



**Comments from New Mexico State Water Plan Public Meeting:
Taos
Convention Center, 2300 E. Pine Street
Wednesday, July 31, 2003; 7:00 – 9:00 p.m.**

Following is a summary of the questions, comments, and issues raised during the discussion that followed the formal presentation on the purpose and objectives of the facilitated listening sessions for the 2003 State Water Plan, at the public meeting in Taos, New Mexico. This was the 11th of 29 scheduled public meetings seeking input on the State Water Plan.

Introduction:

Estevan Lopez, Director of the Interstate Stream Commission welcomed the audience, which comprised about 75 people of the Taos and Taos County area. 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.

ISC Planner Tim Murrell 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 ISC has organized 29 meetings, four of them on Indian tribal lands.

The ISC 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:

- Why is there not a representative of the New Mexico Environment Department on the Interstate Stream Commission, or on the water policy-making board? The Water Quality Control Commission has a member from the Interstate Stream Commission/Office of the State Engineer; you need water quality and water quantity side-by-side
- 70-75% of our water is used for farming, 10% for municipal, 8% for households, and 12% for industrial
- Why are wells not metered? Why are farmers committed to grow crops that have low value and why some are subsidized, or paid not to farm? And this nonsense of 3 acre-feet for each home – I do not know why we cannot get the first 6,000 gallons free and then charge a great deal for our water over that
- We were here for over 200 years before the United States was born; we have acquired water rights and what we need to do is protect those water rights for the native Hispanics and for the Indians; in northern New Mexico there was a water well dug by hand; I have a well that was dug 300 years ago; I finally had to dig a well next to it to get it registered
- The first thing we in NM want is the right to water bank the water for us; I know the legislature passed bills, but we need to bank the water for the community so that we can use the water
- Whatever water farming uses - 75% is not used in farming because the water goes back into the system; it is an entire system, everything relies on the acequias to flow to keep things green and to keep the ecosystem intact; when figures are floated around we need to be accurate
- We need water here in Taos for growth, people have used the acequias and there are religious and cultural values attached to it...we need our water here; if these municipalities are going to grow we need to keep our water here; there is nothing else available; municipalities need to be creative if they are going to grow; do you want northern New Mexico to dry up? No

- I would quit throwing stones at other peoples houses, if you look at the OSE depletions and withdrawals; agriculture withdraws 75% of the water and causes 68% of the depletions; if you look at this same report 48,000-acre feet of water is used out of wells and that is less than 1% of the total water usage
- Part of what we need to do is look at return flow credits for individual sewer systems; my dream is that we use actual data for these studies
- It's not that any one use will have to save all the water, but each use can save 10 percent
- The data was water use between Cochiti and EB, consumptive use...
- New Mexico has an excellent water legal system that does not need any major changes
- The historic water laws are the Treaty of Guadalupe Hidalgo, Spanish and Mexican water laws and the doctrine of prior appropriation
- State and federal issues need to be resolved
- Property rights need to be protected
- There is a need to increase funding in investigations of groundwater and surfacewater, conservation projects, essential for any water plan
- There is a need for more efficient adjudication that is just
- Protect current users and plan for the future
- Watershed management and improvement needs to be a high priority
- Endangered species issues need addressing from a scientific point of view
- Stakeholder involvement is essential to the planning process
- It has taken a long time to get to the Regional Water Plans and to get to the handbook the regions are using it. We don't need to reinvent the system and planning is best done locally
- The framework and the assessment done by John Shomaker are excellent background documents
- Public welfare has not been defined so the public welfare and the local welfare need to be defined; in 1976 there was an assessment that was done, we need the data for each of the regions and the subregions
- What plans are there for controlling the loss of water from the large lakes? Are there any plans to put the water back into the ground?
- When you get into public welfare we need to consider values---when the legislature makes decisions regarding transfers we don't consider public welfare; what is in the best interest of the state is not necessarily the best for the local community

- We need to conserve water for the future
- Improve infrastructure for the mutual domestics, reservoirs, and other facilitates, in Taos County it is one of feast or famine; we need to start developing reservoirs to hold those waters back
- I've seen development in city and rural areas; the charge historically since 1973 there has never been a state land use plan in guiding subdivision development etc.; there is no stewardship how we use the water responsibly and take care of it
- We're surrounded on all sides by federal lands that are immune to state legislation, and I don't know how we are interfacing with them
- Use the water responsibility instead save and protect the water, not a lot of discussion about reuse and reclamation, return flow credits etc.
- How much water still is available from the San Juan-Chama Project? Maybe that is a new possibility that we can look into
- For Indian tribes, history has shown that the state is not our friend. In terms of the tribal view, the water does not belong to anyone, the water belongs to everyone; it becomes very difficult when concepts such as water rights come up we have no choice but to become involved because we are going to lose everything like we lost our land; we need to look seriously at the Tribe in order to do any real planning
- We are fortunate to be at the headwaters; some of our brothers down the river are not so fortunate; and I know that working with State agencies they do not understand how to work with us; we need to respect each other and our values
- How can a plan be developed if you do not have the Tribes' water quantified?
- How will you integrate the regional water plans?

Balancing Supply and Demand:

- It has to do with having accurate data. We need to know what it is we're measuring. There is conflict w/what different hydrologists are saying.
- Conveyances could probably be improved on, cities can improve with better supply etc.
- When we talk about demand, what does that mean that my son or daughter cannot get a building permit to live here...so demand is our own need.
- Are you talking to the NM Home Builders Assn? Are you looking at the Mesa Del Sol developments developed by the NM Land Office? We are crying for jobs so we need water for

development; otherwise forget it; I have four brothers and I am the only one here, they all had to leave

- Developers are a big lobby; they're building sprawl and there's the demand for water
- We have the supply but when we see the demands from the southern part of the state, our water is going to go to the highest bidder because money talks; you see it everyday, and the supply is limited, and the demand is great. We want to bank our water for us
- Running the river at 7,000 cfs was the highlight of my life
- I've developed a water conservation strategy; the tamarisk use the river; my whole focus is using the tamarisk and the red willow, to take care of what uses the water to make artist's charcoal; I can put 100 people to work to do this; lobbied the Finance Authority.
- Acequia operators don't want water to go to the highest bidder and I think our value system is going to be very important in this process; New Mexico should declare acequias to be a historical patrimony of our system
- There seems to be an assumption that water will be transferred from agriculture to other uses; acequias are a way to keep water in communities; let acequia associations decide how to benefit their communities
- There is a good legal framework in our statutes; we should retain our protections for our public and for due process; a premise of acequia participation should be the protection of acequias; acequias are protected under the Treaty of Guadalupe Hidalgo; they should not be up for grabs and we want to be at the table
- A majority of the attendees raised hands when asked how many people were affiliated with an acequia
- When talking about supply and demand, we don't necessarily have to focus on fresh water, but the brackish underground water in the Estancia and Tularosa areas; included in the State Water Plan should be using technology and addressing the research institutions here to solve this problem
- I've cut down my irrigation water; I cannot irrigate more; if my well goes dry, I can dig deeper, I can turn my tap on in town and water comes out, but there is no more water to irrigate

Drought

- Using less water during drought is what is important – all must share in the responsibility of curtailing use; staging levels of water use would help

- Every one shares in time of drought – this is how it has always been all over the world
- There are water grabs that occur by upstream users; we have no recourse because we are not adjudicated; the Office of the State Engineer, in times of drought must come up with a process or a mediation process to resolve disputes, to help us defend our rights, protect our rights
- Drought is relative; look at Africa where they have to walk miles and miles to a well for water
- We are in a wake-up call circumstance; the governor has appointed a Drought Task Force; they should include the acequias
- Impound springs when possible, use the water during the growing season
- The State should not waver from enforcing the priority system; water has always been shared by acequias including times of plenty; Spanish law may not be in best interest –priority system should be enforced
- In Mora County, they're keeping water in the acequias; it's a living culture and they communicate with each other about sharing the water; drought brings out the best in people
- Watershed management is important
- Governance of the Rio Grande Compact – how does that affects the management of the river and how it applies to growth in 2003? How it implicates water uses? There's a lot of supply in Colorado that is not always equitably distributed south – State Water Plan should address how the Rio Grande Compact applies to all of this – and maybe a change is in order
- Does cloud seeding in Utah contribute to the local drought?

Water Administration:

- I would start with communities to come up with their own solutions, and my job would be to implement what the communities came up with
- There are too many lawyers in the Office of the State Engineer with too many agendas; get rid of them, and there would be a big difference in administration
- User-friendly public service is the focus
- Perhaps the State Engineer should not have to be an engineer; more sense is that the person be a hydrologist

Funding:

- The Water Trust Board is working to prioritize water projects; it met to score 146 projects seeking \$534 million in funding; there is \$4 billion of project needs identified and we have only about \$10 million; about 80 percent of the applications are for storage, 15 percent for conveyance
- On domestic wells, the county commissioners are the only ones who can say no
- The Water Trust Board is a lot of work; we need to find a way to prioritize the applications, and there are no criteria on how to do this; there will be a screening regarding who should submit a full application; the diversity of the board is the right thing – what does the legislature want? I believe in this process, and am glad to see tribes involved in it
- The regional plans should all be completed for this to be fair
- Bureaucrats and public servants never have enough money; you're spending my money; Governor Richardson knows the ropes in Washington, but when you fight agencies, they have our money and we have none to fight them; they should give us some money to defend ourselves

Other Comments/Questions:

- Equality – the regional plan will be what is in Taos' best interest, but we may not prevail in the funding because we are small; we don't have the political muscle or population to influence these issues; we want the same consideration as other areas of the State
- I can't drink a plan; paper water is convenient for lawyers and politicians; the plan must be wet, and have data and cultural importance
- You need incentives to get people to conserve; traditional water uses must use water more efficiently
- Tax breaks or tax incentives – who's going to pay for this SWP? We must not rush it
- The greatest savings in conservation are found where the water use is greatest