as are individual water rights held elsewhere in the state."

New Mexico Legislative Council Service, Water in NM, Santa Fe, 1998.

Whether MRGCD water is subject to forfeiture or abandonment has' not been determined by the courts. Note, also, that the Legislative Council position would seem to be at variance with the idea that MRGCD water could be used for non-agricultural purposes, as suggested at page 13 of the Water Assembly Current Legal Issues report. However, Conservancy Districts throughout the West, notably Denver, have converted agricultural conservancy water to non-agricultural purposes. So conceivably the Legislature could change NM law, if necessary.

2. Page 3, Paragraph 2 states The State Engineer has the authority to issue permits recognizing a person's or an entity's right to use surface or groundwater". This should be amended to include the language, "subject to adjudication." This paragraph further states, "Although no one can use water without a permit from the State Engineer ..." Actually, many people in NM legally use water WITHOUT a permit from the State Engineer. All pre-1907 surface rights and all pre-basin underground rights are entirely legal without a permit.

3. Page 4, Paragraph 1 states "The permit process requires the applicant to prove that a new use will not harm other users." This is not precisely true. There are several cases which hold that the lowering of the water table does not necessarily constitute impairment of water rights of adjoining appropriators. In re City of Roswell (1974) and other cases cited in annotations at 72-12-7 NMSA.

The actual standards are:

1. Is there water available?
2. Will this permit impair existing water rights?
3. Does it violate public welfare?
4. Is it contrary to conservation?

Curiously, page 5 Paragraph 2, states "Accordingly, water can be transferred from basin to basin." This has not, historically, been the position of the State Engineer.

4. Page 4, Paragraph 4 dealing with forfeiture should mention that 5 years of non-use, prior to 1965, will constitute forfeiture. This will be important when the basin is adjudicated and something Nancy Cunningham at the State Engineer's Office is going to use heavily in adjudicating the Estancia Basin. The Treaty of Guadalupe Hidalgo recognizes real property rights in existence as of the date of the treaty and this has been construed to include water rights. I wonder if the statement "The Pueblos' rights include ... in-stream or non-diversionary uses" is true? I don't remember seeing this kind of language in any of the cases, and I am fairly certain Judge Mechem and Judge Byrd did not address an "in-stream" Pueblo right in Aamodt. Also, note, in Aamodt that stock watering is limited to the stock that Pueblos had before the arrival of the Spaniards. Judge Mechem noted that the Pueblos didn't domesticate livestock before the arrival of the Spaniards, so a stock watering right is limited.

5. Page 6, first full Paragraph, Pueblo Federally Reserved Water Rights" discusses Winters Doctrine rights related to lands outside Pueblo grants. Winters Doctrine Rights originated in the early 1900's from a dispute over the Milk River which borders an Indian Reservation at Fort Belknap, Montana. The Supreme Court held "reserved water rights generally exist only to fulfill the primary purpose of a reservation." Each reservation of Indian land carried with it by implication, a reservation of water sufficient for all future purposes and current beneficial use is not required.

Thus far, Winter's Doctrine Rights have only been applied to Reservation Indian tribes, not Pueblos. It is questionable whether the Winter's Doctrine will be applied to Pueblos because Pueblos were not created by a federal RESERVATION of land.

Winters Doctrine Rights may or may not be tied to the "practicably irrigable acreage" standard.

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Note the Mescalero Apache case which held that the Mescaleros measurement of reserved water was an amount necessary to determine economic self-sufficiency. This doctrine allowing a broader measurement, was rejected by Judge Parker in the Santa Ana's case (on appeal to the 10th Circuit) where he held the Santa Ana's had only Pueblo rights, and would be limited to the PIA standard.

6. If this section is arguing that the Federal Reserved Rights Doctrine (something entirely different than the Winters Doctrine) applies to these Pueblo lands, it would have to be proven that those lands outside the Pueblo were indeed **RESERVED** by the federal government for the Pueblo; not traded for, and not purchased by the Federal Government for the Pueblos. For example, White Sands does not have a federally reserved water right, because White Sands was purchased from ranchers and created as a federal enclave, not reserved by the Federal Government for Government use.

7. This Analysis should probably also mention SB 128, Unused Water Forfeiture Exemption which provides that a farmer saving water through conservation will not be subject to forfeiture.

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Chapter Six

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-1	Closed	---	Chapter 6	Leslie R. Kryder, LesLie Consulting, LC	Incorporate
6/30/03					
Summary or Issue					
Comment					
Supply -looks pretty good overall i.e. ready to be edited -6.0 refers to a diagram that is not included					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-2	Closed	Bob Wessely	6.0, p.3	Bob Wessely	Incorporate
7/27/03					
Summary or Issue					
Comment					
<p>Folks – I would like to attract your attention to the July 17 meeting report (list serve July 24, 10:49 am). That report presents a set of numbers for consumptive uses of water between the Water Budget measurement point (San Acacia) and the Valencia/Socorro County Line. Since the County Line is our official regional boundary and our measurements have been to San Acacia, we ought to update the text of the Plan to reflect those offsets. I believe the following text changes to the version of Chapter 6 that is currently on our website would achieve the appropriate correction.</p> <ul style="list-style-type: none"> • Last two lines on page 2, delete the sentence which reads, “As another approximation, we assume the south edge of the Region’s measurements are equivalent to the San Acacia Gage, about 20 miles south of the of the county line intersection with the river.” ○ First two lines on page 3, change “county lines for these approximations” to “county line for this approximation”. ○ Middle of page 3 change main bullet from “Consumptions – 385 kafpy:” to “Consumptions – 316 kafpy:” ○ Middle of Page 3, change the numbers on the Consumptions sub-bullets from “90, 60, 135, 100” to “90, 52, 90, 84” ○ Middle of page 3, change “Outflows – 100 kafpy ...” to “Outflows – 169 kafpy...” ○ Near the bottom of page 3, just before the line that starts “For reference ...”, insert the following new bullet item: <ul style="list-style-type: none"> ○ “To account for the consumption between the Valencia/Socorro County Line and San Acacia, we decremented the consumptions and incremented the outflow (see report of joint session 17 July 2003, Appendix {{6-6}}) - 16 kafpy Irrigated Agriculture, - 45 kafpy Riparian, - 8 kafpy Open Water Evaporation” 					

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-3	Closed	Bob Wessely	6-3, p.3	McGovern/Wessely	Incorporate
8/21/03					
Summary or Issue					
Comment					
Subject: Qualifying the Accuracy and Precision of Supply Data					
<p>This comment on Chapter 6 of the Regional Water Plan reflects my interpretation of some oral statements that were made during the Analysis Team Meeting on Tuesday August 19, 2003.</p> <p>The issue is that reported data values have an associated uncertainty. The oral statements suggested that we more clearly point out the existence of these uncertainties, and to indicate that the numbers really represent a range of values.</p> <p>In response to the oral statements, I have drafted the following suggested modification to Chapter 6:</p> <p>Near the bottom of page 3 of the August 17 version of Chapter 6 (middle of page 3 of the July 16 version), after the bullet citing “Net Draw from Assets – 55 kafpy” and before the paragraph that starts “The source data for this ...”, insert the following paragraph:</p> <p>“These data represent a range of values. It is very important to understand that these data contain uncertainties, just like all hydrological data. For example, “Net Draw from Assets” has been reported at 41, 55, 60, and 70 kafpy, all from credible sources (see above citations). As indicated at the beginning of this chapter, uncertainties stem from unequal time periods for measurements, differences in spatial boundaries, varied assumptions such as categorization of uses, and limited precision and accuracy of measurements.”</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-4	Closed	Analysis Team	6.0	Martin Zehr	Incorporate, with edits
8/30/03					
Summary or Issue					
NOTE TO EDITOR The black text already exists. Martin’s comments are the red lower case text.					
Comment					
<p>One of the main objectives of this Regional Water Plan is to understand and to address the relationship between the wet water resources and demands upon those resources, now and in the future. This chapter and the next respectively present detailed analyses of the resources and present detailed analyses of the demands upon those resources. As an introduction to those analyses, we first summarize the resultant relationship between current/historical resource and demand.</p> <p>A relationship between incomes INCORPORATE - (inflows and precipitation) and outgoes(outflows and evapotranspiration) of groundwater and surface water can appear as a tabulation/summation of the water incomes less a tabulation/summation of the water outgoes. Together, the summations are called a “water budget”. DEFER - Discuss the purposes and uses of a water budget in real terms for</p>					

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various stakeholders.

- The data in a water budget are based upon a time period. The time period could be in the past in which case the water budget reflects what the situation actually was. The time period could be in the future, in which case the water budget reflects what could happen or what will be made to happen. In dealing with a water budget, it is important to understand the time period and the associated intent. In this chapter and in the first section of Chapter 7 of this Regional Water Plan, we address only an historical time period, mostly dealing with the time period from 1972 through 1997. Later sections and chapters of this Regional Water Plan deal with future water budgets.

- The data in a water budget are based upon address a physical space. The space could be a hydrological basin or a political subdivision or some kind of hybrid. The space could include groundwater, surface water, or both. In dealing with a water budget, it is important to understand the referenced geographical space, and any adjustments that may have to be made to account for the physical space of interest. The region for this Regional Water Plan consists of Sandoval, Bernalillo, and Valencia Counties, which include only a portion of the Rio Grande hydrological basin. The region also includes portions of the Rio Jemez and Rio Puerco basins.

DEFER - Comment: This section leaves people hanging. On the one hand it says it is important to understand the “referenced geographical space”, on the other hand it provides nothing that elucidates the relevant information. Further, the first sentence is awkward and grammatically incorrect, and fails to define the main idea it is presenting in the paragraph.

DEFER - I would suggest taking out the bullets or reworking this section so it becomes clearer and explains the limitations of quantifiable evaluations when it comes to water in a given region during a given time span.

- The data in a water budget are based upon assumptions. Assumptions include decisions on topics such as the exact boundaries of riparian areas, the inclusions for agricultural areas, validity of extending averages, flow rates from coarsely measured flow streams, behaviors of underground geological structures, and the like. In dealing with a water budget, it is important to understand the underlying assumptions. Assumptions tend to vary among studies, but tend to be self-consistent within a study. One needs to be very cautious about the family of underlying assumptions when blending data from more than one study.

INCORPORATE – INSERT AS A NEW PARA AFTER THE FOURTH BULLET -The point is that different studies use different models, define uses differently and establish distinct parameters in the defining purposes of the studies. This creates difficulties in using data from one study to evaluate another.

- The data in a water budget are based upon real-world measurement numbers whose accuracy and precision are not as good as one might desire. **INCORPORATE – AS AN ADDED SENTENCE AT THE END OF THE ABOVE NEW PARAGRAPH AFTER THE FOURTH BULLET** - The factors contributing to this create controversy over the numbers in different studies. As an example, the net regional deficits reported by three very reputable studies are 41, 55, and 61 kafpy. Most hydrological numbers are not more accurate than a few tens of percent, some are even less accurate. However, since controls on water uses are relatively coarse(?), and since annual fluctuations are typically by factors of two or three, the messages that the numbers convey are seen not to be degraded by this intrinsic imprecision.

Comment: Please say what you mean here.

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-5	Closed	---	6.3	Martin Zehr	Defer
8/30/03					
Summary or Issue					
MOOT - THIS COMMENT REFERS TO AN OBSOLETE DRAFT					
Comment					
<p>However, the quantity of high quality groundwater is limited, and in portions of the MRG planning region groundwater supplies are more saline and are unsuitable for most uses. Additionally, some of groundwater currently used for drinking water supplies from as much as 40 of the city's 92 municipal supply wells of Albuquerque within the planning region contains arsenic at concentrations that exceed the new MCL of 10 µg/L. Source: Draft EIS City of Albuquerque Drinking Water Project</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-6	Closed	Bob Wessely	6.4	RBandeen@aol.com	Incorporate
9/01/03					
Summary or Issue					
Comment					
<p>A couple of points in the second paragraph of Section 6.4 ("Summary of Water Supply Considering Legal Limitations") weren't clear to me.</p> <ol style="list-style-type: none"> 1. The first sentence notes City of Albuquerque will begin drawing 94 kafpy from the Rio Grande in 2006, per its San Juan Chama contract. The legal section notes the COA contract is 48,200 afy. I suppose this assumes that COA has successfully negotiated a 2:1 return-flow credit diversion right (divert 94kafy and return 46,000 at the wastewater plant for a net CU of 48 kafy). Albuquerque's application of return-flow credit policy in conjunction with their SJ-C contract should be expanded on in this section or elsewhere in the text. Pardon me if this has been done, but I didn't see any reference to it here or in Chapter 5 ("Current Legal Issues"). Also, it would be worthwhile to note that the City's SJ-C water withdrawal permit under the OSE was met with an extensive protest hearing, and provide a summary of that process and its outcome either in this section or Chapter 5. 2. The need for a "concomitant reduction of 94 kafpy in wet water consumptive demand...." part is also not clear to me, and may not be to other readers. The statement seems to imply that by now accessing the 94 kafpy the City has let go by all these years (or applied to aquifer offsets), the Rio Grande Compact will be violated unless the City reduces wet water consumptive demand by an equivalent amount. First, as noted in Chapter 5, very bottom of p. 8, San Juan Chama water is exempt from Rio Grande Compact water deliver accounting ...". Perhaps the missing element is the concept of river depletions due to aquifer drawdown. In other words, if the City has been applying 94 kafpy (?) to river depletion offsets all these years, and needs to continue those into the future for a while, even after it cuts back aquifer pumping, then this would make sense. If this is the case, then this clarification should be added. Excuse me if I'm missing something. <p>Thanks for considering my comment.</p>					

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Cheers,

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-7	Closed	---	Fig 6-2	Martin Zehr (mjz49@earthlink.net)	Defer
8/30/03					
Summary or Issue					
NO ACTION SUGGESTED					
Comment					
Figure 6-2. The Water Budget for the historical period 1972-1997 shows, after Water Plan 4 Chapter 6 – Page 5 of 14 - 7/16/2003- Version 6-1 adjustment, a mining deficit of 55 kafpy. The system budget deals with three water subsystems – surface, shallow aquifer, and deep aquifer					
Comment: While the model reflects a mining deficit, and shows Mountain front & Tributary recharge, as well as Deep groundwater recharge, it does not quantify the water supply available in the aquifer, nor the geological ramifications of continued mining on soil compaction at any given point.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-8	Closed	Analysis Team	6.4	SKelly@cabq.gov	Defer
09.08.03					11-24-03
Summary or Issue					
Comment					
SUGGESTION TO REVISE STANDARD FORMAT FOR UNITS - Strictly editorial, but I suggest using a different way of describing “acre feet per year” throughout plan. I would prefer to read 16,000 AFY rather than 16 kafpy. Don’t think there is a set protocol, but I would suggest something other than kafpy. Deferred because of the effort required to manually insert “,000” and change the abbreviation in a vast number of places through the document. “kafpy” does appear in the glossary as “thousand acre feet per year”					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-9	Closed	Analysis Team	6.4	SKelly@cabq.gov	Incorporated
9/08/03					11-24-03
Summary or Issue					
COMPLEX HYDROLOGICAL ISSUE – NEEDS SOME EXPERT CONSIDERATION					
Comment					
(a) EDITORIAL INSERTION, PAGE 10, SECTION 6.4, SECOND PARA - 6.4 Suggest adding a first sentence to the 2d paragraph:					
“Albuquerque’s Water Resource Management Strategy is intended to move Albuquerque away from reliance on the aquifer towards a sustainable supply.” Incorporated					

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Suggest re-writing second paragraph (after the 2d^t sentence) as follows:

(b) SUGGESTED REPLACEMENT PARA, PAGE 10, SECTION 6.4, SECOND PARA - "This will enable an initial 94,000 AFY reduction (from an approximate 108,000 AFY) in the City's groundwater pumping from the aquifers. Over time, this reduced pumping will result in greatly reduced river effects from groundwater pumping. For the first 10 years of the project operation, past pumping from the City will still be affecting the river. The City will be required to offset its effects by releasing additional amounts of SJC water over this ten year period. Administration of the City's well permit will require that the City offset its pumping effects using either its native water rights holdings, return flow, SJC water, or other acquired or leased water. Return flow to the river will increase from approximately 57,000 AFY to 64,000 AFY during this ten year period." **Partially incorporated**

(c) SUGGESTED REPLACEMENT PARA, PAGE 10, SECTION 6.4, THIRD PARA - Suggest replacing 3d paragraph:

There are significant policy decisions to be made by the State Engineer as to how the river will be administered to meet Compact deliveries in the future. **Added to modified paragraph**

(d) SUGGESTED PARA DELETION, PAGE 10, SECTION 6.4, FOURTH PARA Suggest eliminating 4th paragraph. **Partially incorproated**

(e) SUGGESTED TWO-SENTENCE ADDITION AND EDITORIAL CLARIFICATION – PAGE 10, SECTION 6.4, FIFTH PARA - 5th paragraph **Fifth paragraph deleted**

This paragraph is unclear. Not sure why it is located here. The quality of which water? Which coming water quality standards are not being met or planned to be met?

The City of Albuquerque and other entities are required by law to meet federal arsenic standards. The City proposes to meet the federal standard through blending of diverted river water through the DWP with well water and through selected well head treatment as required

(f) Because this section of the draft Plan (6.4) indicates a marked misunderstanding of the effect of the City's planned SJC diversion, following are some further remarks for clarification. These could be added to the text as appropriate.

COMPLEX HYDROLOGICAL ISSUES RELATING TO CESSATION OF MUCH CABQ PUMPING;
PROBABLY OUGHT TO BE SUBMITTED TO ANALYSIS TEAM FOR PROPOSED TEXT REVISION -
Paragraph 2 - Assertion of a 94,000 AFY loss of flow below Albuquerque shows a fundamental lack of understanding of the City's affect on the river.

1) The City's return flow for a demand of 110,000 ac-ft is not 110,000 ac-ft as implied, but rather approximately 55,000 to 60,000 ac-ft.

2) City pumping draws upwards of 73,000 ac-ft from the river to meet the 110,000 ac-ft demand (based on 2002). Therefore, the mined groundwater portion of supply is about 37,000 ac-ft. On a proportional basis with a return flow of 50 to 54 percent of demand, about 19,000 ac-ft of mined groundwater enters the river. Considerably less than the 94,000 stated in Section 6.4.

3) In 2002 with a demand near 110,000, the City's net effect on the river was about a 14,000 ac-ft reduction in flow, which is easily met by the City's 24,000+ ac-ft of vested and acquired water rights. So, rather than the implied 110,000 ac-ft surplus to the river, there is a net deficit of about 14,000 ac-ft.

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5) With the City's DWP, the same water balance must be maintained. The Rio Grande is fully allocated, so all diversions and offset must have no net effect in excess of the City's vested and acquired water rights. In the early years of project implementation, the City will fully consume its vested and acquired water rights resulting in a slightly larger reduction in flow as compared to continued pumping. Using the example of 110,000 AFY demand, the additional reduction in flow would be on the order of 13 cfs (10,000 AFY). By state law, any depletions in excess of the City's vested and acquired water rights must be offset. During curtailment years additional mined groundwater will enter the Rio Grande resulting in a relatively significant surcharging of the river at low flows.

Paragraph 3 -

6) As stated above, there is no 94,000 AFY deficit.

7) There are no "senior downstream users" of the City's SJC water. Seniority or priority have no meaning with respect to the City's SJC water. SJC water is imported from another basin and is not subject to priority on the Rio Grande. Likewise, priority on the Rio Grande has not been established through an adjudication process. Therefore, seniority of MRGCD water rights has not been established.

8) Historically, the City has made some of its SJC water available to the MRGCD. In many cases this water was used to extend the growing season and/or offset dry conditions. The City maintains the sole right to consume its SJC water. If it is not available, then MRGCD will likely be required to shut down earlier due to lack of water regardless of OSE policy. OSE policy could step in prior to shut down and require less consumption. Also, not all of the City SJC water has gone to irrigators. There is a misconception that the City using its SJC water results in the loss of 47,000 AFY supply to irrigators.

Paragraph 4-

9) As stated above, there is no 94,000 AFY shortfall.

10) By federal statute, SJC water cannot be used to meet Rio Grande Compact obligations.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-10	Closed	TE		emhebard@unm.edu	Selectively Incorporated
09.10.02					11-24-03
Summary or Issue					
Comment					
I started to make comments on Chapter 6, but finally concluded that many of them were organizational in nature. So, rather than say what I meant, I edited the chapter to hopefully flow a bit better. Please note that I have not spent any time on 6.3 and 6.4. Hope you like my suggestions. Editing mostly incorporated. Rearrangement deferred because of cross reference complexity at this time.					
****Bob: Elaine has edited the entire chapter six. You will find it as an attachment. I couldn't copy it					

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(with edits) to insert into the primary document. I will speak with you at the WRB meeting or later this afternoon. BT ****

NOTE: MS. HEBARD'S EDITED CHAPTER 6 HAS BEEN FORWARDED TO THE TECH EDITORS.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-11	Closed	Analysis Team		mmcgovern@bhinc.com	Mix – see below
09.10.03					11-24-03
Summary or Issue					
Comment					
<p>Planning Region Geographic v. Hydrological Boundaries and Water Budget: Early regional geographic planning boundaries were assumed to be the entire lower Middle Rio Grande (MRG) from Cochiti to Elephant Butte Lake and to include a five county area: Socorro, Sierra, Sandoval, Valencia and Bernalillo counties. The first MRG Water Budget published in October 1999 was for this five county area and projects an existing 55,000 af/year deficit (inflow – consumptive uses = required outflow to meet Rio Grande [RG] compact deliveries) after adding the MRGCD, Town of Bernalillo, Belen, and Los Lunas San Juan Chama water which was not included in the original document. Socorro and Sierra counties then withdrew from the Middle Rio Grande (MRG) planning region. This original Budget used the Otowi Gage to the north and Elephant Butte to the south as its boundary conditions. As noted, it also uses RG Compact deliveries as an outflow requirement.</p> <p>The MRG planning region now consists of a three county area, Sandoval, Bernalillo, and Valencia counties. The boundary conditions of our Water Budget as shown in Chapter 6 still are unclear. We are still using the Otawi gage as our northern boundary condition in that gaged flows from this site are used to approximate water inflows at the planning region boundary, the northern Sandoval county line. The Otowi gage is clearly at least ten miles into the Jemez y Sangre Planning Region. It is not clear if inflows that occur between the Otowi gage and the Sandoval County line are included in the Water Budget. Already covered by the first bullet on page 6-3. Also, it is not clear if consumptive uses (CUs) that occur between Otowi and the Sandoval County line have been subtracted from the MRG planning area budget. Already covered by the first bullet on page 6-3. What is the inflow at the Sandoval County line? This is important as the Jemez y Sangre Plan accounts for all flows and CUs in this area. Does our Budget include them as well? For instance, the Santa Fe River joins the Rio Grande between the Otowi Gage and the Sandoval County line. Are its inflows included in our Water Budget as noted in Chapter 6? It is unclear. There also appears to be no reservoir evaporation for Cochiti Lake also included in our Water Budget, nor is this even mentioned in Chapter 6. The 1999 Water Budget does not list all of the components in the estimate for Open Water Evaporation. The Regional Water Plan similarly should not have to list them.</p> <p>In 2003, two series of meetings were held with the Socorro Sierra (SS) Regional Planning Group with ISC involvement the following issues were discussed and actions agreed upon:</p> <p>The Elephant Butte evaporation CU of 140,000 acre-feet that was recorded as a debit in the MRG Water Budget. It was agreed that this debit should not be assigned to one planning region of the 6 total planning regions through which the Rio Grande flows from Colorado to Elephant Butte. The Analysis Team of the Water Assembly (WA) had earlier completed an exercise that recommended apportionment of this evaporation burden between the MRG and SS planning regions. This plan was dropped and the ISC recommended leaving out this debit from both plans. WA leadership has since</p>					

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simply removed this 140,000 af/year figure from the CU of the Water Budget and also removed 140,000 af/year from the regional inflow. This correction was protested in later Analysis Team meetings as still resulting in the MRG Planning Region being burdened with the entire EB evaporation CU in it region. The MRG Planning Region is in no way responsible alone for this CU. It should be apportioned throughout the 6 planning areas in some reasonable fashion by the State ISC and this is a state responsibility to determine how this should be done. In no way does any entity within the MRG planning area have any responsibility for this RG Compact issue and it should be completely removed from our Water Budget and addressed in the State Water Plan. **The Plan separates out the EB evaporation from all consideration. Being a description of our historical flows, the Water Budget does not and needs not allocate the evaporation to anyone. For the Middle Rio Grande Region, it is a wash until someone starts saving some of that evaporation. When/if that occurs, some allocation logic might become interesting. Most of the Water Assembly participants agree that we cannot plan without taking cognizance of the fact of the Rio Grande Compact and of our Regional obligation not to make compliance impossible for the State.**

Southern MRG Planning Area Boundary Condition: a second series of meeting was held to quantify the CU that occurs between the southern Valencia county line and the San Acacia gage. Up until recently, the MRG planning region was still using the San Acacia gage as its southern boundary condition. These exercises resulted in an ISC agreed to reduction in CU from the MRG planning area of 69,000 af/year, **and an equivalent increase in downstream outflow to reflect physical reality.** This is no small amount.

Further, a significant adjustment in riparian acreage has been made within the planning region from close to 50 acres to 23 acres. This also resulted in a concurrent large reduction of thousands of acre feet in CU due to this acreage reduction.

The original budget also uses a figure of 90,000 af/year for all Municipal and Industrial (M&I) uses. Recent detailed WA studies using NMED (1999) and Wilson (2002) data for all individual public and private water systems including domestic well estimates indicates that this figure is closer to 80,000 af/year.

The meetings with the SS Planning Region Group, the changes to the riparian acreage, the supposed elimination of EB evaporation and the fact that the M&I CU is known to be too high have not resulted in any change to the bottom line deficit that was originally projected for a five county region, not the MRG Planning Region today. The Water Budget for the MRG region as noted in Chapter 6, still reports a 55,000 af/year deficit in the existing water budget. Also none of the CU numbers are referenced at all and the old 5 county water budget is still included in Chapter 6 even though it is only of reduced relevance to the MRG Planning Region. **Reallocating water between riparian and agricultural use, and reallocating water from regional consumption to regional outflow should not, and does not affect regional deficit.**

Recent SSPA preliminary draft Part II, Middle Rio Grande Water Supply documentation examines the water budget in our planning region using the correct planning region boundaries which are also our hydrological boundaries. We should also re-examine and verify our regional water budget assumptions and numbers against this document. **Fine tuning of budgetary data has been deferred. Updates to incorporate new studies with their mismatches in assumptions, base time period, physical/geographical space, and measurement accuracy can and should occur during updates of the Regional Water Plan.**

SOLUTION: Redo the Planning Area existing Water Budget. Boundary conditions at the county lines need to be used, all CU debits need to be referenced. All RG Compact issues need to be removed as existing legal constraints that are not the responsibility of any single entity or groups of entities in the planning region. Compact deliveries and flow requirements to the SS region should be used to define the outflow requirement at the Valencia county line, the southern boundary condition. EB evaporation needs to be removed from the equation entirely as this issue and its assignment to all 6 or

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some other combination of planning regions along the Rio Grande will be an issue in the NM state water plan and is the responsibility of the ISC to apportion. **See responses above**

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-12	Closed	Analysis Team		mmcgovern@bhinc.com	Defer
09.10.03					11-24-03
Summary or Issue					
Comment					
<p>Use of Successful Rio Grande Compact Delivery in 2050 as a Success Indicator of Water Balance: Throughout the draft water plan, meeting Compact deliveries is discussed. The draft Convergence Scenario Plan includes this in its first sentence. While meeting RG Compact deliveries should be a major part of the NM state overall water plan, it should not be a goal of the MRG regional water plan. The goal of the MRG water plan should be to develop a water balance that is positive at the southern Valencia county line. Needless to say however, flow requirements at this southern boundary condition need to be projected from Compact delivery realities. We have taken the average Consumptive Use in S/S Region and the Elephant Butte Evaporation as constants, equal to their averages as indicated in the 1999 Water Budget (169 kafpy and 140 kafpy). The downstream flow at the Valencia County Line is a fixed offset from the RG Compact, and thus is just as good a figure of merit as is the Compact Deliveries.</p> <p>SOLUTION: The draft plan needs to remove emphasis on this as a goal of the plan throughout.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-13	Closed	Analysis Team		mmcgovern@bhinc.com	Defer
09.10.11					11-24-03
Summary or Issue					
Comment					
<p>Baseline Hydrological Data: The proposed use of tree ring data to supplant the 50 years of Otowi gaged data we currently use would be a mistake. No other of the 15 planning groups will be or has used this data. It also has never been used for water resource management planning or water infrastructure design purposes in New Mexico. The New Mexico Climate Memorandum included as an adjunct to the SS Papadopulos MRG Water Supply Study can be found on the ISC web page (http://www.seo.state.nm.us/water-info/mrgwss/p3-nm-climate-memo.pdf). In discussing the use of tree ring data as a substitute for existing Rio Grande gaged data, it states: Neither the Plan nor the people have proposed substituting the tree ring data for the recent field measurements.</p> <p>“In summary, we feel that the existing flow records for the Middle Rio Grande region should be used in preference to records reconstructed from proxy [tree ring] data. The upper half of the 1919-1998 Otowi index flow record can be used to represent above average wet conditions, and the lower half of the 1950-1998 record can be used to represent drought conditions. For general modeling, we feel that using only the 1950-1998 portion of the record is preferable to using the entire 1919-1998 continuous record since the latter incorporates two extended periods of above average moisture and only one drought period, resulting in an overrepresentation of average available moisture.”</p>					

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SOLUTION: Certainly this data can and should be used for drought scenario planning and possible drought response design criteria, but it should not supplant the baseline gaged flow data.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-14	Closed	Analysis Team		mmcgovern@bhinc.com	Incorporated
09.10.03					11-24-03
Summary or Issue					
Comment					
<p>Proposed Mitigating Water Resource Management Programs and Infrastructure Plan and Costs from Chosen Alternative Actions: The descriptions of alternative actions are excellent in the Plan however, Chapter 11, Implementation Responsibilities needs to be clear about who might be responsible to implement such plans and how much they will cost over time, where the funding might come from and how this will affect the cost of water sold in public and private water supply systems and within irrigation systems as well. This will be difficult as neither Chapter 6 nor Chapter 8 identify any of the individual entities who own water rights today, their plans to increase their water rights holdings, or their 40-year water plans that exist today, such as the cities of Albuquerque, Rio Rancho, Los Lunas and Belen, all of which have 40 year water plans. We understand the comment author is involved in writing an update to Chapter 11.</p> <p>SOLUTION: Chapters 8 and 11 need to be specific in their discussion of which entity is suggested to develop and manage what plans to achieve possible efficiency and conservation goals as presented as possible within the Alternative discussions. There is no specificity in either of these chapters now.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-15	Closed	Analysis Team		mmcgovern@bhinc.com	Defer
					11-24-03
Summary or Issue					
Comment					
<p>Lack of Reference to Existing Local 40-Year Water Plans and Water Supply Entities: As noted above, no mention is made of the existing 40-year water plans that exist for the four major cities within the planning region. These plans detail the entities intentions to address their future source water requirements. There is a lack of specificity in the Regional Plan in terms of entity identification, quantification and responsibility for their water rights and infrastructure. This information exists and has been neglected. Further Bernalillo County also has recently completed its 40-year water plan. Finally, no mention of the proposed Albuquerque City – Bernalillo county merger is made in the plan and how that might affect water supply. The plan currently focuses on wet water issues. Reviewing of rights-holder plans is good thing to do, but schedule precludes doing so for this issue. It is deferred for the next update cycle of the RWP.</p> <p>SOLUTION: The MRG Regional Water Plan needs to examine these existing plans and include their proposed source development plans and water rights information. These plans discuss options for increasing their supplies and these plans should be included in the Regional Plan as an option or alternative for increasing public water supply. How can these plans be totally left out of the Regional Plan? Further how can the City of Rio Rancho's recent application to acquire additional water rights</p>					

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be left out of the plan as well as the MRGCD's ongoing delay in providing the ISC with its Proof of Beneficial Use Report? There is a major lack of specificity throughout the Plan that needs to be rectified. The Plan is much too general in its approach to existing on-going water source and use issues that affect how we should be planning.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6.16	Open	Analysis Team		mmcgovern@bhinc.com	Assigned
09.10.03					11-24-03
Summary or Issue					
Comment					
<p>Lack of Reference to City of Albuquerque's San Juan Chama Project: The City of Albuquerque has been carrying out water planning studies and taking bold actions since the 1960s relating to the inclusion of San Juan Chama water as its future source so as to decrease its reliance on ground water, improve the health of its aquifer, and generally improve the sustainability of its supply for its customers in the City and in Bernalillo county. No other City in the state of New Mexico has a better Water Resource Management Strategy than Albuquerque, yet the details of this plan are not found at all in the Regional Water Plan. Good point. If the comment author can provide it, we could place in Chapter 7</p> <p>SOLUTION: Chapter 7 should include a detailed technical description of the San Juan Chama project and how it fits into the Regional Water Plan even if it disagrees with it. If this is the case, it should include information from the City on how it could fit into the Regional Plan. Again, there is a lack of specificity in the Plan.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6.17	Closed	Analysis Team		mmcgovern@bhinc.com	Incorporated
09.10.03					11-24-03
Summary or Issue					
Comment					
<p>Lack of Reference to City of Albuquerque & Bernalillo County Groundwater Protection Advisory Board: The City and the County founded this Board in 1995. Their work and accomplishments in terms of water quality assessment and management throughout the City and the County have been substantial, to say the least, in terms of groundwater management and quality improvement. This Board is not mentioned once in the Water Plan. None of the recommendations related to <u>Water Quality</u> in the <i>Draft Preferred Scenario of Management Options</i> include reference to the plans or activities of this Board. The planners had a presentation and dialogue with the GPAB on August 14, 2003. Their omission in the list of contactees in Chapter 4 was an oversight.</p> <p>SOLUTION: Any plan or Alternative that includes optional programs or goals relating to water quality improvement in the planning region should be compared with the plans of this Board and should be discussed with their staff. We should not ignore their achievement and experience in this area. Not contacting these people and the Board is symptomatic of the lack of contact that has been made with the other major entities in the planning region in the development of this plan.</p>					

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-18	Closed	Analysis Team		mmcgovern@bhinc.com	Defer
					11-24-03
Summary or Issue					
Comment					
<p>Lack of Pueblo Involvement and Proxy Discussion and Plans: There is no discussion of existing or future Pueblo water use or water rights. While little data exists, how can we carry out or propose existing and future budgets for instance without estimating these figures? The plan focuses on wet water, with paper water being important issue that we could not address in detail. In update cycles of the plan, more focus on paper water and Pueblo rights is anticipated.</p> <p>SOLUTION: Pueblo water use and water rights today and tomorrow within the planning region need to be discussed and estimated. Place holders figures for these quantities need to be inserted in the plan.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-19	Closed	Analysis Team		mmcgovern@bhinc.com	Incorporate
					11-29-03
Summary or Issue					
<p>This is really a Chapter 1 Comment. Insert paragraphs 7 and 8 in 1.2; delete "special" in paragraph 5</p>					
Comment					
<p>The Need for Water Planning – Introduction and Chapter One, Section 1.2: This section of the water plan is nothing more than opinion. Section 1.2 sets out to portray the water supply and use situation in our planning area as subject to the control of unidentified special interests and with no hope of achieving sustainability. Not once does it mention the City of Albuquerque's water plan in terms of responsible stewardship of its resources and it attempt to alleviate an existing ISC designated Critical Management Area (CMA). This entire chapter is biased to present a hopeless picture of random water source development, no planning and irresponsible water resource management. This is not the case.</p> <p>SOLUTION: Rewrite Chapter One. Reference statements of fact. Refer to opinion as opinion. Present a picture of existing water supply entity planning. Present shortcomings as they might seem to exist, but this Chapter is not factual and has no basis in science as it purports to be founded upon in several places.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-20	Closed	Analysis Team		mmcgovern@bhinc.com	Defer
09.10.03					11-29-03
Summary or Issue					
<p>We understand the comment author is a major participant in drafting Chapter 11. We assume he will make sure the recommendations of this comment are adequately met.</p>					
Comment					

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Regional Water Planning in an Area Where Water is not Managed Regionally: The Chapter 11, Implementation Responsibilities needs to be clear in its recommendations on how to implement and who will be responsible for possible Alternative Actions. The Plan has a major flaw in that it speaks too much of water supply in general terms. A lack of investigation in and contact with those actually responsible for the operations and maintenance of existing water supply and irrigation systems, those who the infrastructure, those who own water rights, has led to a Plan that is shallow in its investigations and too broad brushed in its recommendations. This document is general in nature and should refrain from making bold recommendations as its findings are not founded upon existing specific water documentation, information, or reports.

SOLUTION: The fact is that water is not managed regionally in the middle Rio Grande however a Regional Water Plan can be useful and hard hitting, but its findings should be stated as preliminary based on regional and not specific data. Its recommendations should also be presented as guidelines of use by the various entities that exist in the planning region.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-21	Closed	Analysis Team		mmcgovern@bhinc.com	Defer
09.10.03					11-29-03
Summary or Issue					
No specific practical recommendation; we see most statements to have sufficient antecedent; we see this as a public/political plan with scientific backup, not an engineering treatise.					
Comment					
<p>Lack of Scientific Support to Water Plan Assertions: All of the Chapters in the Water Plan make statements of fact that are not supported by referenced documentation. Adding reference documents at the end of a Chapter or at the end of the report is insufficient. All numbers and statements of fact should have a referenced basis in fact or research. Chapter one states that the Plan is based on sound science. This is not apparent in any way.</p> <p>SOLUTION: Either provide references for all numbers and statements of fact and finding or preface the report with a statement that this is general information and opinion gleaned from non-experts and the public. The Plan should be reviewed and critiqued by an outside independent expert for accountability in its science.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-22	Closed	Analysis Team		mmcgovern@bhinc.com	Defer
09.19.03					11-29-03
Summary or Issue					
It was developed carefully by the WA and the WRB, both representatives of the public, albeit in different ways. Material leading to the scenario was drawn from competing and public-reviewed materials. We think "preferred" is a satisfactory word to identify the compromise nature of the result.					
Comment					
<p>Convergence Scenario vs. Preferred Scenario: With the very small turn out that occurred in the final public meetings where the "Preferred Scenario" was discussed and shaped, it was suggested that the title of this exercise be changed to the Convergence Scenario" as that is what it became: a negotiated agreement. To report it as a "Preferred Scenario" given the lack of public involvement due to low turn out at these meetings would be dishonest.</p>					

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SOLUTION: Ensure that the Final Scenario including recommended Alternative Actions be titled the Convergence Scenario.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-23	Closed	Analysis Team		mmcgovern@bhinc.com	Defer
					11-29-03

Summary or Issue

It was approved by the Action Committee. A similar version was approved by the Water Resources Board. A conference committee developed a compromise version. The Water Resources Board approved the conference committee report. The Action Committee will be reviewing the conference committee report in the near future. This comment recommendation is outside of the bounds of any of the candidates.

Comment

Public Welfare Statement: This document is too wordy and needs to be simple and straightforward and better represent the realities of the majority of the people who live here. It should be a statement that everyone can agree with who lives here. Instead it is a veiled “no-growth” statement.

SOLUTION: It should be amended to point out the need to better plan growth so as to stimulate a sustainable economy and accommodate smart growth that is beneficial to the region and the state and that can be supported by a sustainable water supply. It needs to identify the region as the largest concentration of jobs and urban population in the state and define the value of these urban dwellers and their hopes and dreams. It should not simply say that we have to harness water transfers. It needs to point out that in the future we wish to negotiate and work with our neighbors, the Pueblos in the region and ask the State Engineer for assistance in that. It needs to identify the water competition in the region and the hope that we can solve it equitably.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-24	Closed			Brian Burnett for BWTF	Defer
9/29/03					11-29-03

Summary or Issue

New data is perpetually emerging. That is one of the reasons why regional water planning must be an ongoing effort, beyond the publication and delivery of this regional water plan. The plan represents a snapshot in time, and is based upon a self consistent study developed by a multiplicity of experts blending the multiplicity of data that was available (the 1999 Water Budget). There is no doubt that newer data would provide slightly enhanced results. Update cycles of the plan probably should embark on blending the multiple newer budgets into a best estimate of the actual situation. Recall, that each of the studies has four embedded sources of substantial mismatch with other studies – geographical bounds, time window, measurement accuracy, and definitional assumptions.

Comment

Clarification of Data Used to Develop the Water Budget: With the advent of new information forthcoming from the ISC and the work of Papadopolus, the water budget must be made final before formal conclusions are written. We know that conversations are continuing on this task and encourage that the work be directly linked with the ISC output in order to avoid future conflicts in the interpretation of data, its meaning, and how we interface with other adjacent regional planning efforts.

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-25	Closed			Brian Burnett for BWTF	Defer
9/29/03					11-29-03
Summary or Issue					
<p>Water markets subject to continued protection of third party interests might be a good thing to do. However, the concept never arose in the Alternative Actions or Preferred Scenario, both of which were subjected to intense scrutiny and debate by the Action Committee, and the Water Resources Board. We see this as a good topic to bring up early in the 2004 update cycle for the regional water plan.</p>					
Comment					
<p>Water Markets: There has only been general discussion about the strength of markets to help solve future challenges. We believe that there should be a specific reference in the plan in support to pursue fair water market strategies. The market can achieve many worthwhile benefits to our water problems The BWTF is currently expanding its understanding of ways to do this and would like to work with M-RCOG to include a proactive statement in the plan to this effect.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-26	Closed			Brian Burnett for BWTF	Defer
9/29/03					11-29-03
Summary or Issue					
<p>This comment appears to be a duplication of Comments 6-11, 6-12, and 6-13.</p>					
Comment					
<p>1. Planning Region Geographic v. Hydrological Boundaries and Water Budget: Early regional geographic planning boundaries were assumed to be the entire lower Middle Rio Grande (MRG) from Cochiti to Elephant Butte Lake and to include a five county area: Socorro, Sierra, Sandoval, Valencia and Bernalillo counties. The first MRG Water Budget published in October 1999 was for this five county area and projects an existing 55,000 af/year deficit (inflow - consumptive uses = required outflow to meet Rio Grande [RG] compact deliveries) after adding the MRGCD, Town of Bernalillo, Belen, and Los Lunas San Juan Chama water which was not included in the original document. Socorro and Sierra counties then withdrew from the Middle Rio Grande (MRG) planning region. This original Budget used the Otowi Gage to the north and Elephant Butte to the south as its boundary conditions. As noted, it also uses RG Compact deliveries as an outflow requirement. The MRG planning region now consists of a three county area, Sandoval, Bernalillo, and Valencia counties. The boundary conditions of our Water Budget as shown in Chapter 6 still are unclear. We are still using the Otowi gage as our northern boundary condition in that gaged flows from this site are used to approximate water inflows at the planning region boundary, the northern Sandoval county line. The Otowi gage is clearly at least ten miles into the Jemez y Sangre Planning Region. It is not clear if inflows that occur between the Otowi gage and the Sandoval County line are included in the Water Budget. Also, it is not clear if consumptive uses (CUs) that occur between Otowi and the Sandoval County line have been subtracted from the MRG planning area budget. What is the inflow at the Sandoval County line? This is important as the Jemez y Sangre Plan</p>					

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accounts for all flows and CUs in this area. Does our Budget include them as well? For instance, the Santa Fe River joins the Rio Grande between the Otowi Gage and the Sandoval County line. Are its inflows included in our Water Budget as noted in Chapter 6? It is unclear. There also appears to be no reservoir evaporation for Cochiti Lake also included in our Water Budget, nor is this even mentioned in Chapter 6.

In 2003, two series of meetings were held with the Socorro Sierra (SS) Regional Planning Group with ISC involvement the following issues were discussed and actions agreed upon:

a. The Elephant Butte evaporation CU of 140,000 acre-feet that was recorded as a debit in the MRG Water Budget. It was agreed that this debit should not be assigned, to one planning region of the 6 total planning regions through which the Rio Grande flows from Colorado to Elephant Butte. The Analysis Team of the Water Assembly (WA) had earlier completed an exercise that recommended apportionment of this evaporation burden between the MRG and SS planning regions. This plan was dropped and the ISC recommended leaving out this debit from both plans. WA leadership has since simply removed this 140,000 af/year figure from the CU of the Water Budget and also removed 140,000 af/year from the regional inflow. This correction was protested in later Analysis Team meetings as still resulting in the MRG Planning Region being burdened with the entire EB evaporation CU in its region. The MRG Planning Region is in no way responsible alone for this CU. It should be apportioned throughout the 6 planning areas in some reasonable fashion by the State ISC and this is a state responsibility to determine how this should be done. In no way does any entity within the MRG planning area have any responsibility for this RG Compact issue and it should be completely removed from our Water Budget and addressed in the State Water Plan.

b. Southern MRG Planning Area Boundary Condition: a second series of meeting was held to quantify the CU that occurs between the southern Valencia county line and the San Acacia gage. Up until recently, the MRG planning region was still using the San Acacia gage as its southern boundary condition. These exercises resulted in an ISC agreed to reduction in CU from the MRG planning area of 69,000 af/year. This is no small amount. Further, a significant adjustment in riparian acreage has been made within the planning region from close to 50 acres to 23 acres. This also resulted in a concurrent large reduction of thousands of acre feet in CU due to this acreage reduction.

The original budget also uses a figure of 90,000 af/year for all Municipal and Industrial (M&I) uses. Recent detailed WA studies using NMED (1999) and Wilson (2002) data for all individual public and private water systems including domestic well estimates indicates that this figure is closer to 80,000 af/year.

The meetings with the SS Planning Region Group, the changes to the riparian acreage, the supposed elimination of EB evaporation and the fact that the M&I CU is known to be too high have not resulted in any change to the bottom line deficit that was originally projected for a five county region, not the MRG Planning Region today. The Water Budget for the MRG region as noted in Chapter 6, still reports a 55,000 af/year deficit in the existing water budget. Also none of the CU numbers are referenced at all and the old 5 county water budget is still included in Chapter 6 even though it is only of reduced relevance to the MRG Planning Region.

SOLUTION: Redo the Planning Area existing Water Budget. Boundary conditions at the county lines need to be used, all CU debits need to be referenced. All RG Compact issues need to be removed as existing legal constraints that are not the responsibility of any single entity or groups of entities in the planning region. Compact deliveries and flow requirements to the SS region should be used to define the outflow requirement at the Valencia county line, the southern boundary condition. EB evaporation needs to be removed from the equation entirely as this issue and its assignment to all 6 or some other combination of planning regions along the Rio Grande will be an issue in the NM state water plan and is the responsibility of the ISC to apportion.

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2. Use of Successful Rio Grande Compact Delivery in 2050 as a Success Indicator of Water Balance: Throughout the draft water plan, meeting Compact deliveries is discussed. The draft Convergence Scenario Plan includes this in its first sentence. While meeting RG Compact deliveries should be a major part of the NM state overall water plan, it should not be a goal of the MRG regional water plan. The goal of the MRG water plan should be to develop a water balance that is positive at the southern Valencia county line. Needless to say however, flow requirements at this southern boundary condition need to be projected from Compact delivery realities.

SOLUTION: The draft plan needs to remove emphasis on this as a goal of the plan throughout.

3. Baseline Hydrological Data: The proposed use of tree ring data to supplant the 50 years of Otowi gaged data we currently use would be a mistake. No other of the 15 planning groups will be or has used this data. It also has never been used for water resource management planning or water infrastructure design purposes in New Mexico. The New Mexico Climate Memorandum included as an adjunct to the SS Papadopoulos MRG Water Supply Study can be found on the ISC web page:<http://www.seo.state.nm.us/water-info/mrgwss/p3-nm-climate-memo-pdf>. In discussing the use of tree ring data as a substitute for existing Rio Grande gaged data, it states: "In summary, we feel that the existing flow records for the Middle Rio Grande region should be used in preference to records reconstructed from proxy [tree ring] data. The upper half of the 1919-1998 Otowi index flow record can be used to represent above average wet conditions, and the lower half of the 1950-1998 record can be used to represent drought conditions. For general modeling, we feel that using only the 1950-1998 portion of the record is preferable to using the entire 1919-1998 continuous record since the latter incorporates two extended periods of above average moisture and only one drought period, resulting in an overrepresentation of average available moisture."

SOLUTION: Certainly this data can and should be used for drought scenario planning and possible drought response design criteria, but it should not supplant the baseline gaged flow data.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-27	Closed			Brian Burnett for BWTF	Defer
9/29/03					11-29-03

Summary or Issue

This comment appears to be a duplication of Comment 6-15

Comment

Lack of Reference to Existing Local 40-Year Water Plans and Water Supply Entities: As noted above, no mention is made of the existing 40-year water plans that exist for the four major cities within the planning region. These plans detail the entities intentions to address their future source water requirements. There is a lack of specificity in the Regional Plan in terms of entity identification, quantification and responsibility for their water rights and infrastructure. This information exists and has been neglected. Further Bernalillo County also has recently completed its 40-year water plan. Finally, no mention of the proposed Albuquerque City - Bernalillo county merger is made in the plan and how that might affect water supply.

SOLUTION: The MRG Regional Water Plan needs to examine these existing plans and include their proposed source development plans and water rights information. These plans discuss options for increasing their supplies and these plans should be included in the Regional Plan as an option or alternative for increasing public water supply. How can these plans be totally left out of the Regional Plan? Further how can the City of Rio Rancho's recent application to acquire additional water rights be

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left out of the plan as well as the MRGCD's ongoing delay in providing the ISC with its Proof of Beneficial Use Report? There is a major lack of specificity throughout the Plan that needs to be rectified. The Plan is much too general in its approach to existing on-going water source and use issues that affect how we should be planning.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-28	Closed			Brian Burnett for BWTF	Defer
9/29/03					11-29-03
Summary or Issue					
This comment appears to be a duplication of Comment 6-16					
Comment					
<p>Lack of Reference to City of Albuquerque's San Juan Chama Project: The City of Albuquerque has been carrying out water planning studies and taking bold actions since the 1960s relating to the inclusion of San Juan Chama water as its future source so as to decrease its reliance on ground water, improve the health of its aquifer, and generally improve the sustainability of its supply for its customers in the City and in Bernalillo county. No other City in the state of New Mexico has a better Water Resource Management Strategy than Albuquerque, yet the details of this plan are not found at all in the Regional Water Plan.</p> <p>SOLUTION: Chapter 7 should include a detailed technical description of the San Juan Chama project and how it fits into the Regional Water Plan even if it disagrees with it. If this is the case, it should include information from the City on how it could fit into the Regional Plan. Again, there is a lack of specificity in the Plan.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
6-29	Closed			Brian Burnett for BWTF	Defer
9/29/03					11-29-03
Summary or Issue					
This comment appears to be a duplication of Comment 6-17					
Comment					
<p>Lack of Reference to City of Albuquerque & Bernalillo County Groundwater Protection Advisory Board: The City and the County founded this Board in 1995. Their work and accomplishments in terms of water quality assessment and management throughout the City and the County have been substantial, to say the least, in terms of groundwater management and quality improvement. This Board is not mentioned once in the Water Plan. None of the recommendations related to Water Quality in the Draft Preferred Scenario of Management Options include reference to the plans or activities of this Board.</p> <p>SOLUTION: Any plan or Alternative that includes optional programs or goals-relating to water quality improvement in the planning region should be compared with the plans of this Board and should be discussed with their staff. We should not ignore their achievement and experience in this area. Not contacting these people and the Board is symptomatic of the lack of contact that has been made with the other major entities in the planning region in the development of this plan.</p>					

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Chapter Seven

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-1	Closed	---	Chapter 7	Leslie R. Kryder, LesLie Consulting, LC	Defer
6/30/03					
Summary or Issue					
MOOT – COMMENT WRITTEN AGAINST AN OBSOLETE DRAFT					
Comment					
This chapter is not ready to be edited. 7. Demand -7.3, 7.4, and 7.5 nothing has been written					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-2	Closed	---	7.4	Leslie R. Kryder, LesLie Consulting, LC	Defer
7/23/03					
Summary or Issue					
PROBABLY COVERED IN CHAPTER 8; NEED SUBMITTER TO SEE HOW IT FITS THERE					
Comment					
Suggestion: make a statement about the overall water use reduction realistically possible through conservation. This is useful information. Suggestion: How about discussing the problem of meeting the compact obligation as less water is drawn out of the aquifer and passed into the Rio Grande?					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-3	Closed	---	Chapter 7	Leslie R. Kryder, LesLie Consulting, LC	Defer
6/30/03					
Summary or Issue					
MOOT - REDUNDANT TO COMMENT 7-1					
Comment					
This chapter is not ready to be edited. 7. Demand -7.3, 7.4, 7.5 nothing has been written					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-4	Closed	TE	7.1	Martin Zehr, mjz49@earthlink.net	
7/20/03					
Summary or Issue					
FORMATTING TO BE ADDRESSED IN FINAL DRAFT					
Comment					
Chapter 7.1. Pie chart on page 2, Fig. A -Irrigated Agriculture 28% is below page line at the bottom of the page making it unreadable.					

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-5	Closed	---	7.1	Martin Zehr, mjz49@earthlink.net	Defer
8/04/03					
Summary or Issue					
NO ACTION SUGGESTED; ALSO APPEARS TO APPLY TO REFERENCED ANALYSIS REPORT					
Comment					
<p>Chapter 7.1 Present Uses, page 3, 2nd paragraph -- READS:"In general, return flow from self-supplied and municipal systems processed by municipal wastewater treatment facilities is returned to the Rio Grande." RESPONSE:</p> <p>Use of the word "returned" and "return flow" would seem to imply that is was taken from the Rio Grande in the first place. It also leaves unclear the impact of groundwater mining on the aquifer level,(1)and ignores the impact of municipal reliance on groundwater on the aquifer level (2), the uncertainty of available groundwater(3)and subsidence(4). MJZ</p> <p>(1) "Ground-water levels are declining in many parts of the Rio Grande Basin: the water table has declined more than 160 feet since 1945 in some areas." USGS GROUNDWATER RESOURCES OF THE MIDDLE RIO GRANDE BASIN, NEW MEXICO, Circular 1222, US Dept of the Interior, U.S. Geological Survey,2002 . p. 8</p> <p>(2) "Well defined cones of depression in the Albuquerque and Rio Rancho area are visible on this map[fig. 4.6]"USGS GROUND WATER RESOURCES, 2002. P. 52</p> <p>(3) "Thus, any estimate of the volume of water remaining in the aquifer would include large volumes that are unusable or unobtainable, and a large uncertainty would be associated with the estimate." USGS GROUND WATER RESOURCES, 2002, p. 60</p> <p>(4) "In the Middle Rio Grande Basin, as much as 330 feet of sediment has been eroded from the center of the basin. The additional weight created by the 330 feet of sediments originally in place compacted the aquifer sediment beyond levels expected from the current thickness of the deposit." USGS GROUND WATER RESOURCES, 2002. p. 86</p> <p>(5) "However, an InSAR analysis of part of the Middle Rio Grande Basin for five periods between July 1993 and September 1999 detected land subsidence and recovery in several areas in Albuquerque and Rio Rancho (fig. J.2). Maximum subsidence was 2 inches and maximum uplift was 0.5 inches caused by both elastic and inelastic deformation." USGS GROUND WATER RESOURCES, 2002, p. 87</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-6	Closed	---	7.1	Martin Zehr, mjz49@earthlink.net	Defer
7/20/03					
Summary or Issue					
NEED CLARIFICATION FROM SUBMITTER OF WHAT TO CHANGE AND HOW TO CHANGE IT; MAY BE REFERRING TO AN OBSOLETE DRAFT					
Comment					

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From going over the report, I see that the reference in 7.1 as part of a lengthy, direct quote from Shomaker. While I know he understands what he means, it may not be so clear to others. It may be preferable, however, if the points I made in my previous email to be included in the 2nd composed paragraph, in Chapter 1.2 , page 1, The Need for Water Planning, to elaborate a bit more on the groundwater situation and causes for concern. This might alleviate the need to break the quote with references.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-7	Closed	---	Chapter 7	Martin Zehr, mjz49@earthlink.net	Defer
Summary or Issue					
NO ACTION SUGGESTED					
Comment					
"The amount of water withdrawn each year in Sandoval, Bernalillo, and Valencia counties combined is about 600,000 acre-feet. Roughly half of those withdrawals are for irrigated agriculture, and one quarter is withdrawn for public water-supply systems in the region.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-8	Closed	Bob Wessely	7.7	Martin Zehr, mjz49@earthlink.net	Incorporate
9/03/03					
Summary or Issue					
EDITORS - PLEASE TRY TO CAPTURE TEXT FROM A PREVIOUS DRAFT. - SUGGESTION TO RESTORE THE SUMMARY OF PRESENT AND FUTURE DEMAND AS SECTION 7.7 ON PAGE 31					
Comment					
<p>Suggest that mention include increased demand resulting from projected population increase figures are speculative and include a substantial increase during the period from 1960-1980 due to industrial and commercial development on the West Mesa from large scale water users. This could impact on attempts to extrapolate such a growth in the future given its extraordinary increase and project greater increase then is supported by demographic factors alone for the future.</p> <p>Section 7.7 Summary of Present and Future Water Demand</p> <p>[This paragraph, when written, will present a synopsis of the water demand situation for the Middle Rio Grande Region, in each of the three planning horizon time points (now, forty years, and seven generations). The paragraph will also present a geographically localized, quantitative summary of the sufficiency or insufficiency of the water supply as described in Section 6. to meet the water demand as described here in Section 7., for each of the three planning horizons. Both single year and accumulative data should be included.]</p> <p>The water budget, the comparison of supply with demand, for the recent historical past (and assumed current) is discussed at the beginning of Chapter 6. It indicates an average deficit of 55,000 acre feet per year, based upon a consumptive use of 385,000 acre feet per year drawing upon a 330,000 acre feet per year renewable supply.</p> <p>A fifty-year future water budget is discussed in Section 7.2, assuming unlimited supply and no remedial</p>					

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actions. It shows a deficit of 150,000 acre feet per year, based upon a consumptive use of 480,000 acre feet per year against the same 330,000 acre feet per year renewable supply that was observed for the relatively wet last quarter of the 20th century.

The seven generation analysis was deferred, as noted above in Section 7.3

As a part of the planning process, two kinds of recommended future water budgets were developed. One divided the incomes and outgoes according to sectors of use (agricultural, urban, etc.). The other divided the water according to jurisdictions (Los Lunas, non-incorporated Sandoval, etc.). These budget-balancing exercises, described in Section 8.2, provide targets or goals in designing the recommendations that appear in Chapter 10 of this Plan. The same budgeting exercises establish metrics for our success in implementing the Plan.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-9	Closed	---	Fig A, p.2	Martin Zehr, mjz49@earthlink.net	Defer
7/20/03					
Summary or Issue					
NO ACTION SUGGESTED; ANSWER SHOULD BE IN SHOMAKER REPORT					
Comment					
I do wonder how the amount of water from unmetered, private wells were quantified in these counties to come up with this figure, as well as the Pie Chart "self-supplied domestic 1.13%" in Fig. A, page 2					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-10	Closed	---	---	Leslie R. Kryder, LesLie Consulting, LC	Defer
7/23/03					
Summary or Issue					
REDUNDANT TO COMMENT 7-2					
Comment					
Suggestion: make a statement about the overall water use reduction realistically possible through conservation. This is useful information. Suggestion: How about discussing the problem of meeting the compact obligation as less water is drawn out of the aquifer and passed into the Rio Grande?					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-11	Closed	---	Chapter 7	SKelly@cabq.gov	Defer
9/08/03					
Summary or Issue					
NO ACTION SUGGESTED					
Comment					
I was not able to print Ch 7, therefore wasn't able to take it home this weekend to read. Due to time constraints, the City is unable to make comments on Ch 7 by 5:00 today					

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Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-12	Closed			Brian Burnett for BWTF	Incorporated
9/29/03					11-15-03
Summary of Issue					
Comment					
<p>We believe the tone of the writing in this chapter is too negative. We all understand that there are significant challenges dealing with water going forward; however, there are many solutions that can be effective. We think that it is important to state the facts but not add elements of emotion and bias to the plan especially in the opening chapter.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-13	Closed			Brian Burnett for BWTF	Previously Incorporated
9/29/03					11-15-03
Summary or Issue					
Comment					
<p>Jurisdictional Allocation Process: We reiterate that the step currently underway is part of implementation and should not be emphasized as part of the plan at this time. While there may be merit to outlining some preferences for implementation and allocation, any recommendations should not be viewed as final and there should not be any attempt to formalize solutions with governmental agencies. We think that this exercise is, in fact, distracting to the efforts to resolve issues in the water budget and the prioritization of possible solutions.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
7-14	Closed			Brian Burnett for BWTF	Defer
9/29/03					11-15-03
Summary or Issue					
Comment					
<p>8. Lack of Pueblo Involvement and Proxy Discussion and Plans: There is no discussion of existing or future Pueblo water use or water rights. While little data exists, how can we carry out propose existing and future budgets for instance without estimating these figures?</p> <p>SOLUTION: Pueblo water use and water rights today and tomorrow within the planning region need to be discussed and estimated. Place holders figures for these quantities need to be inserted in the plan.</p> <p>We are dealing with wet water here, not water rights. Rights are a substantial issue, and Pueblo rights are a bigger issue. These are still to be dealt with, and probably at the State level.</p>					

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Chapter Eight

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
8-1	Closed	---	8.1	Leslie R. Kryder	Incorporated
?					
Summary or Issue					
REFERS TO OBSOLETE POSTING					
Comment					
The available chapter material for Chapter 8 does not appear on the CH plan page. It should. 8. Alts – most of section 8.1 is missing from the draft version I received from Bob P. (he now has full copy) -8.1 numerous small facts are highlighted as missing or needing					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
8-2	Closed	TE	8.2	Ed Payne, ed.payne@comcast.net	Incorporate
9/04/03					
Summary or Issue					
SECTION 8.3 ON PAGE 29 HAS NO TABLES; COMMENT REFERS TO OBSOLETE DRAFT INCORPORATE - SECTION 8.2 TABLES ON PAGES 23-28 NEED TO BE FIXED FOR LANDSCAPE PRINTING INCORPORATE - TECH EDITORS SHOULD ASSURE THAT TABLE APPEARS IN SUPPORTING MATERIAL; ASK ED P, IF NECESSARY, TO IDENTIFY TABLE					
Comment					
The Table in Section 8.3 should be deleted from this section and moved to an Appendix.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
8-3	Closed	AWT	A-11, p.13	Pohl, Phillip [pipohl@sandia.gov]	Incorporate
9/02/03					
Summary or Issue					
SUGGESTION TO ADD TEXT ABOUT SNL RESEARCH IN A-11 ON PAGE 13					
Comment					
Under analysis on A-11, consider adding a space for a research project underway, hydroponic forage out at Sandia, along with the Mexican government. After the bullet that says replacing 5000 acres of alfalfa with sorgum would save 4300 acre-feet, put ', or fulfilling this need for alfalfa with hydroponic forage could save 99% of the water traditionally used on alfalfa.'					
Phil					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
8-4	Closed	AWT	Chapter 8	Pohl, Phillip	Incorporate

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				[pipohl@sandia.gov]	
9/02/03					
Summary or Issue					
<p>EDITORIALS, NEED SOME EXPLANATORY TEXT FOR TABLES, INCORPORATE - ALSO NEED A MONOTONIC WAY OF FINDING REFS TO ALTS IN SECTION 8.1 INCORPORATE - As discussed in Comment 8-2, the table in Section 8.3 will be moved to an Appendix with additional text to define the headers. The Section 8.3 beginning on the bottom of p 25 and including pp 26, 27 and 28 should be deleted and retain the second Section 8.3 on p 29.</p>					
Comment					
<p>Subject: Expand the description on the last few tables</p> <p>There is lots of information in the final 2 tables that should be explained just a little more. Such as, the different headings, cc, dot, reg - how do they differ? What is the message to be gleaned from these?</p> <p>Also, 8.3 is in the chapter twice.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
8-5	Closed	AWT	8.1	SKelly@cabq.gov	Various; See Comment
9/08/03					

Summary or Issue					
SEVERAL SUGGESTIONS ON ALTS IN SECTION 8.1:					
Comment					
<p>(a) INCORPORATE - SUGGESTION TO REPLACE LAST LEGAL ISSUE BULLET IN A-1 AT TOP OF PAGE 2 (ALSO SEE COMMENT 5-3)</p> <p>Bosque Management (A-1)</p> <p>The last bullet does not acknowledge the authority of the State Engineer to manage the flows of the river. It reaches a conclusion beyond what is stated in the legal analysis of this alternative. The legal analysis states there is an issue as to ownership of the saved water, which I suggest would be an appropriate last bullet.</p> <p>Agree on the issue of ownership of saved water (do we wanted to find another word besides "saved" water???) for the last bullet of A-1.</p> <p>(b) INCORPORATE - SUGGESTION TO ADD RESERVOIR BULLETS IN A-45 ON PAGE 3 Reservoir management (A-45)</p> <p>This section should be expanded, particularly as it relates to storage at Abiquiu:</p> <p>"Considerations" should include:</p> <ul style="list-style-type: none"> • Obtaining City of Albuquerque concurrence, which would be dependent upon whether any excess space is available given City storage needs and commitments of storage space to other entities; • Obtaining legal permission from landowners; • Obtaining a permit from the New Mexico State Engineer ; • Concurrence of the Rio Grande Compact Commission; and 					

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- Environmental compliance

Agree on the Other Considerations for A-45

(c) **INCORPORATE** - SUGGESTION TO REVISE PRICING TEXT IN A-21 ON PAGE 9
Urban Water Pricing (A-21)

Clarify that public utilities cannot legally control water pricing as a means to raise revenue or artificially create conservation incentives. The City of Albuquerque water utility is legally bound to deliver the water to ratepayers at the cost to produce it. As such, the existing pricing mechanisms for City are directly tied to infrastructure and delivery costs. **While utilities are not allowed to make a profit, with all of the water infrastructure projects that are in the queue or wish list, there should be no fear of violating the not-for-profit stricture. EDITORS – Please make the paragraph explain the above considerations (Bob W).**

(d) **INCORPORATE** - SUGGESTION TO REVISE AG METERING TEXT IN A-7 ON PAGE 10
Agricultural metering (A-7)

This alternative received a high feasibility ranking from all standpoints except Social and Cultural implications. I believe the Social and Cultural analysis assumed, mistakenly, that this alternative is intended to address on-farm metering, but it is not. This is metering of the mains and laterals. I suggest clarifying this in the description.

I would re-word “other considerations” to read: “Ownership of saved water is an issue”

Agree on Ag Metering A-7 – do we wanted to find another word besides “saved” water???

(e) **DEFER** - REQUEST FOR CLARIFICATION ON DEEP WATER PRESERVATION, A-15 ON PAGE 14
Preserve Deep Water for Drinking (!-15)

There was not technical feasibility analysis of this alternative. Not sure I understand the proposal. It would be highly expensive to have a dual piping system everywhere in the City. The City is already proposing to have treated river water from the taps.

Disagree on clarification of A-15 - INCORPORATE - instead we need to refer the reader to the more detailed Fact Sheet analysis in the Appendix. The concern about the cost/feasibility of a dual piping system is addressed.

(f) **INCORPORATE** - Conjunctive Management (A-144)

REQUEST FOR CLARIFICATION ON CONJUNCTIVE MANAGEMENT, A-144 ON PAGE 15 - I believe this section summarizes how the river is currently administered by the State Engineer. I do not understand the point of this section.

Conjunctive use A-144 – suggest adding clarifying sentences: “The State Engineer has the power, through permit conditions, to allow the commingling of water rights and the conjunctive use of water. Conjunctive management could be strengthened through the passage of legislation which would allow for the augmentation of surface waters depleted by groundwater pumping.”

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8-6	Closed			ed.payne@comcast.net	Incorporate
9/15/03					11-15-03 for v. 8-4
Summary or Issue					
Comment					
<p>Subject: Revised Description of Alt A-51</p> <p>Based on information from Bob Grant, the description of A-51 on EB Loss Accounting should be replaced with the following:</p> <p>Evaporative Loss Accounting (A-51)</p> <p>DESCRIPTION: Establish more equitable accounting for evaporative losses in Rio Grande Compact water. As discussed in more detail in the Fact Sheet in {{Appendix xxxx}}, in 1948 the Compact Commission made the evaporative losses more equitable to New Mexico when the gaging points were moved from San Acacia and San Marcial to a new gaging station at Elephant Butte Dam.</p> <p>BRIEF ANALYSIS:</p> <p>Water: N/A</p> <p>Cost: N/A</p> <p>Time: N/A</p> <p>Tradeoffs: NA</p> <p>Other Considerations: It may not be in New Mexico's interest to open negotiations on the Rio Grande Compact because other issues may arise.</p>					

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Chapter Nine

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
9-1	Closed	Bob Wessely	9.1.2	Pohl, Phillip [pipohl@sandia.gov]	Incorporate
9/02/03					
Summary or Issue					
SUGGESTION TO REVISE MODEL DESCRIPTION TEXT, PARA 9.1.2 on PAGE 2					
Comment					
<p>Model assessment I may be just standing up for my colleagues at Sandia that prepared the model, but I happen to think that it is one of the best simulations of water use in the world. It does not couple GW use under Alb to the wet water in the RG but does just about everything else.</p> <p>Please revise the paragraph at the middle of pg 2 in chapter 9 by eliminating the sentence, 'the model does not give a reliable picture of the future'. Consider combining the first and last sentences to read, ...recognize that the model is limited by the many assumptions and approximations...</p> <p>A more positive disclaimer sentence such as 'The results of the model do not include coupled GW use under Alb with the RG, but does include most other water relations known to exist in the MRG.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
9-2	Closed	TE	9.1.4, 9.2	SKelly@cabq.gov	Incorporate
9/08/03					
Summary or Issue					
EDITORIAL – WE SHOULD GET THE REFERENCED EXISTING DOCUMENTS COPIED INTO PARA 9.1.4 AND SECTION 9.2 ON PAGES 4 AND 5					
Comment					
Due to the amount of material not yet available, it is very difficult to review this Chapter. The City will provide comments as soon as possible. The Chapter does not appear to be ready for action on Sept. 10.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
9-3	Closed			Brian Burnett for BWTF	Defer
9/29/03					11-15-03
Summary or Issue					
Comment					
Convergence Scenario vs. Preferred Scenario: With the very small turn out that occurred in the ' final public meetings where the "Preferred Scenario" was discussed and shaped, it was suggested that the title of this exercise be changed to the Convergence Scenario" as that is what it became: a negotiated agreement. To report it as a "Preferred Scenario" given the lack of public involvement due to low turn out at these meetings would be dishonest.					

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SOLUTION: Ensure that the Final Scenario including recommended Alternative Actions be titled the Convergence Scenario.

The “converged scenario” was presented to the public. Based upon comment to the scenario and upon and prior public comment to alternative actions and upon the public derived Mission and Goals, the Water Resources Board of MRCOG and the Action Committee of the Water Assembly (as representatives of the public) refined and edited the converged scenario in great detail through a long series of joint sessions. The joint sessions negotiated to a single concurred version. We feel that “preferred” is a satisfactory adjective for the time being.

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Chapter Ten

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
10-1	Closed			Brian Burnett for BWTF	Incorporated
9/29/03					12-23-03
Summary or Issue					
<p>Since September, the public welfare statement has been reviewed line-by-line, substantially edited, and approved by both the Water Assembly and the Water Resources Board. BWTF personnel participated in the process.</p>					
Comment					
<p>Public Welfare section: We do not support the inclusion of a separate “Public Water Rights and Responsibilities” A public welfare statement should be one single set of perspectives. We strongly believe that the economic concerns relating to public welfare should be a prominent and forceful part of any statement. I have included a public welfare statement that we have been using to interface with other members of the water assembly to try and reach consensus on this part of the plan. We stand ready to continue the dialogue in developing a fair and balanced public welfare statement.</p>					

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Chapter Eleven

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
11-1	Open	MRCOG		mjz49@earthlink.net	
Summary or Issue					
Comment					
Subject: Chapter 11 Comments					
<p>It would benefit all to be as specific as possible regarding local priorities in implementing the Water plan. Each sub-region has its own particularities that would impact on the plan. Urban conservation would be a priority in Albuquerque, as well as other alternatives, while other alternatives would be more relevant to outlying regions. This is not intended to be a document that says "one size fits all". Clearly this is something that can provide vision for others regarding how the plan will impact their area. It would be incumbent upon the Water Assembly that local municipalities who are asked to implement this plan have the input needed to integrate them and vest them into the process.</p> <p>--- Martin Zehr</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
11-2	Closed			Brian Burnett for BWTF	Incorporated
9/29/03					
Summary or Issue					
<p>Water Resources Board is recommended as a coordinating agency for local jurisdictions (see 7.5 and Recommendation R2-10 (previously numbered 10.2.5.10). Chapter 11 will amplify</p>					
Comment					
<p>Regional Structure for Implementation of Strategies: There has been much talk about support for the creation of a regional structure to implement the plans in the future. We strongly endorse a concept that is founded on the M-RCOG Water Board as the agency with authority and responsibility to implement the plan. We do not believe another competing agency, or legal entity, is required to perform this work. We hope that this perspective is made part of the final plan.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
11-3	Closed			Brian Burnett for BWTF	Incorporated
9/29/03					
Summary or Issue					
<p>Chapter 11 is in work, with very active participation by BWTF personnel. We expect it will meet the suggested attributes.</p>					
Comment					

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Proposed Mitigating Water Resource Management Programs and Infrastructure Plan and Costs from Chosen Alternative Actions: The descriptions of alternative actions are excellent in the Plan however, Chapter 11, Implementation Responsibilities needs to be clear about who might be responsible to implement such plans and how much they will cost over time, where the funding might come from and how this will affect the cost of water sold in public and private water supply systems and within irrigation systems as well. This will be difficult as neither Chapter 6 nor Chapter 8 identify any of the individual entities who own water rights today, their plans to increase their water rights holdings, or their 40-year water plans that exist today, such as the cities of Albuquerque, Rio Rancho, Los Lunas and Belen, all of which have 40 year water plans.

SOLUTION: Chapters 8 and 11 need to be specific in their discussion of which entity is suggested to develop and manage what plans to achieve possible efficiency and conservation goals as presented as possible within the Alternative discussions. There is no specificity in either of these chapters now.

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
11-4	Closed			Brian Burnett for BWTF	
9/29/03					
Summary or Issue					
We believe the assertions to be inaccurate					
Comment					
<p>Regional Water Planning in an Area Where Water is not Managed Regionally: The Chapter 11, Implementation Responsibilities needs to be clear in its recommendations on how to implement and who will be responsible for possible Alternative Actions. The Plan has a major flaw in that it speaks too much of water supply in general terms. A lack of investigation in and contact with those actually responsible for the operations and maintenance of existing water supply and irrigation systems, those who the infrastructure, those who own water rights, has led to a Plan that is shallow in its investigations and too broad brushed in its recommendations. This document is general in nature and should refrain from making bold recommendations as its findings are not founded upon existing specific water documentation, information, or reports.</p> <p>SOLUTION: The fact is that water is not managed regionally in the middle Rio Grande however a Regional Water Plan can be useful and hard hitting, but its findings should be stated as preliminary based on regional and not specific data. Its recommendations should also be presented as guidelines of use by the various entities that exist in the planning region.</p>					

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Chapter Twelve

Appendix

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
1-22 10/28/03	Closed			David Stoliker	Incorporated
Summary of Issue					
3. Can we include a copy of the Rio Grande Compact in the appendix? That is the intent.					
Comment					

Supporting Material

Archive Data

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Chapter Unknown Citations

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
U-1	Closed	---	None	Martin Zehr, mjz49@earthlink.net	Incorporated
Summary or Issue					
ADDRESSED IN CHAPTERS 1, 2, AND 6					
Comment					
I suggest incorporating discussion of the previous notion of "an underground Lake Superior" on policy and use of water. Also, the fact that there is no real quantification of the groundwater does not represent an endless supply, as is projected on the Sandia model.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
U-2	Closed			Brian Burnett for BWTF	Defer
9/29/03					11-15-03
Summary or Issue					
Comment					
<p>Lack of Scientific Support to Water Plan Assertions: All of the Chapters in the Water Plan make statements of fact that are not supported by referenced documentation. Adding reference documents at the end of a Chapter or at the end of the report is insufficient. All numbers and statements of fact should have a referenced basis in fact or research. Chapter one states that the Plan is based on sound science. This is not apparent in any way.</p> <p>SOLUTION: Either provide references for all numbers and statements of fact and finding or preface the report with a statement that this is general information and opinion gleaned from non-experts and the public. The Plan should be reviewed and critiqued by an outside independent expert for accountability in its science.</p> <p>We believe that most numerics and statements have their sources specifically cited. If there are specific statements or paragraphs where there are concerns, please identify them. The plan is based upon a combination of public input and sound technical data, with the combining accomplished by teams of experts and lay people. The planners have been careful to maximize the use of very limited resources. A separate audit of the scientific data that has been gathered is seen as profligate in the current resource environment.</p>					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
U-3	Closed			Mary Murnane	Partially incorporated
10/28/03					11-15-03
Summary of Issue					
<p>1. Shorten it especially "Background", etc.</p> <p>We believe that the General Summary (when completed) will be the "short</p>					

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<p>source”</p> <ol style="list-style-type: none"> Eliminate the use of “we” and “our” throughout Tech Editors have that process in work. Eliminate some reference to Water Assembly vs. Water Board and replace with “the planning process”. The public doesn’t care and shouldn’t have to care or understand the difference between the Water Assembly and the WRB We believe the WRB/WA difference is important, especially since there are places where one has approved and the other has not approved an item. It needs to be cleaned up. That is in work through the Tech Editors.
Comment

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
U-4 10/28/03	Closed			David Stoliker	Planned
Summary of Issue					
The plan contains much information that should be moved into the appendix and referenced. My perception of the document usage will be one of reference, reviewed periodically by many and memorized by a few. If you can’t put your finger on it in a brief time, you will be placing control into the hands of the few. I recommend that a technical writer review this document with that in mind.					
Comment					
That’s intended for update cycles. We did not have the time in this issuance to accomplish the suggested change.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
U-5 10/28/03	Closed			David Stoliker	
Summary of Issue					
It appears that the sections/chapters were written at different times and much of the information is redundant and conflicting.					
Comment					
Don’t know which section. However, the editors did some level of consistency checking.					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision

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U-6 10/28/03	Closed			David Stoliker	Incorporated
Summary of Issue					
All graphics should be identified in a summary table and look at improving the quality (page 2-4).					
Comment					

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
U-7 10/28/03	Closed			David Stoliker	Done
Summary of Issue					
4. After the discussion on Monday, I would like to have one more shot at chapter 10 and 11 before they are final. This can be done after public comment.					
Comment					

Empty table for copy and paste purposes on new comments:

Number	Status	Team/Person Responsibility	Document Reference	Commenter Contact	Disposition Decision
Summary of Issue					
Comment					