



**Comments from New Mexico State Water Plan Public Meeting:  
Anthony  
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Thursday, July 24, 2003; 7:00 – 9:00 p.m.**

Following is a summary of the questions, comments, and issues raised during the discussion that followed the formal presentation on the purpose and objectives of the facilitated listening sessions for the 2003 State Water Plan, at the public meeting in Jemez Pueblo. This was the 8<sup>th</sup> of 29 public meetings scheduled to gather public input on the initial phase of the State Water Plan.

**Introduction:**

Planning and Communications Division Director Rhea Graham, welcomed over 30 people who attended the public meeting from areas in and around Anthony, which came into New Mexico as part of the Gadsden Purchase. Rhea presented an overview of the State Water Plan and selected technical information to set the context for the meetings. The public meetings are “listening meetings”, since the purpose is to hear what is of concern to New Mexico communities. The Interstate Stream Commission has organized 29 meetings, and four meetings are on Tribal lands.

The Interstate Stream Commission and the Office of the State Engineer identified five major topic areas that should be the primary areas of discussion during the public meetings, all seeking to determine what the public’s values are regarding them. The discussion also sought public input on mechanisms that would be possible to address the topic areas and the public’s values about them.

The five areas for discussion are:

- Stewardship
- Balancing Supply and Demand
- Drought
- Water Administration

- Funding

### **Stewardship:**

*What kind of value do you place on water?*

- As I understand it we lose a lot of water to evaporation annually maybe around 11 feet...our concern here is water conservation and taking care of what we have...looking at the river, which is braided upstream; how much water evaporation is occurring as opposed to if the river were in a straight channel....we can speak to limiting evaporation
- Levee maintenance is important
- I gave this comment from me last night, but for benefit of staff, you are the most southern part of the state, as well as the bottom end of the river, more and more water seems to be caught upstream, and the value of stewardship is fairness; very little gets through equitably...I represent this part of the state as well as Senator Papan who is here, all of these issues need to be addressed equitably; Right now I don't think this is being addressed fairly; We don't follow and enforce the laws and this leads to suspicion; Some of the larger agricultural users are represented here...we are going out and buying up farmland to get more water rights
- Set laws for the future and those laws have to take into consideration that there are more people...need laws that are good for the future to be fair about everything
- I went to the meeting last night and I was very impressed with the urban mentality last night; I think the farmers are already conserving water; We cement our ditches, we do laser-leveling, and does northern New Mexico know what kinds of measures we are taking now? What kind of education can we do to make sure that northern NM and the general public knows the kind of steps we take to conserve water down here?
- My concern is with some of the municipalities and some of what they're doing i.e. take El Paso and their recharge of their water, and here in NM we do absolutely nothing; we can see conservation across the border and we do not do anything about it; we need our legislators to move this thing around so that we can model what's already out there
- The ideas of saving water to help our future is sort of fallacious because it is important to take care of the water now; look at now for our own businesses and be practical
- Our concern ends at the state line, rather than look at our river as part of an hydraulic region; instead we look at capturing it for ourselves only. I would like to say then if we focus on more than just passing it along we would open some doors, we need to look at the bigger perspective
- We need to know how much water we have to determine what is a sustainable supply
- Elephant Butte Irrigation District; It seems like we're missing the number one concern, we are defensive about how we use it, but we have not determined the

- limited supply, we have a relatively abundant supply for this part of the earth but we should recognize that it is limited; two reservoirs, surface and groundwater, if we use more than what is there then we will be depleting our supply; we are missing the forest for the trees; we should be thinking about how much we have...
- Is it true that adjudication in our area is supposed to end up in 2024, that is the State Engineers' projection for adjudication; it has to be faster than that
  - What we should be doing is selling the water not negotiating for the water; the value is less than what it should be...we need to compete with world economics with a crop that sells...we need to sell our water

### **Balancing Supply and Demand:**

- Driving thing is priority use; people need to survive or have to move somewhere else
- Rich folks buying the land and may have influence on the use of water
- Last night talking about the economy, supply and demand should balance the economics around water. Prior administration, is our law, we need to enforce the law. If we are going to have the laws then we need to apply them fairly. When the cost is spread around then we can support it. It's like oil...when there was less we bought smaller cars...the price went down, now we're driving Sport Utility Vehicles
- Is water on an equal footing with supply and demand in other areas...it seems as a society we need to determine whether we will accept water as a commodity and whether or not supply and demand will dictate the quantity and quality of water... or whether potable drinking water is a basic human right?
- The law reads that the water belongs to the first beneficial user, it's not for the many people that are moving in here, they are newcomers and they should pay an additional cost for using the water; newcomers should pay their fair share
- On the supply side some sort of system to bank water when the water is plentiful and have it injected and banked into aquifers where it's not exposed; pump it into the ground where we can access it later; physically banking the water and re-injecting it into the aquifer; in California this has been very successfully done
- To balance supply and demand we need to use good science to determine our supply, I am appalled that the State Engineer can make decisions but cannot enforce it; the only way the private citizen can exercise their right is to sue; if water is used wisely we can use it for a long time
- One of the things we haven't done is know where the Native Americans are going, and until we know what they're going to do, it makes it difficult to adjudicate
- When we tried to increase the supply with the cloud seeding, there was a lot of hail damage
- When referring to groundwater I am referring to the Mesilla-Bolson basin

### **Drought:**

- I thought you were going to have a solution...I thought you were going to have a lot solutions
- To take care of a drought you have to pre-plan, once you have a drought you have to suffer through it. Preplan around when we have the water so we can use it when we don't
- The value of honesty is key here - the drought is making us dishonest, because the middle of a drought is what we're in now
- I think he's right about the honesty, except there have been years when water has been more plentiful. There are some years when water can be banked and then we can use it in the dry ones
- We have small acreage where we raise small alfalfa for our animals and it has to start with education; we need to share all of our water and it's got to start with all of us working together and being stingy or we will all lose together

### **Water Administration:**

*What would you do to guide our decisions around how we administer water?*

- This is the west's most important priority
- Desalination of the ocean - your idea is good...as long as we keep the price low...
- It is my fond wish, that even with our differences, we could come together for a consensus, I was told that I need to have an affidavit for my well, then I was told that I needed two, one for each well, and then we took it in to the office and this well has an LRG # ...so we didn't need an affidavit; growers were telling us one thing, State Engineer Office was telling us another...Consistency and less of bureaucracy would be great; we need some communication classes for the agency staff
- Knowing what and how many water laws are written and on the books is important, because that's an important part of administration, maybe they need to be consolidated and simplified so that they are more consistent
- The Senator responded I don't know how many are on the books, but I will get your answer and get back with you
- As a lawyer I can tell you the law will always be different and courts interpret laws all the time – courts exist to apply laws fairly
- We hope that you will be eliminating laws as well as adding laws
- “Slippery minnow” cannot be missed as an example of the problem with courts applying laws
- At the end of World War II, rural population was 85%, now the farm numbers are so low; we need to have laws that the city does not take the waters from us
- Distribution of water should be based on the marketplace; I use my water to grow my plants, but have to have the ability to lease these waters; nowadays the domestic wells take a lot of water; it should be that the people who have the prior right should be consulted before they take our water for domestic wells, that don't really have prior rights

- Apache Nation – they were bullied out of the land that they had; my father came from the Basques; we lost all the rights that the Indians had...that's the way the cookie crumbles
- There is an inconsistency between the law of prior appropriations and the domestic well permits; keeping the domestic wells from being drilled is not going to save our water from disappearing, because they only use 5% of the water
- But how long will it take for it to run out, even if domestic use is a low percentage?

### **Funding:**

*Which values would you like the leaders of the state to know?*

- We need to look at the salt cedar eradication that uses so much of the water; need to look at ways to get federal matches for these efforts; the New Mexico Finance Authority funds for wastewater, not irrigation; but we will have to figure out some way to make the water more precious; there is a lot of north vs. south when it comes to the water issues; we always have the constant battle from others, like Socorro, getting funding earlier than we do in the south; federal matches are needed; legislation passed last year so that the farmers can lease the water, so that they do not lose the water rights
- Honesty...salt cedar eradication has been funded, but we really don't know how much water we save from eradication; we have no idea how much we are getting from this practice; there is no cost benefit analysis of this! We throw money at the problem and think that it is going to help; are we really using this wisely? Could we use watershed management practices, drip irrigation...we need to look at what would work best to save money; we should be doing research at the university that will give good data for decisions, and not just throw dollars at pet political projects
- Our stream adjudication here, we gave the Office of the State Engineer the ability, but know it is stopped because he is out of money; the adjudication process should be paid for partly by the people along this stream; they should establish some process, so that they can get some of their funding from the region which the adjudication is coming from

### **Other Comments:**

- We cannot do anything because we are not adjudicated; the State Engineer did not adjudicate, because there are a lot of upset people; was avoided because they do not want to upset people, because there are winners and losers; it is an unpopular thing to do – It's not about funding
- There are too damn many lawyers; it is being run by the lawyers
- When I get a case from another lawyer, it takes a lot of time to catch up...this is the same for a new State Engineer, but the new one should finish adjudication during this Administration; we need a water budget for the State Water Plan to move forward

- No one has touched on recycling or gray water; we have it and we need to use it, and we need to use it as a means of increasing the supply of water
- Water right is enough to raise the crops with as much water as he has historically used; Elephant Butte Irrigation District right, supplemental right, and thirdly the farmer, has a basic right to the use of ground water