



**Comments from New Mexico State Water Plan Public Meeting;
Reserve
Catron County Court House
Wednesday, August 13, 2003**

Stewardship:

- All the uses should have the same values no matter what the water right is.
- It is really difficult for me to hear that there is a great water drought when I go into ABQ and see that gas stations are watering the sidewalks. Do they think that this is New Jersey. I splash through water out there when I am driving around. Everyone must be accountable
- I come with a lot of skepticism of government. Every time they come we lose. Does this mean that we are going to loose our water. The drainage that we are on has a lot of regulations in order to use them. We just lost our mining, logging and grazing. We need economic development. What does this mean to our future? The state is coming to help us and I am scared...usually it is not good. It was that way with the wolf too. I hope for once that the input that we give will be listened to.
- We went through a very painful process to get our whole area adjudicated. I am afraid that unless we have some input in the court decisions for our benefit we will lose. We need to make sure that we keep local decision-making.
- I apply certain principles when I deal with water. Though shall not steal, though shall not covet. The other aspect of this is respecting the law and that we have been adjudicated. The water here is wild and under the concept of stewardship, the public owns the water that is unappropriated. When it is put to beneficial use it is private property. Stewardship means not wasting water.
- One of my concerns is that even when the State Water Plan is complete that there is not going to be any water available. There will only be enough if we all take our fair share. We are not going to have any water. This water is for the people that live here
- To me something needs to be done to save and preserve water. Without encouragement there is not incentive. I think that if the state handled this right and people were rewarded for conservation, there would be more people watching their water use. Solving the issue is not forcing us to do it. We need to create incentives.
- One of the key ingredients is a common sense notion that those folks closest to the resource can best make the decision. Those folks closest to the water can make the best decisions. They do know it best. First in right means there is Security in tenure; using the waters for conservation and or development. You cannot rely on government rather private ownership to back the investment. Stewardship will manifest itself if you trust the people.

- They have a law that you lose it or lose it. There is no sense in using it just to keep it. That does not make any sense. People are sprinkling water around their yard to just use it when they do not need it. This is not right.
- Encourage conservation behavior with incentives – don't beat people over the head.

Supply and Demand:

- Each area of the state should be treated the same way. Cities should not get precedence over the rural areas.
- You need a policy to track areas that are in drought. We have people trying to prove their water right and drawing down the water table. There cannot be one rule or regulation for the entire state. A true drought plan looks at regions, not the state as a whole.
- All of the people that lead this state live in Santa Fe and ABQ. If they need the water there, they are going to take it from here to get it! If all the rules were the same all over the state this could happen. Our watershed should be in our own water managing area, not governed by someone in Albuquerque.
- It's not just a question about equal conservation. If some people are conserving 10% and can do that, and another person really needs the water, they should be able to use it. Not a universal cut. Everything should be considered in context.
- There is source and use in supply and demand. When you say balancing supply and demand we need to be looking at the source. We need to also look if the use is taking more than its allowance. NM has several thousands of years of water law. There is not supply and demand problem in the prior appropriation doctrine. The last drop of water here would go to the tribes. It is a very stark system but we need to be applying it. The SE has to have some backbone and start enforcing the system. Prior appropriation needs to be taught in the system.
- We need to look at the source of the use and start looking at watershed restoration.
- The SE has to be firm and enforce water law. So many people are buying motorboats. In times of drought they need to wait to boat until there is sufficient water.
- When you look at resource economics, the markets are the best to meet demand. The market is a way to allocate goods and services. Education, regulation and pricing are the three key things that need to be looked at.

Drought:

- It is a desert. We should not try to grow things that are not supposed to be here. The beatification of things like golf courses, this is not what we need in a time of drought?
- One of the big things that I hear is that there is so much of this state that was meadows and savannas. The Pinon and Juniper have taken over. This is the source of our loss of water and grazing lands. I take the water that I get waiting for the hot water outside for the plants. I guess it is tough because yes its real important here because the ranchers need the water...and there are those folks that

are earning their livelihood from gold courses. People need to come before the minnow.

- In Europe the slowest growth is in Italy. They want to slow their population to make sure that they have a future of water for the farms. There should be education in the schools to show that farms and cities are needed of each other.
- There is value in agricultural water use and if they go to the cities (the water right) then to get it back to the farms is going to be very difficult. It will all get purchased by the cities and never be able to come back to the farms.
- People that have water rights that are not using all of their rights that they should share this excess. In Colorado some of the water that was extra for the farmers. The value of sharing without losing the right.
- You have to get the state to make sure that just because you do not use it you will not lose it.
- The SE wants to put a meter on our wells to see how much we use and if we do not use it we will lose it. This means that I will not always have my water right.
- Enforcement is to the law what the law is as written. We need peacekeepers rather than enforcement. We need a facilitator to work with us to see that the water rights are handled well.
- The Israelis are growing crops in the desert with 3-in of rain per year in a good year, so we really don't know how to cope with a drought, as we would really have plentiful water in a drought; we can live at a much lower water supply than we think; human life doesn't cease with less than 9-in of rain per year; drought is automatically taken care of with prior appropriation; sharing in shortage isn't integrated into our water law; in Spain they hold water court annually and allocate the water, under much the same climate as where we live here; concept of sharing should be incorporated into our concept of prior appropriation

Water Administration:

- In the late '50's rainfall increased 50% and behavior changed; concern that some of the data in our atlases isn't current; need to use current information because what used to be true about supply isn't true now due to climate change. We need current data for good decision-making.
- Recognize the past and what is codified and statutory and in treaties in water law; there is more to water law than beneficial use; also administrative and common law applies to water rights and must be fully appreciated; otherwise we have conflict if we don't recognize all rights that apply to water administration
- Water administrators' attitude needs to change, and it is a bit based on this meeting; used to be signs that State Engineer should stay off our land; attitude of State Engineer should be to get more water for the state; adjudicated water rights should be sovereign, and guarded by employees with their life; they are our only avenue of recourse, and need to be on our side; most people think that they are trying to give water rights away; need to have the same concept as when you run to a cop if are in trouble, not be afraid to do so

- State needs to take priorities for the SW region, such as the 18,000 acre-feet of Gila-CAP water that belongs to New Mexico
- Question about drilling of wells by Mexico along the border with New Mexico
- Arizona has adjudication ongoing on Gila River, but it isn't complete, because of litigation of tribal water rights; but on New Mexico side it is both complete and fully adjudicated
- The number one administrative task is adjudication; the State Water Plan is nothing until the state is fully adjudicated; regional plans don't mean anything if water hasn't been adjudicated; needs to be a priority for strategic plan

Funding:

- We know from experience that state and federal government is under-funded to do this; we need to get private enterprise involved in this funding challenge and we need to advocate for ourselves.
- I think that a lot of individuals are willing to put money into local or immediate water supply use or maintenance; but there is a fear that the government will come take it away, including all of your investment, so people don't maintain it
- Fear that enforcement of government mandates could become too expensive, especially now that insurance and retirement costs are so big; it always happen that we build bureaucracies that we can't maintain; in dry years I still pay conservancy district fees even though I don't get any water; apply the value of "thou shall not steal"
- Potential source of funding is to pay persons. in water rights for participating in watershed management; the saved water would be administered as a water right that the person who fixes up the watershed would receive as a reward for that investment
- Funding puts you "back in the box"; need to look at markets and incentives; distrust for free markets and water markets; need further examination by University of New Mexico and Water Resources Research Institute of market forces and financing to look at inter-basin transfers pros and cons; critical ingredient of balancing urban and rural water needs
- Central Arizona Project and San Juan Chama Project final costs are much more than originally budgeted; government projects are never completed under cost; I'd hate to see us end up with something that we can never pay for with the Gila-CAP project development (18,000 acre-feet); state does have loan mechanism capabilities, such as with New Mexico Finance Authority; so users in a certain area can invest in infrastructure through loans, not grants as the contractors see it as an open check book

Other Comments:

- Concern that federal government is trying to take over our water, and don't want to see the State Engineer let that happen

- State lobbying of federal government to get more watershed management projects would be helpful
- It is an insult to have all of our water rights included in a section called “water administration” in the regional water plan template. There should be a separate water rights section.
- Want to have local ordinances not superseded by the State Water Plan, and want flexibility to include local preferences for water management
- We were one of the first to do a water plan, but it wasn’t accepted because it didn’t conform to the Regional Planning template; Catron County has a water plan adopted by the Commission, and the water plan and land use plan are pretty much inseparable
- I started putting up a building and attempted to transfer water rights from my old well. Your office said that I would lose my water right. This is one of the greatest disappointments I have faced.