



**For immediate release:**

October 23, 2009

**For more information, contact:**

Karin Stangl, Planning and Communication Director  
(505) 699-4923 cell

## **Op-Ed: The Aamodt Settlement Will Benefit Area Residents**

**by John D'Antonio, PE, New Mexico State Engineer**

**(SANTA FE, New Mexico)** -- After reading recent articles and opinions in the *Santa Fe New Mexican*, on October 18, regarding the *Aamodt* water rights settlement, I am left to conclude that the terms and benefits of the settlement get lost in the rhetoric. Therefore, I offer my effort to state them simply and clearly.

1. The *Aamodt* Settlement is designed to achieve two principal goals: to **bring additional water into the basin**, for use by both Pueblos and non-Pueblos; and to **protect existing uses** in the Nambé-Pojoaque-Tesuque stream system, both Pueblo and non-Pueblo.
2. The settlement provides an opportunity for the final adjudication of all water rights subject to the *Aamodt* adjudication lawsuit.
3. No one is required to sign the settlement, but there are benefits for those who do.
4. The settlement provides for the importation of 3,880 acre-feet a year of water into the Nambé, Pojoaque, and Tesuque stream systems for both Pueblo and non-Pueblo domestic purposes of use.
5. The settlement provides for the construction of a regional water supply system to distribute the imported water.
6. The settlement provides that no one is required to hook-up to the regional water supply system, but there are incentives to do so.

**(MORE)**

7. Non-Pueblo owners of existing domestic well groundwater rights who sign the settlement will have protection from Pueblo priority calls.
8. Non-Pueblo owners of existing domestic well groundwater rights who sign the settlement and:
  - a. Agree to hook up to the system when service is available will retain their right to use their full amount of water; or
  - b. Agree that their successors-in-interest will hook up to the system when service is available will retain their right to use their well but with a reduced amount of water; or
  - c. Do not agree that either they will or their successors-in-interest will hook up to the system when service is available will retain their right to use their well with a more significant reduction in their amount of water.
9. Non-Pueblo owners of existing surface water irrigation rights who sign the settlement will have protection from Pueblo priority calls to preserve traditional acequia irrigation practices.
10. Non-Pueblo owners of existing water rights who do not sign the settlement, which is an available option, will have no protection from Pueblo priority calls.
11. It is a fact that all non-Pueblo water rights are junior to Pueblo time immemorial water rights.
12. It is a fact that without this settlement, no junior non-Pueblo water rights will have any protection from a Pueblo priority call.

Based on these facts, I strongly support this settlement and the current federal legislation to implement it to preserve the basin's traditional irrigation practices and domestic uses without threat of a Pueblo priority call. Additionally, it is generally recognized that the development and construction of regional water systems is the only responsible means for providing water to an expanding population dependent on finite water supplies and not individual domestic wells in populated areas. If you want to keep your well, keep it. But, don't deprive everyone else of the opportunity to have access to a reliable domestic water supply.

For more information about the *Aamodt* water rights settlement, please contact Ted Bagley, at (505) 827-9938.

*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. 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.*

# # #