



Water Wise Community Brief

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Governor Richardson Signs Water Rights Settlement Agreement with the Navajo Nation

A settlement agreement between the Navajo Nation and the State of New Mexico was signed on April 19, 2005, resolving Navajo Nation water right claims in the San Juan River Basin in northwestern New Mexico.

Joining Governor Bill Richardson and President Joe Shirley at the signing ceremony were Attorney General Patricia Madrid, State Engineer John D'Antonio, Navajo Tribal leaders, Interstate Stream Commissioner Jim Dunlap, and Interstate Stream Commission



State Engineer John D'Antonio, Attorney General Patricia Madrid, Governor Bill Richardson, and Navajo Nation President Joe Shirley at the settlement signing ceremony.

Director Estevan López. Representatives for U.S. Senators Pete Domenici and Jeff Bingaman, and U.S. Representatives Tom

Udall and Heather Wilson were also present.

"This settlement between the State of New Mexico and the Navajo Nation is historic in that it brings to a peaceful conclusion a major unsettled question between the two sovereign governments: our water," said Governor Richardson. "This agreement also sets the stage for future economic development of the Four Corners region, which has been jeopardized in the past because of the

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State Officials Are Optimistic About Reservoir Levels and the Summer Recreational Season

Projections of above average runoff and improved reservoir levels were presented at a joint news conference on March 24 in Albuquerque.

State officials attending included: State Engineer John D'Antonio, Secretary of Energy, Minerals, and Natural Resources Joanna Prukop, Secretary of Tourism Mike Cerletti, and State Parks Division Director David Simon.

"With the best snowpack we have seen in the last ten years, we are predicting good runoff for the spring and a great recreational season this summer," said State Engineer John D'Antonio.



Elephant Butte Reservoir in March 2005

"We hope to see more rain to ensure optimal reservoir levels for



State Engineer John D'Antonio addresses the news media as Tourism Secretary Michael Cerletti, State Parks Director David Simon, and Energy, Minerals, and Natural Resources Secretary Joanna Prukop listen.

New Mexico's water enthusiasts."

D'Antonio cautioned that although New Mexico has had a wet fall and winter, drought conditions still exist. Adding that it would take a few more wet years before the drought would be over. Nevertheless, the improved water supply conditions will result in opportunities for fun.

"State Parks staff has worked hard to improve boater access to state lakes. With conditions getting

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2005 State Legislature Update

The agency closely monitored more than 135 water-related bills during the 2005 legislative session. However, only a few made it through the legislative process.

Governor Bill Richardson signed into law three key bills supported by the agency.

Legislation calling for a strategic water reserve became law. This bill allows the Interstate Stream Commission to acquire water to meet future compact obligations and to assist in water management efforts for the benefit of threatened or endangered species. Senate Bill 123 was sponsored by Sen. Carlos Cisneros (D-Questa), and identical House Bill 195 was sponsored by Rep. Joe Stell (D-Carlsbad). Governor Bill Richardson pledged and the legislature appropriated \$2.8 million



from capital-outlay money to fund the reserve.

Legislation to create an Indian Water Rights Settlement Fund was also signed into law. Senate Bill 172 was sponsored by Sen. Carlos Cisneros (D-Questa). The legislation creates a special fund to pay the state's share of water rights settlements with Indian Tribes and Pueblos, no money was appropriated for the fund. House Bill 126, sponsored by Rep. Ray Begaye (D-Shiprock), was the duplicate bill

in the House, which died on the Senate floor.

Also signed into law was House Bill 1110, sponsored by Rep. Richard Cheney (R-Farmington). The law provides funding to the State Engineer and to the Administrative Office of the Courts for water right adjudication efforts. The bill promotes many of the same objectives as the Governor's water court initiative.

In addition, House Joint Memorial 68 passed through the legislature requesting that the Interstate Stream Commission in cooperation with the Governor, State Engineer, Secretary of Economic Development, and Secretary of Finance and

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New Water Master Hired for Lower Rio Grande



Sheldon Dorman began his position as the first water master for the Lower Rio Grande District in Las Cruces on March 12.

Dorman will regulate and manage groundwater diversions in the Lower Rio Grande, Las Animas and Hot Springs Basins.

Dorman worked for the Office of the State Engineer as a Water Resource Specialist in Roswell from 1991 to 1998. In 1998, he worked with Parson's Engineering preparing the Lower Rio Grande hydrographic survey. Most recently, Dorman was an engineer in the agency's Las Cruces office.

Dorman has a bachelor of science degree in geology from Eastern New Mexico University

2 in Portales. 💧

New Conservation Brochure Gives Information and Tips on Ultra-Low-Flow Toilets

Helpful information about the types of toilets that can save the most water can be found in a new brochure from the Office of the State Engineer titled, *A Waterwise Guide to Ultra-Low-Flow Toilets*.

The guide offers hints on what to look for when shopping for a water-efficient toilet and discusses the recent technologies that have brought toilet water use down below the 1.6 gallons-per-flush standard set by the federal government.

"Water-efficient toilets that use 1.6 gallons per flush or less have been around since the 1980s, but many homes in New Mexico still have toilets that use from three to seven gallons per flush and that can quickly add up to a lot of water use," said Water Conservation Coordinator for the Office of the State Engineer Alice Darilek. "We'd like to encourage citizens to replace their old, water guzzling toilets as quickly as possible to conserve water supplies."

Almost as important as purchasing a new toilet is to maintain it properly, so that it will continue to be an efficient water user. The brochure offers tips on checking for toilet leaks, and keeping the toilet flapper in good condition. Also included is an extensive list of websites that can provide more detailed information on toilets, as well as other ways to save water.

Free copies of the guide are



available by calling the Office of the State Engineer's Water Use and Conservation Bureau toll-free at 1-800-WATER-NM. The brochure is also posted on the Office of the State Engineer website at www.ose.state.nm.us/water-info/conservation 💧

Western Regional Conference Hosted



Representatives from Holmans CAD, Technology & Surveying Solutions, display a Global Positioning System (GPS) device at their exhibit.

More than 120 dam safety engineers from across the western United States converged in Santa Fe on April 24-26 for a conference hosted by the Office of the State Engineer's Dam Safety Bureau.

The event titled, "Dam Safety in the West in 2005," discussed topics on hydrology and hydraulics, erodibility of spillways, seepage, urban dam rehabilitation, monitoring dams, failure mode analysis, and other topics.

Thank you to Dam Safety Bureau Chief Elaine Pacheco for organizing the conference. 💧

(Reservoir Levels -- continued from page 1)

better at Elephant Butte, Navajo and Ute lakes, visitors should reap benefits this summer," said Secretary of Energy, Minerals, and Natural Resources Joanna Prukop. "Heron, El Vado, Abiquiu and Conchas lakes should have plenty of recreational water through the major summer holidays."

State Parks will expand recreational opportunities at its parks by hosting over 2,500 special events and education programs this year.

"Rafting, canoeing and kayaking during spring runoff in the Rio Grande should be especially good this year," said Secretary of Tourism Mike Cerletti. 💧

Santa Fe Children Attend Water Festival

(by Maureen Haney)

"From Water to Watermelon," "The Long Haul," and "Water Jeopardy" were some of the fun activities Office of the State Engineer staff helped to conduct when 600 fourth graders participated in the Children's Water Festival on March 9-10 at the Sweeney Convention Center in Santa Fe.

These and other activities encouraged Santa Fe area students to take active roles in conserving water and protecting water quality in their schools and homes.

The event addressed the importance of water to life, the water



Students gather around an exhibit to simulate the effects of runoff and erosion.

cycle, watersheds, interdependence of plants, animals, humans and water to each other, the effect of human actions on water quality and the amount of water their own families use. 💧

(Navajo Settlement -- continued from page 1)

uncertainty of available water rights."

The settlement is intended to adjudicate water rights and provide associated water development projects for the benefit of the Navajo Nation in exchange for a release of claims to water that could have potentially displaced existing non-Navajo water users in the basin. The Navajo-Gallup Water Supply Project would be the cornerstone of proposed development projects.

In addition to the obvious benefits to Navajo and non-Navajo water users in the San Juan Basin, the settlement agreement is good for the State of New Mexico because it settles long-standing claims without resorting to expensive lawsuits.

"This agreement settles the Navajo Nation's water rights claims, while at the same time benefiting

non-Navajo water right owners by protecting existing uses of water while allowing for future growth," said State Engineer John D'Antonio. "It does so within the amount of water apportioned to New Mexico by the Colorado River Compacts."

Next, Congress must pass federal legislation authorizing the settlement. An internal settlement deadline calls for this to happen by December 2006.

A bill creating an Indian Water Rights Settlement Fund passed the 2005 State Legislature and was signed by Governor Richardson. New Mexico will begin saving up the state's portion of funding for the next several years.

The settlement agreement and supporting documents are available for public review at the Office of the State Engineer website: www.ose.state.nm.us 💧

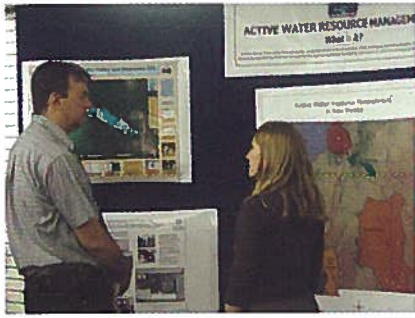
Public Meeting on Proposed CID Regulations

Office of the State Engineer staff gave a presentation on the proposed regulations to regulate supplemental wells within the Carlsbad Irrigation District (CID) to more than 30 people at a public meeting in Carlsbad on April 18.

The proposed regulations are related to Active Water Resource Management (AWRM) and the Pecos Water Rights Settlement.

The Lower Pecos River Basin is one of seven basins in New Mexico targeted for AWRM. 💧

Earth Day at Sandia National Laboratories



Amy Louise (right) of the Albuquerque Water Rights Office explains the digital mapping process in the Sandia Basin.

The Office of the State Engineer's technical work on water issues in New Mexico was highlighted at the "Water is Life" Earth Day Symposium on Thursday, April 14 at Sandia National Laboratories.

The agency's exhibits included posters of the Virden Valley E-GIS, Sandia Underground Basin, Rio Costilla, San Juan Pilot Project, and Active Water Resource Management.

More than 18 state, federal, and private organization exhibitors were at the event. 💧

(Legislative Update -- continued from page 2)

Administration study options for New Mexico to conserve and develop groundwater in the Salt Basin and other groundwater basins for use by New Mexico communities. The memorial was sponsored by Rep. Joe Stell (D-Carlsbad).

The Governor's signing of the budget bill provided another bright spot for the agency. In recent years nearly one-third of the positions in the agency were considered "term" status. Lawmakers authorized the conversion of 85 of the proposed 120 term positions to permanent status as of July 2005. The result will be better retention of legal and technical staff as well as better ability to recruit qualified individuals to work for the agency.

Also, the legislature appropriated \$12 million of the \$30 million requested to implement the Pecos Settlement.

Significant bills that died during the session would have resulted in the following:

- Authorizing the State Engineer to deny new domestic wells in the areas facing groundwater shortages (SB 120 and HB 285).
- Increasing the domestic well permit application fee from \$5 to \$200 (HB 293).
- Acknowledgement of the efforts between the Navajo Nation and the Interstate Stream Commission in reaching a settlement of the Navajo Nation water rights (HJM 53).
- Appropriating money for the Interstate Stream Commission to conduct a study of the Salt Basin Water Resource for use by New Mexico communities (HB 961).
- Appropriating money for water management research and education programs by the Agricultural Experimental Station and Cooperative Extension Service (HB 297 and SB 100). 💧

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Make every drop count!

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