



**Comments from New Mexico State Water Plan Public Meeting:
Clovis
Community Library – North Annex
Wednesday, August 06, 2003; 7:00 – 9:00 p.m.**

Following is a summary of the questions, comments and issues raised from the facilitated State Water Plan public listening session in Clovis, New Mexico. This was the 13th 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 85 people who attended the public meeting from areas in and around Clovis. 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:

- We need to convince people that we have a water problem.
- First we must determine who the water belongs to and who is in authority is to decide this?
- It's a problem not knowing what water is available; we need to quantify the resource before we can have a plan
- We need to understand the extent of the aquifer; who owns the water, who is using it and who has the rights to use it?
- We need to define utilization; how should water be used? The owners should make those decisions
- We need to recognize we have a water supply that is shared with other states; we need a comprehensive water agreement with Texas for usage; Texas just pumps and pumps, they have an unlimited water draw on our water.
- The quality of the water should be protected
- We need to realize that our economic future and values depend upon protecting the water and maintaining a healthy environment
- Hype in newspapers makes people think there might not be water next week; that's what drew me to the meeting
- The New Mexico Health Department and other health agencies should be partners in solving the water quality problems
- We have a real problem with the difference between the water on top of the ground, and the water underneath it; when it is on the surface it disappears; we need better water collection and management systems
- We need to deal with the problem of evaporation; water also evaporates via lawns, too; we should make conscious rules to regulate misuse
- Water should not be allowed to evaporate from Elephant Butte, because it doesn't come back to our region in the form of precipitation

- Conservation programs need to involve everyone and not just the civilians; water runs constantly at the Cannon Air Force Base; they have the prettiest golf courses; Cannon should share in the conservation
- My value is the supply of water for future generations; I have three sons and six grandchildren and great grandchildren; we need to keep the kids here; the Ute water project should be completed as soon as possible; we need this project in the State Water Plan
- New Mexico should give some thought to the type of industries we attract here with respect to the amount of water needed
- State needs to protect the water rights of private owners
- State needs to compensate for conservation (create incentives)
- State should have a strong committee to keep water in New Mexico so Texas doesn't get it; we need to protect the Ogallala Aquifer – keep it here
- Farming uses the most water, and there should be research on better and more efficient irrigation technologies
- We need to be more aware of water conservation in smaller municipalities; in the northern part of the state there is education about conservation in the hotels/motels and restaurants; but all we have in Clovis is a billboard; there should be more awareness here
- Water utilities like the New Mexico American Water Company can't enforce water restrictions because they are a private company; it needs to be a public entity that does that; we should make the water company public so that the city can impose mandatory conservation measures
- The City of Clovis has problems now because of a lack of stewardship, lack of planning for growth; they should have been buying land, predicting growth; the City of Lubbock has 140 wells right across the border; there should have been a plan in Clovis 15 years ago
- A primary concern here is that the aquifer is being pumped and depleted; federal farm programs are for stewardship purposes; we already have federal controls on the streams; if we were not watering lawns, the tanks would not be so low now
- Evaporation is the Lord's plan, not ours; wetlands could conserve some of the water – but what is it going to cost? We need a 20 or 30-year rain spell; we don't want to have to go to the state to get a permit to pump water for cows

- In Colorado, water rights are worth more than gold; New Mexico must conserve what we have; we need Ute Reservoir water; we need good planning; we should not give water away to Lubbock
- Farming is what made this community, not fabulous homes with blue grass; bluegrass is using 3-4 inches of water a day; the state should put out pamphlets that show how much water bluegrass and other types of lawns use; there should be cooperation between areas
- Pumping water up to the Rio Frio, right at the edge of the “cap,” would be cheaper than a \$20-30 million pipeline
- Establish priorities about what our water should be used for
- We do have programs that are under funded; we need a public water supply, but the main user is agriculture; you can cut agricultural use to the point where it is sustainable; though we need to be compensated
- Water use and priorities need to be put to the vote; we don’t want to supply water to Albuquerque
- Regional water plans should be coordinated with the state water plan

Balance Supply with Demand:

- Balancing Supply sounds real good, but we can’t do it without an inventory; we have to be metered and measured; look at Albuquerque, who thought they had an endless supply based on bad science; the State Engineer needs to enforce overuse regulations; we have folks using a lot more water than they need; we need better data to understand this issue
- When will the regional water plan be finished? Will it have a well inventory? Will it have aquifer maps? Will it have rainfall data? Will it have the Ute Lake project as an essential element? Will it have rainfall enhancement? The plan should also project the demand – in agriculture, in grazing, domestic, municipal; all this should be in the regional water plan; the regional plan should determine the demand, and quantify percentage of water use per each category of user; we heard the State Engineer wants to declare this area a Critical Management Area– but this needs to be based on the facts and the facts must be in the regional water plan; being a Critical Management Area would keep us from digging wells; the State Engineer should not make this designation before seeing the science; using 36 acre-feet in Clovis a day – it takes 12 acre-feet to grow an acre of corn; it is not about having enough water overall, but having enough for specific uses...those with water rights have to put the water to beneficial use; also, there should be an inventory of the water rights and uses in the regional water plan; the State Water

Plan must be built on the regional plans; those need to be completed; Clovis needs completion of the regional plan and it must be a thorough job

- We need to identify where supply is, and where the demand is; is the Blue Ribbon Taskforce working on this?
- We in Portales are very involved with water issues; we have been acquiring water rights and land, and are also very committed to the Ute Pipeline; we're looking for authorization from Washington; we just purchased two large farms; one of those farms used as much as the whole city of Portales for one year; we need to attract industry that can be water wise, and be proactive about getting the community plans done; Eastern Plains Council of Government has been working on the water plan for 10 years and we need to finish it
- A lot of heat energy is generated from highways; lighter color highways could reduce evaporation
- Natural Resources Conservation Service has been actively engaged in gauging New Mexico water wells, but funds ran out, so it isn't done; State Water Plan will have to work with federal government agencies (especially Department of Agriculture) to mix and match federal agency criteria
- Desalination has become a process to modify water supply; take ocean water and desalinate it and create the biggest Civilian Conservation Corps type project since the '30s; this would substantially reduce the need in Southwestern states for water supply; cost can't be worse than that for rebuilding a Middle Eastern country
- Every drop of water we get is part of the water cycle; watershed health is so deteriorated that even with rain, the supply will never increase; woody vegetation on Rio Grande and pinion juniper in the uplands along the Pecos are the biggest problem; pre-settlement tree density was much less than current density under wilderness conditions; unless we do something, fire will be a danger, rather than benefit us; need to concentrate on watershed health more; capture it at the point of contact

Drought:

- What happened to the Conservation study done under Eluid Martinez' term as State Engineer? Keith Milton was the facilitator for the municipal working group
- We need to know the drought severity in order to plan
- Citizens would like to know what city and county officials think about and are planning with respect to drought

- A Water Policy Committee was appointed for Clovis, and a four-stage drought plan was proposed to be enforced after Santa Fe's ordinances; it is an action plan for drought management, with increasing severity depending on water availability; restrictions are on what government, schools, residents, and commerce can do, in that order; Phase I is voluntary and implemented by the City Manager; an outline for an ordinance is to be presented to the Commission very soon in the future
- Attorneys need to examine how to implement the drought plan with a private water authority; state law does not allow restrictions on a private water utility
- Three years ago, the City of Portales developed a 40-year water plan; we're now implementing water audits with each consumer; we go out to homes to check high usage caused by leaks; we're working toward growth by planning smartly for the future; the population is going to grow, with prediction of a 3-fold increases in population every 10 years; we are planning for the future, rather than planning for going dry; we have submitted all of our studies to EPCOG for inclusion in the Northeast New Mexico Regional Plan
- Curry County's only thing in place is working on the Ute Water Pipeline project; they have been working on it for years
- Long-term drought has to address metering of all wells in Ogalalla, not just in New Mexico; usage and metering has to be uniform throughout the aquifer, then compensation can be figured out; if funding comes at federal level, it has to be for all seven states that share the Ogalalla with us
- Senator Bingaman has provided a \$5 million appropriation for the USGS to do Ogalalla monitoring, but water rights law is not consistent across all eight states using the aquifer, so it is difficult to implement; uniform compensation should be apportioned by the extent of resources in each state; if you compensate individuals, then get them to participate by paying them for storing water that benefits the entire basin
- We could reduce use, but not penalize based upon the type of crop grown; for example, growing corn instead of wheat
- Suggestion: don't allow state to take away part of the water right when it is transferred

Water Administration:

- The public isn't educated enough to make good comments on this plan and participate effectively; we need to have better dissemination of what is known, better public education and awareness of the issues

- People could learn about water if they listened to public television programming; people just don't want to learn
- There is a difference of opinion as to who owns this commodity; we have got to determine ownership before a decision is made as to priorities for using this commodity
- Reading off the Interstate Stream Commission's fact sheet, all the water is owned by the public and is available for appropriation; we have rights to use the water and that's about as complicated as anything gets
- If the state and the people own the water, who owns the oil? Isn't it a private property right?
- QUESTION: I have heard that it is difficult to transfer water across basin lines; is that true? In my area you can't transfer water within sections, if not in the same administrative area
- ANSWER: yes
- If it is so difficult, then maybe that policy should be re-examined to help drought communities
- The first thing that the State Engineer should do is enforce the rules that we have now, which isn't done very well; I know a place where water rights are owned by two parties on the same land; somebody is going to have to let the State Engineer do his job without political pressure; by law it should go by priorities, but you can see by the Pecos solution that it doesn't happen that way; what should be a simple response is to take care of it by priorities, but it isn't done because it isn't a politically good thing; if things went according to law, the folks with the latest right lose their water when you run out of water; this would be a start, even though it is politically hard
- If you dry up the farmer this year and he goes out of business, then you will dry up another farmer next year; it is a short-term solution for a much larger problem; we need to look at where there is excess water in the system
- In looking at transferring water rights from agriculture to industry, you need to look at the customs and cultures established in the past. How long are you going to pay that individual for being forced out of his career? It opens up another can of worms, because whoever controls the water, controls everything else; if you sell your farm, the culture of the West is lost; you get in a situation where you wish for an endangered species in order to get \$350 for your water rights
- The most critical thing that needs to be done now is to establish the rights that folks have; verify rights and priority dates so that municipalities can't get the

water unless they pay for it; it hasn't been done everywhere in the state, but we need to have rights established so that if someone wants these rights, they can get them one way, and that is to buy them for what they're worth

Funding:

- Use the education lottery money to fund the water ideas that we have come up with today
- Is state money that we are talking about here our tax dollars?
- Money to fund the water solutions should come from the federal level; reduce foreign aid and apply that funding to all western states' water needs; we can't cover it by what we pay for taxes in our state
- Will a statewide water fee be drafted? It would have to be fractions of a penny before any farmer could afford to pay for it, what with farmers using 75% of all water used in the state
- For municipalities, the consumer ultimately pays the cost of getting the water; we're hoping for 80% federal and 10% state funding for the Ute pipeline project, with each community paying for its portion; unfortunately, it will double the cost of providing water to Portales, which is still better than no water at all; at some point farmers may have to switch to a less water intensive crop, and also may have to change the crops if metering occurs, because the farmers will have use only what they are entitled to
- Every state on the Ogallala aquifer should go to Washington D.C., and try to pipe the Mississippi River, or else we will all go dry in the middle United States
- The Ute pipeline contract with Interstate Stream Commission runs until 2060, with renewable terms for Ute Lake water; it is too expensive for agricultural use, but may be affordable for municipalities
- Since metering may be a way of paying for this State Water Plan; I'm concerned that folks who are worried about the Rio Grande valley may make all decisions about what is in the plan
- I've heard that the New Mexico Finance Authority may not fund drought solutions for Water and Sanitation Districts that do not have a conservation plan; will there be incentives to fund them developing conservation plans?