



**Comments from New Mexico State Water Plan Public Meeting: Clayton
Clayton Civic Center, 114 North Front Street
Wednesday, July 9, 2003; 7:00 – 9:00 p.m.**

The public meeting in Clayton was the first of 29 public meetings scheduled to gather public input in the initial phase of the State Water Plan. The meetings were organized in order to gather the views and values of people throughout New Mexico about water, as well as information about particular issues in their communities and recommendations for matters to be included in the State Water Plan.

Introduction:

Interstate Stream Commission Director Estevan Lopez and Commissioner Julia Davis Stafford welcomed more than 70 people who attended the meeting from Clayton and surrounding areas in Union County. He said the Interstate Stream Commission wants to hear from residents and to hear what their values are and what they consider important. New Mexico is growing and needs to plan, and needs ideas on how to administer water and arrange funding for projects.

Planning and Communication Division Director Rhea Graham 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, four of them on Indian 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 sources

Stewardship:

The participants were asked questions to stimulate discussion of the five topic areas that had been posed for discussion.

Questions: What do you value about water? What is your or your community's responsibility for future generations? If there were no law, what would you do to ensure that you have the resource in the future?

Summary of responses:

- If it were not available we would not be here
- That it is clean
- Most precious natural resource and we waste a lot of it
- That it is sustainable
- Don't think that it should be mined; it is more like oxygen than it is gold
- It is affordable
- Need to educate folks on the necessity to preserve water

What would the message be?

- What we would have to do to save water
- Human nature does not seem to care about nature too much; it is important for children to know that some things (products that harm water) are not good to use
- Becoming more aware of some trees' wastewater and that some trees are not so good; Salt cedar is one that we are trying to get rid of; it's said to consume as much as 200 gallons a day. A large grove of trees takes a lot of water; people brought them in as an ornamental tree

What would be the valuable thing to do?

- Spray and grub out what we can to get rid of it
- We don't have economic growth; it is important for us though but there is probably a limit on how much we can grow; we should be careful on how much we encourage
- Research into crops that use less water but produce more produce; If there was some way that we could grow more for less water

What is it that you want to do by saving water?

- Preserve our communities
- Lifestyles
- Wildlife
- Irrigation
- Assure that there is a water supply for future generations

- We need to be sure that the land does not become an abandoned mineshaft; some people have the attitude that water can be mined and then move on; we need to make sure that this mentality does not overpower

Nearly everyone in attendance indicated they are dependent on the agricultural economy. About half indicated they were lifelong residents of the area. It was reported that 60 percent of the land in Union county is from out of state owners. However, most of the irrigated land is owned from people here. Residents said the out of state ownership situation has hurt the economy.

Balancing Supply and Demand:

Assuming that demand exceeds supplies, what decisions need to be made regarding which uses continue and which uses must end?

- One problem that has not been mentioned is household use; very many of us would not like to give up our dishwashers; time is going to come; Make conservation ring true in households too; we probably continue to have these views; we need to use water wisely
- Re-use is a great way thought people are scared to accept it; a way to gain supply to bring into balance
- Interesting that communities like Santa Fe has such a great amount of golf courses; recreation to many is more important than the management of the water for humans
- Santa Fe catches some of the rainwater, does that not take the water away from the streams; incentives for rain barrels; It will eventually get into the stream; it will evaporate
- We are sharing a water source from other states; how do we know what they are doing to conserve?
- In other words we would like to have Texas to stop pumping
- We are scared of you (Interstate Stream Commission / Office of the State Engineer) because you have the power to adjudicate our water
- Water is from surface water and from 300-400 depth; across the Texas border it is 700-800 feet deep; Water migrates very fast to Texas; if they do not do the same conservation on the other side of the line than we are not getting anywhere; I have been in this business for a lifetime; we got help to conserve the amount of water that we use; through conservation systems we have made sacrifices to do them; They are drilling water deeper across the border and our efforts are not having great impacts
- Whenever our demands our not met by supply we need to make sacrifices; make decisions
- We have to establish priorities on what is important to keep and what is not; Economics may determine what the priorities are; Recreation may pay off irrigation and you don't irrigate
- Interstate stream compacts for surface but not for ground water... Why aren't there compacts for ground water?

- Groundwater is an undeclared resource - is that why a state cannot exploit it? Without the ability to constrain, it's not likely to force conservation
- Texas owns their water; New Mexico allows rights for beneficial use; If users owed water they would defend their rights and utilize them; Colorado water rights land holders are so caught up in law that they cannot do anything with them
- The Interstate Stream Commission could help us conserve in the irrigation sector; lot of the farmers here would like to implement conservation technologies; It will take a lot of money and effort; we cannot control what Texas takes
- We can control what we use and conserve for future generations
- Ogallala aquifer -- we can talk about it as much as we want; if the other states don't do something to help then we are in big trouble; We need to see conservation in the other states or we are not getting anywhere; all states should work together it is the only way to help everyone
- How do you set priorities? Look at how that water is going to be used; we have laws how water is adjudicated and transferred; Someone is going to say let's move water to cities from agriculture, such as for the silvery minnow; if this is the case we should be able to sell and not have those taken from us
- The minnow does not care who owns the rights and they can take it; we need to make sure that those that see their water taken from agricultural uses to cities should be reimbursed

Mechanisms:

Water is a private water right. A couple of ways to transfer water:

1. *Permanent transfer to other use.*
2. *Temporary such as a water bank.*

- Water banking is what it is all about; explain what water banking really is; water never transfers I thought was the case
- I don't think that anyone here really understands a lot about water banking
- Around here wells pump usually 300 gal/day; One well producing 300 gal is huge water consumption; The water well sitting out there could be affected by irrigation farmers; farmers and people are making the water go down.
- Irrigation farming is putting bread and butter on the table; there would not be many people here if it were not for agriculture; water released for minnow for no economic benefit; the minnow is making us no money; the minnow and the salt cedar – all of this takes up water; raised the water table dramatically
- Watersheds – all of the water has been reused either in this county or some other area; on-going project; talk all of the irrigation you want you need to encourage where the water comes from; need to address healthy watersheds
- How can we capture water and put it in our aquifer or in storage to avoid evaporation, especially on hot days like this? Can we store it underground?

Drought:

- We've been forced to sell the cattle; economics and all sorts of other drivers
- Fire risk increases; when lands burn, erosion occurs
- The risk of excluding fire is at the root of the watershed problem; put fire back in the ecological formula
- Endangered species ought to be at the bottom of the list, you can clone all the minnows and put them in the zoo, otherwise I won't see them
- I don't know anything that will stop the drought; you have to manage your cows – cut your number of cows and your water so you won't be overextended

Mechanisms:

- Contingency planning for drought in case of an emergency
- Education – be aware that drought has been a part of this country for a long, long time

Water Administration / Funding:

Due to the lack of time, the last two topics were compressed into one set of questions and answers

- Groundwater compacts in the Ogallala basin
- We need more information about the Ogallala Aquifer
- We want a voice in decisions if action comes from a higher level; we want to participate in the decision that affects us
- Education about each one of these and water rights, i.e. if you have a water right, then maybe you can access it on the web
- We don't have water rights in this county, so it's really not a concern
- Union County has its own "National Environmental Policy Act" process so that significant actions require county approval
- Let's be aware of the law of unintended consequences; let's not just throw regulations at it because we want to do something

General Public Comments and Questions:

Following are questions raised by participants and summary responses:

Question: Does the New Mexico Plan become a regulation, policy, law? What is it?

Answer: The New Mexico Water Plan is not a law, but the legislature mandated that we create it. The Interstate Stream Commission will adopt it. It will become a guiding policy for the state. The legislature may use it as a path for the state concerning water. Trying to make a policy document to guide the state with regards to water management in the future.

Question: How is this plan going to consider the underground water rights? Particular to Undeclared Basins? How does New Mexico stack up with the other states in this process?

Answer: Most of the others have a State Water Plan, California updates its every five years and has done a couple of updates. We are planning due to the El Paso Case. New Mexico cannot horde the water unless there is a plan to meet future needs. Legislators enacted regional plans so that we could manage our water. As the west grows it is important to plan for the water.

Question: So this plan will not affect the undeclared basins?

Answer: We have no pre-conceived notion to act on the declaration. We do not have a notion as to where this should go.

Question: Supply in this area comes from the Ogallala aquifer. How much science do we know about these basins? How much real science is really here...how much do we really know? Are we going to make it public if we do know it?

Answer: We don't know a lot about every area. We do know areas that have been studied to great degree. We have sparse data in other locations. What we intend to do is to publish the best available data that we have as it pertains to ground water supplies. We are going to have to continually refine our data

Question: One of the statements is that if we don't use our water than Texas will take it. Is the water moving or is it here and not leaving? How can you create a water plan if you don't know what the data is?

Answer: We know particular areas that we need to study. We learn from you what areas that we need to concentrate on.

Other Topics:

- I think water boards in all of our counties would be good and that they should meet regularly. Union County has them
- Be realistic about population growth – population is decreasing in Union County
- Communities want to participate in managing their water resources
- Cities like Santa Fe should get clear on what water is used for; If (endangered species) advocates want to turn it loose, they should lose their water first