



**Comments from New Mexico State Water Plan Public Meeting:
Santa Rosa
High School Technology Room
Monday, August 4, 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 Santa Rosa, New Mexico. This was the 12th of 29 public meetings scheduled to gather public input on the initial phase of the State Water Plan.

Introduction:

State Water Planner, Elizabeth Zeiler of the Interstate Stream Commission welcomed more than 20 people who attended the meeting from Santa Rosa and the surrounding areas. She said the Interstate Stream Commission wants to hear from residents regarding their values around the management and stewardship of water. New Mexico is growing and needs to plan, and needs ideas on how to administer water and arrange funding for projects.

Elizabeth 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:

- Anything that was adjudicated under the Hope Decree—leave it
- There's a contradiction around what the state is doing--metering water on ranches and farms, but still issuing permits for large subdivisions and developers
- Prioritize the beneficial uses of water
- Using water to produce food is a higher priority than using water for landscaping, recreation, and computer chips
- What about the red tape? It takes forever to get paperwork approved
- Why isn't the Governor here? He made the rules, why isn't he here?
- It's important for us to all share our ideas; the regional representative for the ISC should be here
- As the drought gets worse, who decides who gets the water? Who will be cut off?
- What statistics will be used to determine people's water use? Data from the University of New Mexico is most accurate
- What good is a state or city water plan if a judge can take away the water to protect a minnow?
- What will become of our junior and senior water rights if or when new adjudication goes into effect?
- There is a huge inconsistency in the "use it or lose it philosophy"; there are no incentives to change, so is the law going to change?
- We should not have to give up what we don't use to accommodate growth; there is too much population; is there any plan to curb or control growth?
- I want to criticize our law a little; there are 50 or 60 houses at Puerto de Luna, yet there is not enough water to drink; the law says we cannot dig another well, so we try to beg for water, but still can't get a permit; I'm not talking about cows or horses; I'm talking about getting water to the people; we need to fix the law so we can dig wells

- Acequia Commissions and the Mutual Domestics need local autonomy for both human and animal needs; we need to avoid stonewalling basin transfer decisions
- Inter-basin transfers should be easier, especially between two hydrologically connected areas (such as the upper and lower Pecos); currently the delineation is artificial
- Without water, we cannot do anything

Balancing Supply and Demand:

- Allow transfer of water rights from one basin to another
- An easy way to cut water use in the cities is to raise the rates in the city
- State should assist with economic development in areas that have water, rather than giving water to (dry) communities to promote economic development
- State needs conservation planning; water use should be restricted, and fines and strict enforcement should be implemented for wasting; cities should do a better job policing water wasting
- Fines strap low-income residents with greater burden (as in Puerto de Luna); this is not the right thing to do
- State needs a plan to go after (restrict) new golf courses; they should use gray water or recycled water
- Texas should suffer the same consequences as New Mexico during drought; Texas should not be able to call for all the water
- If the Governor is serious about the plan, then the 1947 compact with Texas should be renegotiated to laws that existed prior to '47, before the drought periods
- Water should be piped to dry areas from the wetter areas of the State
- We need better watershed management; we need to get rid of some of the salt cedar on the Pecos and use machinery to do it; I don't like the way they just came in and sprayed them all; this spraying is having a bad effect on the farms
- Prioritizing beneficial uses is the best way to deal with water allocation

- The government should help agriculture by lining ditches and pipelining water; they've talked about piping water from the Columbia, how about the Mississippi? Lets look at larger ecological conditions
- We need more funding for domestic water systems, for re-lining ditches and other improvements; part of our acequia is lined but cracking, so we need money for these improvements
- State should be considering desalination more seriously; I don't know why there aren't more plans to do it
- Too much emphasis is placed on that minnow; it has survived for centuries in the Rio Grande; State should stop worrying about it

Drought:

- People come first; they should have the first priority; you can't shut off the farmer because you would automatically shut off the people
- There is too much bureaucracy with farmers getting supplemental help from the government; we need to shorten the lengthy process of applying and receiving assistance
- State should work with financial companies to alleviate drought burdens on ranchers and farmers who have mortgage payments; there should be better public assistance to cover the cost of livestock during drought
- Plant eradication programs should be increased; more areas need to be involved in eliminating water-absorbing plants (including mesquite, salt cedar, Russian olive, etc.)
- Ranchers and farmers should look at different kinds of cattle that require less water (Angus is one example)
- People should know both the benefits and the costs of planting drought tolerant plants; we need to be careful of 'one-size fits all' regulations, especially where salt build-up is concerned
- Carrying capacities of the grasslands is way off; invader tree species are taking up the water and reducing the carrying capacity of our land
- During times of drought, the law should be change so that water rights could be transferred to other uses (temporary transfers) and water rights not lost; put the decision-making power into the hands of local users

- Boost water-banking provisions in the State
- Why should we privatize water banking? The state is the water bank; idle water rights could be ‘banked’ by the state and sold to the people who need it

Water Administration:

- Local farmers should have some say about how water is allocated; we are at the whim of the irrigation districts
- The whole acequia system is communal; it has a rhythm and a time; if the state tries to centralize it, there will be a big problem; keep administration small; don’t bury the acequia associations in paper work; we are volunteer organizations
- Colorado has adjudicated 100% of their water cases; they exercise priority calls, and have some degree of priority of beneficial use; these things do make sense; the State of New Mexico should finish adjudication process according to the way the law is written; change the *inter se* process, prioritize beneficial uses—then once you’ve done this, you can begin a state water planning process
- It is important to look at historic trends and consider these trends when developing a plan for the future; why were prehistoric settlements abandoned?... probably drought) one of the things to start with is the Pecos River Compact in Texas; it doesn’t accommodate historical drought trends nor did it anticipate the Pecos River shortfall

Funding:

- Raise water rates
- Get the New Mexico Finance Authority to fund projects like the desalination pilots through low-interest, state-backed bonds
- Federal and state funds should be combined to pay for projects such as piping
- The funding base for water related issues have to come from all the people; the only problem with Federal funding is the federal priorities
- Domestic water systems cannot pay for themselves; we need grant money, not loans or money raised from people’s water bills
- Impose a surcharge on water users in metro areas in order to subsidize smaller communities that need water; this would help us to subsidize the cost of maintaining and extending our water service

- Maybe add surcharges to large water providers throughout New Mexico; this may help the rural areas; people would pay an extra five or ten cents for this
- Federal Emergency Management monies should be used to bail out the dry areas; Federal tax money pays for flood disasters; why should it pay for drought disasters?
- We don't want a rubberstamp public meeting; we want you to make sure that our comments get into the plan
- State Engineer's Office should provide thorough and accurate information; the Hope Decree is a good example; the people did not have a good idea of what the decree involved, and people lost their rights
- WATERS is not accurate; it does not rely on computer-entered data because it is not complete; in fact, it is sorely lacking; sometimes it doesn't reflect the actual truth; you have to go to the local communities and start there; you need to combine all of the resources and then compare the data for accuracy; standardize the process, locate the data, then put it into the WATERS database
- Put data on the web that the individual communities can review; this would offer community members the opportunity to respond to whether it is correct or not
- There is too much money spent on attorneys for work that can be done administratively, by state employees
- State funding should act as a steward for the smaller communities
- State hydrologists should educate people, i.e., how groundwater differs from one area to another, how water planning works in local areas, how the surface water differs from other kinds of water, what is involved in adjudication, etc.
- (In Santa Rosa) we paid an engineer \$25,000 to find out what to do; then paid a water specialist; we need people in the state with time and expertise, who are familiar with our options, and who we don't have to pay for advice; these professional services have been a big, expensive challenge; state personnel know the wider issues well enough to help us; give the state the capability and facility to help and advise people, and to give more technical assistance

Other Comments/Questions:

- Have the State Engineer's Office come to communities and help develop a 40-year plan in conjunction w/ communities' needs

- It is shameful that someone from the SEO did not come out here; by not coming it looks like they are hiding from us
- The whole protest system needs to be looked at in a more equitable way; decisions are made arbitrarily; people should have to put in their permit so that the state can expedite it; there are two criteria for protest: 1) direct impairment, and 2) public welfare; the public welfare criteria are ill defined; the State Engineer and the legislature should better define what 'public welfare' means; then the SEO should review those to protests to determine whether they are justified
- People from the Milagro area protested a subdivision application – based on the amount of water it would require--and requested that the state provide a hydrology report on the actual amount of water; instead, the state approved the development based on the report written by the subdivision's hydrologist; the state needs to re-examine protest protocols based on local input, and should pass a law requiring developers to prove they have water and rights to it
- A little concerned about the way we've categorized the topics... anybody who has something under the Hope Decree leave it alone