



**For immediate release:**

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## **New Attorney for Hearing Unit**

**(SANTA FE, New Mexico)** – New Mexico State Engineer John D' Antonio has hired **Charles B. Kinney** as an Alternative Dispute Resolution (ADR) Officer for the Office of the State Engineer's Hearing Unit.

Kinney began working for the agency as a Hearing Officer since November 2007.

Kinney received his bachelor's degree from New College in Sarasota, FL in 1973. He then earned both his master's degree and master of business administration from the University of Michigan in Ann Arbor in 1976 and 1986, respectively. Kinney received his Juris Doctorate from the University of New Mexico School of law in May of 2007. He graduated magna cum laude.

Prior to becoming an ADR Officer, Kinney was a mediator for the State Engineer's Hearing Unit where he served as lead mediator in disputed water rights cases. Before that, he worked as a law clerk for the Office of the State Engineer's Administrative Litigation Unit where he assisted with drafting and performed legal research.

The Hearing Unit is responsible for conducting administrative hearings concerning disputed application to appropriate, transfer or use the public waters of the state. Because of the

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importance and complexity of the subject matter, New Mexico state legislature requires that agency hearings be conducted with the same level of process and procedure that applies in the District Courts of New Mexico. As a result, the hearings are essentially equivalent to District Court trials in terms of Rules of Procedure and Evidence.

The results of a pilot program conducted in the summer and fall of 2006 reflected that adding an ADR component to the Hearing Unit significantly reduces the amount of time and resources expended in the processing and resolution of disputed applications for water use. The Hearing Unit provides a means for parties to resolve disputes informally without incurring the costs of litigation, facilitate the movement and transfer of water for beneficial use, and foster better communication and cooperation among public and private stakeholders. This position contributes to the State Engineer's goals and strategic plan, as well as providing consistency with the Governmental Dispute Resolution Act and the Governor's ADR initiative.

"Kinney is uniquely qualified to undertake the duties of Hearing Unit Dispute Resolution Officer due to his ability, skills, applicable experience and demonstrated success with respect to the water issues in New Mexico," said State Engineer John D'Antonio. "He is very effective in being fair and measured in his recommendations."

Kinney enjoys hiking and also bicycling across the nation and has traveled the "Going to the Sun" highway in Glacier National Park five times. Kinney and his wife, an organizational psychologist, enjoy observing the development their daughters' professional careers as a lawyer and a psychologist.

The Office of the State Engineer is charged with administering the state's water resources. The State Engineer has power over the supervision, measurement, appropriation, and distribution of all surface and groundwater in New Mexico, including streams and rivers that cross state boundaries. The State Engineer is also Secretary of the Interstate Stream Commission and oversees its staff.

The Interstate Stream Commission is charged with separate duties including protecting New Mexico's right to water under eight interstate stream compacts, ensuring the state complies with each of those compacts, as well as water planning.

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