



**For immediate release:**

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## **State Engineer Attended Public Meeting in Clovis To Discuss Decision to Approve Emergency Authorization**

**(CLOVIS, New Mexico)** — State Engineer John D'Antonio, accompanied by representatives of his office, attended a public meeting at the City of Clovis Chamber of Commerce on Friday, April 9, 2010, to openly discuss the basis and the rationale behind the emergency authorization approval. The State Engineer also wanted to clearly state that approval of the emergency authorization was not evidence of imminent water shortages for the City of Clovis this summer.

New Mexico State Senator Clinton Harden requested a public meeting on behalf of his constituents to discuss the Office of the State Engineer's decision to approve New Mexico American Water's (NMAW) Request for Emergency Authorization.

The State Engineer explained that the approval of the emergency authorization was intended solely to allow for NMAW to reconfigure the manner in which it may divert water for the benefit of the residents of Clovis during peak water demand.

D'Antonio informed the audience that NMAW had requested an emergency authorization with its original Application to Combine in July of 2008 and again in March of 2010. NMAW, in both of its requests, stated that it anticipated a need to reconfigure its water rights to continue to be able to provide a reliable supply of water to the residents of Clovis. This reconfiguration of water rights in fifteen (15) of NMAW's sixty-seven (67) wells would allow greater flexibility to satisfy peak demands. This reconfiguration *neither* increases NMAW's diversionary rights *nor* does it increase NMAW's water rights. Further, approval of the Emergency Authorization was based on the Office of the State Engineer, Hydrology Bureau's preliminary finding that NMAW's proposed pumping schedule would not impair any existing water rights.

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Kathy Wright, General Manager of NMAW, noted that the approved pumping configuration would *only* be implemented when its water demand requires additional production but otherwise the approved pumping schedule would not be exercised. D' Antonio emphasized that the approval of the Emergency Authorization should not be considered as evidence of water unavailability in the region but solely as a method for NMAW to plan for providing reliable water supplies during peak demand.

Ultimately, the State Engineer emphasized that the regional stakeholders should continue to work with the Office of the State Engineer to develop market-based solution(s) for water leasing and sales in order to avoid further requests for Emergency Authorizations and to create a system that is capable of responding to future peak demand issues.

The State Engineer closed by suggesting to the audience that it is imperative that the stakeholders continue to develop solutions that ensure a reliable water supply during peak demand and welcomed all interested parties to communicate those ideas with his Office as he continues to believe that any solution must be brought forth by those who are most affected.

*The New Mexico 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 New Mexico Interstate Stream Commission is charged with 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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