

Water Wise Community Brief



Summer 2007

Interstate Stream Commission Breaks Ground for New Rio Grande Silvery Minnow Facility

Rio Grande silvery minnow one day will live and thrive in a \$1.2 million cutting-edge facility designed for breeding and rearing the fish in captivity in Los Lunas, New Mexico. Pueblo of Isleta Governor Robert

Benevides performed a ground blessing ceremony at the site, followed by a groundbreaking for the new Interstate Stream Commission facility, called a refugium.

A crowd of about 70 people attended the event held on April 12, 2007.

The highlight of the event was a special "Silvery Minnow Song," performed by fourth grader students from the Katherine Gallegos Elementary School in Los Lunas.

Officials attending included Congresswoman Heather Wilson, Attorney General Gary King, New Mexico State Engineer John D'Antonio, Interstate Stream Commission Chairman Jim Dunlap, and Los Lunas

Mayor Louis Huning, as well as representatives from the Offices of Governor Bill Richardson, Lt. Governor Diane Denish, Senator Jeff Bingaman, Senator Pete Domenici, and Congressman Steve Pearce, and others.

"We don't have to choose between protecting species and the rights of people, including their water rights. This refugium is a step in that direction," said U.S. Representative Heather Wilson.

"This refugium is required as part of the March 2003 biological opinion on Middle Rio Grande water operations," said State Engineer and Water Trust Board Chairman John D'Antonio. "It was made possible by state funding, which included two

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Pueblo of Isleta Governor Robert Benevides blesses the ground prior to the ground breaking for the Los Lunas Silvery Minnow Refugium.

Summer Recreational Opportunities Are Promising Based on Winter Snowpack and Runoff



Secretary of Tourism Michael Cerletti and State Engineer John D'Antonio speaking optimistically about recreational opportunities in the state this summer.

As a result of average winter snowpack and spring runoff, reservoir levels statewide are projected to be good for recre-

ational opportunities in New Mexico for early summer and the Fourth of July.

A joint news conference among sister-state agencies was held March 19, 2007 at the Rio Grande Nature Center in Albuquerque with state officials attending including: State Engineer John D'Antonio, Secretary of Energy, Minerals, and Natural Resources Joanna Prukop, Secretary of Tourism Michael Cerletti, State Parks Division Director David Simon, and New Mexico State Forester Arthur "Butch" Blazer.

"If the state receives additional summer rains, it may open the door

for an extended recreational season through Labor Day," said State Engineer John D'Antonio. "At this point, it is too early to tell whether additional rain may be a factor in bringing that about. I do want to emphasize that it will take at least a couple more years of average or above-average snowpack before reservoirs are returned to pre-drought levels."

"Drought in the Southwest is a long-term phenomenon, so we're always concerned about wildfires and low lake levels," said Joanna Prukop, Cabinet Secretary for

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Legislation Introduced to Implement Navajo Nation Water Rights Settlement Agreement



Navajo families fill portable water tanks at the water hauling station in Gallup to take back to the Reservation.

New legislation to implement the Navajo/San Juan River Water Rights Settlement was introduced in April by U.S. Senators Pete Domenici and Jeff Bingaman and U.S. Representative Tom Udall. The legislation is a major step forward in implementing the historic settlement, which brings certainty to water rights in north-west New Mexico.

"This legislation will bring assurance to the water supplies of those in New Mexico who depend on Colorado River water, including the beneficiaries of the San Juan-Chama project in Albuquerque and Santa Fe," said State Engineer John D'Antonio. "This settlement provides a fair allocation of water to the Navajo Nation, while protecting the existing non-Indian water uses from the San Juan River."

Senators Bingaman and Domenici united to introduce the bill in the Senate. Representative Udall sponsored it in the House. They highlighted the basic human necessity of water to residents of the Navajo Reservation, which would be addressed by implementation of the settlement.

"Residents of the Navajo Nation have lived for generations without access to the most basic of neces-

sities, drinking water," said D'Antonio. "Through this legislation, the state and the federal government will combine to meet this need, all the way down to the City of Gallup. The benefit to citizens of New Mexico is immeasurable."

State officials anticipate hearings on the bill in

the near future, starting it on the path to passage. The legislation arises out of the agreement signed on April 19, 2005 by Governor Bill Richardson and Navajo Nation President Joe Shirley Jr., approving the agreement between the Navajo Nation and the state of New Mexico. The agreement resulted from years of negotiations that would protect existing water uses from the San Juan River – both Indian and non-Indian – while ensuring that the Navajo Nation would receive a firm supply of water to sustain the Navajo Reservation.

The Navajo Nation agreed to limit its water rights to the San Juan River in exchange for the construction of much-needed water infrastructure on the Navajo Reservation. Settlement of the claim also eliminates a significant risk to the water supply for the San Juan-Chama Diversion Project, which provides municipal water to the cities of Santa Fe, Albuquerque, and others.

Many of the 80,000 Navajo men, women and children in the project service area presently do not have clean, potable water delivered to their homes. They must haul water, in many cases over extended distances for cooking, drinking and bathing. ♠

Water Plan Accepted for NE New Mexico

by Leeanne Clark

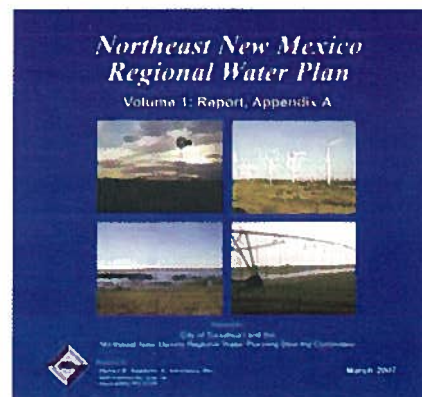
The New Mexico Interstate Stream Commission recently announced the acceptance of the completed Northeast New Mexico Regional Water Plan, which includes Union, Harding, Quay, Curry and Roosevelt Counties.

The plan addresses long-term water supply availability, water quality, water rights, municipal conservation, agriculture conservation, groundwater management, rangeland conservation, infrastructure upgrades, the Eastern New Mexico Rural Water System and Harding County dam construction.

The planning committee was comprised of representatives from: counties, municipalities, soil and water conservation districts, the agriculture sector, City of Tucumcari and others.

Acceptance of the Northeast New Mexico Regional Water Plan marks acceptance of 15 of the 16 regions. Regional water plans were previously accepted for the Southwest New Mexico Area, Mora-San Miguel Region, Colfax County Region, Jemez y Sangre Area, Lower Pecos Valley, Lea County, Tularosa-Sacramento and Salt Basins, the Estancia Basin, Socorro-Sierra, San Juan Basin, Northwest New Mexico Region, Middle Rio Grande, Lower Rio Grande, and Rio Chama.

Development of the plan was funded by about \$122,000 in grants from the Interstate Stream Commission. ♠



Energy, Minerals, and Natural Resources Department. "But, we had decent snowfall this winter, and we're cautiously optimistic that we'll have a good summer for outdoor recreation statewide."

Based on projections, most basin reservoirs are expected to surpass 2006 numbers and even 2005 capacity levels-including Heron, El Vado, Abiquiu, Elephant Butte, Navajo, Ute and Brantley.

"State Park lakes are in excellent shape this season, and the re-vamped camping permit is the best camping value in the country," said State Parks Division Director David Simon.

"While we are optimistic New Mexico's water recreational opportunities will remain a mainstay of our spring and summer seasons, remember that the Land of Enchantment is 22 million acres of prairies, deserts and forests, offering every recreational pursuit imaginable," said Michael Cerletti, Secretary of the New Mexico Tourism Department.

While New Mexicans and other visitors are enjoying the state's natural resources, the New Mexico State Forestry Division would like them to remember to safely use campfire sites and open cooking areas. ♦

Judge Upholds State Engineer's Authority to Adopt Active Water Resource Management Rules and Regulations

Division II District Court Judge Matthew Reynolds of the Seventh Judicial District issued a ruling on May 21, 2007 that affirms the State Engineer's Active Water Resource Management (AWRM) Rules and Regulations.

"We are confident that we're on the right track. We're reviewing this decision to evaluate the need for an appeal on certain aspects of the judge's ruling that may need some clarification. We appreciate the judge's effort and validation of the Active Water Resource Management initiative and will keep pressing forward," said State Engineer John D'Antonio.

The AWRM rules and regulations were finalized on December 3, 2004 in response to continuing drought and climate variability in New Mexico. Several years of severe drought in recent years brought to light the need for the State Engineer to be actively engaged in the field to administer the actual use of water. These statewide rules and regulations provide that, when necessary, junior water rights that would otherwise be curtailed will be able to temporarily acquire senior water

rights from owners participating in the water rights marketplace in an expedited manner.

"The ruling validated the State Engineer's administration of water rights in New Mexico, his authority to establish administrable water rights, and to do so prior to the completion of an adjudication," said Chief Counsel DL Sanders.

"These rules and regulations will provide us with the tools to move forward with priority administration. We are committed to taking proactive steps toward management of all New Mexico rivers. Steps taken this year to develop AWRM into a statewide program will help us to be ready for future drought cycles as well as enhance our progress to fully adjudicate and administer the state's water rights," said D'Antonio.

AWRM refers to a broad range of activities, which include expediting the application transfer process, monitoring and metering diversions and limiting diversion of water to the amount authorized by existing water rights all within the prior appropriation system. ♦

Lower Rio Grande Water Users Attend Workshop to Learn About Water Issues

More than 150 people in the Las Cruces area attended a Public Workshop on Lower Rio Grande Water Issues on April 24, 2007, including State Engineer John D'Antonio and Interstate Stream Commission Director Estevan López.

Staff from the Office of the State Engineer and Interstate Stream Commission as well as State Economic Development provided information at eleven tables addressing basic water rights administration, alternative administration plans, metering, hydrology, water quality, conservation, domestic wells, area



Participants obtain information and ask questions of Water Use and Conservation Bureau employees during the workshop.

growth and economic development demands on water supply, interstate compacts, adjudication, and Active Water Resource Management, among other topics.

After filling out a brief survey to gauge their interest in water issues, people visited the various tables, asked questions, and gathered information.

More information on current water issues affecting New Mexico in the Lower Rio Grande is available on the State Engineer's website at www.ose.state.nm.us. ♦

grants from the Water Trust Board plus additional funding from the Interstate Stream Commission.

The facility design and construction costs count toward the non-federal cost share of the Endangered Species Act Collaborative Program.

The refugium is a unique design that mimics the Rio Grande habitats needed throughout the silvery



Fourth-grade students of Gallegos Elementary School in Los Lunas sing a special silvery minnow song to those in the audience at the groundbreaking ceremony.

minnow's life cycle. It will consist of a 10-wide by 400-foot-long outdoor "stream" that meanders at ground level. It will be fenced to minimize predation by birds, snakes, and other animals. There will be five, two-foot-deep ponds that are fed by the stream. Total water surface area covered by the stream and ponds is a quarter of an acre.

There are low-lying vegetated areas next to the pond and the stream that can be flooded to stimulate spawning and produce a habitat for eggs and newly hatched fish. Total water volume in the refugium will be about half an acre-foot or 162,000 gallons. Water will be recycled but will not be treated, except to remove debris such as leaves.

The associated indoor hatchery will be a 50-foot by 30-foot building that will house 24, 40-gallon aquaria that will

be used to spawn minnows, as well as five, 680-gallon and eight, 280-gallon tanks that will be used to hold brood fish.

Construction will begin in June and is scheduled to be completed in late fall. Fish will be stocked in November, and these fish will spawn in the spring of 2008. Once on-line, the Los Lunas Silvery Minnow Refugium will become the fourth breeding and production facility that propagates and raises Rio Grande silvery minnows in the state. ♠



Rio Grande silvery minnows were guests at the groundbreaking, courtesy of U.S. Fish and Wildlife.

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