Comments from New Mexico State Water Plan Public Meeting;
Roswell
Chaves County Administration Building
#1 St. Mary's Place
Wednesday, September 10, 2003; 7:00 – 9:00 p.m.

The public meeting in Roswell was the 28th of 29 public meetings scheduled to gather public input in the initial phase of the State Water Plan. The meetings were organized in order to gather the views and values of people throughout New Mexico about water, as well as information about particular issues in their communities and recommendations for matters to be included in the State Water Plan.

Introduction:

Planning and Communication Division Director Rhea Graham welcomed over 75 people who attended the public meeting from Roswell, Chaves and Lincoln counties and other surrounding communities.

Graham 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 he purpose is to hear what is of concern to New Mexico communities. The ISC 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

- We have a model in the Upper Pecos Valley by living under a metered water delivery program; proper management (and conservation) is the key to stewardship
- If it's not sustainable in the long-term, it's probably not right
- In the Hondo Valley, could someone determine why the Rio Ruidoso is so filthy, and what it would take to clean it up? We need to clean up what we have
- Don't waste water
- Irrigable lands are being sold to developers, and there is greed in transferring water rights off the land and still irrigating it; double dipping has to go
- Education on conservation, such as xeriscaping brochure; conservation can occur in cities as well as on farmland
- Where the water comes from should be an important part of education
- Water quality and water conservation are extremely important, but water production is even more important; I would educate children in the importance of water production, which is watershed management; our watersheds are in a very deplorable condition; the public is afraid of fire, afraid of thinning; the truth is that the best watersheds in New Mexico are managed by the federal land managers; if the State of New Mexico doesn't get involved with the public land managers and put forth a position of being involved, we aren't going to have enough water to fuss over in the future; the amount of water required in the future to take care of 100 years of neglect is enormous; and I hope that Governor Richardson realizes the importance of watershed planning in the State Water Plan
- Increase in woody vegetation in the forests is a supply and demand issue, we don't have a good handle on recharge, we are noticing a decrease in base flows on almost every gage statewide; a lot of it is caused by an increase in evapo-transpiration upstream, not just overuse; there isn't any increase
- This district voluntarily metered every irrigation well awhile back; if the rest of the state isn't metered, how can one be a good steward on how much is being used? Should domestic wells also be metered to ensure that they aren't abusing their privilege? If we are using too much, and abusing our water right, we should be fined or penalized
- Stewardship involves healthy watersheds, with cooperation among all of the land owners
- In the State Water Plan a primary consideration is keeping the integrity of the Roswell-Artesia basin; That means:

--No further appropriations. The basin is substantially in balance now. Any further depletions will cause the return of the salt water from the northeast. The drought has caused some lowering of the water level now and increasing salt encroachment. This is also a requirement of the Pecos River Compact.
--No concentration of the points of diversion and withdrawal. The stacking of water above the normal agricultural use can concentrate water withdrawal and increase the cone of depression in localities causing unanticipated changes.
--Protecting the intake area of the basin from excessive brush, weed and human growth. Excessive brush and exotic plants replace the natural grassland and wastes water by causing its evaporation and keeps it from reaching the river. Human growth may take place by purchasing and retiring agricultural water rights.

The second most important priority is to find a solution to the Pecos River Compact. The present program of pumping fresh water into the river is counter-productive. It takes valuable land out of production and destroys our economic base and over 60 percent is wasted before it gets to the irrigation district head gate in Texas. It is particularly important to support our cheese plant and dairies by providing the roughage they need and represents the major basis of our economy.

Fortunately, just recently, a better solution was proposed. Some Texas farmers, under the Red Bluff project, have proposed that New Mexico buy their water, relieving new Mexico of the need to deliver a certain amount of water to them. This is a case of Texas blinking first. No way could New Mexico initiate such a proposal, but they can and did.

This is a golden opportunity and the right course to pursue. In the 55 years I've been dealing with the compact, and for 30 years before that, at no time have any Texans shown any consideration for wanting anything but water. We must take advantage of this opportunity now.

There is good reason for them to make this proposition:
--Their base flow water is too salty for profitable agriculture. Historically it has been salty picking up salt as it passes through the salt beds at Carlsbad. The springs at Malaga Bend put tons of salt into the river daily.
--Only floodwater can dilute the salt water enough to make it usable for agriculture. There have been no floods for the past three years to dilute it.
--A major agricultural income from the Red Bluff project is from the crop insurance government payments. Some do plant and are assured of crop failure when the salt water is applied. They will still be able to do this as there will always be water in the river when floods do come, and the drainage from Carlsbad will be the same. All we would do is relieve the pressure of water delivery by New Mexico and send our good water down the river.
--The land values are low, with the best ag land under the Red Bluff project selling for $100 per acre, and no one wants to buy it.

--It takes them 9 acre feet of this salty water, if they can even get a stand, to do what 3 acre feet will do with fresh water here.
--Their irrigation system is inefficient. They lose over 45 percent of the water released from the Red Bluff dam just getting it to the water district's head gates, where it is distributed in miles of unlined canals, thus creating even further losses. Such a wasteful loss of water cannot be justified in this arid west, where water is so precious.
--There are costs in maintaining a large irrigation system, whether it is productive or not. The farmers must pay these costs, plus taxes, whether there is any income coming in or not.

At this time, an active campaign is going on in Texas to sell the Texas Red Bluff land owners on the idea of selling to New Mexico part of the water for which they have a right. Their farms have a low value, since they have not been able to grow any crops in the last 3 years, as there have been no floods to sweeten their water because of the drought, and no one wants to buy the land. In the meanwhile, the water assessment still goes on. If the Texans are agreeable to selling some of the Pecos River water, it would be most beneficial to New Mexico.

Since the water is owned by the Red Bluff district, and no water rights are owned directly by the farmers, I feel the Pecos River compact should remain intact and New Mexico negotiate to buy a percentage forbearance of the water due Texas under the compact, while leaving them the sweet flood water which is the only thing beneficial to them anyway.

Laws would have to be changed, and court decisions modified, but these can be done if we can make an agreement. Governor Richardson will have to use all his negotiating skills to bring this about. If the governors of both states give their strong support, this can happen, and both states will benefit.

A survey of the landowners is underway now to have them indicate if they would favor such an approach.

This is a great opportunity and I urge it be the basis for water planning in Southeastern New Mexico.

- We have an aquifer that comes all the way from Canada – the Ogallala – and we have laws that restrict how much we can take, yet Texas doesn't; why don't we take Texas to court and address this issue?
- We need to look at the technologies the military has in dealing with salt water; many municipalities in this state could supplement their water supply by using treated salt water, which can't be used for agriculture; streams have been drying up since the last ice age, so we should take note
- The average use before the Pecos River Compact was greater before the time of the compact than it is now; so we aren't wasting water now; at one time this

basin's water level was much higher, but it rose back up again after we started metering; we have had springs that started flowing again, but aren't currently in the last two years due to drought; so we have done the stewardship here
- The upland land owners in this basin and throughout New Mexico, these ranchers have been doing the right thing without being paid for it; this State Water Plan must include incentives for doing the right things for watersheds
- From all of the science we've seen, the removal of exotic plants can increase the water supply, and we should encourage our Congressional delegation to modify the Endangered Species Act to address human and economic impacts

Balancing Supply and Demand

- It's real simple in Albuquerque and Santa Fe – if they increase the price, they'll use less water
- We need to include the varied geology of the basins, to utilize all of the education and information we have available, to accurately measure supply and demand; one shoe doesn't fit every basin in New Mexico; there should be different criteria for different basins
- I have done extensive ground-water research in Chaves County and Eddy County, and one of the problems we have in consideration of supply is an understanding of the geology and the failure of the existing models that are used to administer, particularly the Roswell basin; these models fail to take into consideration new information that has become available; they are beautiful mathematic models that turn out accurate computations, but they don't show how the basin works; the statehasn't been motivated to take the time and effort to utilize good information; for instance, the 2,000-year scale is a relatively short blip in the overall picture, and unfortunately the models do not take into effect the important parameters that need to be considered
- Producing new water doesn't have a silver bullet; it has to be integrated with all agencies; the Interstate Stream Commission needs to work together with the Bureau of Reclamation, the Forest Service and the Bureau of Land Management, and get more bang for the buck
- We have discovered through the tribulations we have been going through on the Hondo River that there is lack of agencies working together; it needs to accomplished for the agriculture as well as for the cities; many farmers are being denied the right to use 1948 water rights as collateral by lending institutions; and the idea of taking water in a pipeline is the most asinine idea I've ever heard
- The reality is that cities have the biggest demand, and they are going to get what they want, because they are growing
- Our local farmers have a genuine interest in farming, we aren't interested in getting more water – we are used to using 3-acre-feet per acre; we have a lot of common sense solutions, and when they are ignored, it leaves us frustrated that the easy fix is not the one the state desires
- We have worked at it, and we have documentation; it's because we did our planning early

- You cannot have population and agriculture in the arid west; population centers buy it and pay an honest value for it, they can have it; but it's when they steal it that we get mad
- We are not addressing population increases that don't have their supply from a municipal system; an average of 1200 acre-feet per year from 400 domestic wells per year; in 20 years we are going to have them taking up more water than we owe Texas
- For every domestic well that is drilled, they have to have a leach field; therefore every household may use 15% of that 3-acre-feet, because the rest goes back into the ground
- As a land owner that owns quite a bit of land surrounding Roswell, I think that I should be able to sell part of it in 5-acre tracts, I have a right to sell the land, and if you limit the water completely, you limit my income from my land completely

Drought:

- One question is, the county enjoys a good tax base but do we need another golf course? If the water is not there we should not play golf
- The most important water in NM is the underground water; we have good evidence that alluvial water communicates with ground water; we need to limit what we're using and be good stewards of the water that we do have; if you take care of the underground storage, you protect our water future
- Pump more water in a drought
- There's an attitude that's wrong: People ask where does milk come from? the grocery store; where does water come from? the faucet; we need to educate people about where water comes from, and about the water system.
- We have a sever drought here for the past 5 years; but in some of the wells we are not experiencing a drought; there is a lot of variation in the groundwater levels; in some places it's dropping, but in others it's up to the 1967 levels; during the 1950s we had a great amount of water in the Rio Hondo; now we have barely enough water to see a flow; we have been waiting for a rain all summer and have not gotten one; our basin CAN be diminished; we have to protect our underground basin
- In Lincoln County in the high elevation, what used to be lush grassland meadows has been taken out by trees; we need to manage our forests and reclaim our meadows, then we can gain more water
- In Lincoln County when a subdivision comes in, they have to prove that they have the water rights and they have to own them before they can build the subdivision

Water Administration:

- Adjudication is very important; with the U.S. Bureau of Reclamation, who owns the water – is it the irrigation districts, or the farmer? This needs to be distinguished; several adjudications are underway, but before they can manage the water, they have to know the quantity

- This was one of the first areas that was adjudicated in the state and now we're proceeding into the Hondo and Pecos
- If you do not have a record for what people have historically used, how do you begin to quantify a right? the state needs to model how we have done it here
- Adjudication is scary but necessary
- Put the issue of Reserve Federal Water to rest!
- One farmer neighbor of mine who was totally opposed to metering ended up metering his uses, and found out that it actually saved his water right later
- Meter all uses including domestic wells
- If a water right has an 1800 date, and a developer has the money, he will buy those rights; if he decides to put in a golf course in time of drought, this should be limited; recreation during a drought should be limited
- Sometimes there are water rights that have not been used in a long time; the old rights should not be recognized after time
- There are a lot of areas in the state that have been abandoned, yet their water rights are still in place; the law is not being enforced by the State Engineer
- It's easier for a government manager to do nothing than to take action; if your governmental leaders are doing something you think is good, you need to let them know this or they will continue to do nothing; there are long-term effects that come from good management; let's highlight the projects that are doing well
- We need to renegotiate the Pecos contract; we need to get them back into court and renegotiate
- The Pecos River has a watershed that goes all the way up to the upper basin; when we are looking at a development within the Pecos watershed, the people that are outside the governmental boundaries should have a say in whether they develop at the top of a watershed; there needs to be better communication about water planning within a whole basin
- I have a problem with basin transfers; the land has gone dry in these areas where these transfers have occurred; the water transfers should be looked at and only approved if there is not a detrimental impact to the watershed; maybe a transfer should take place only once; we need to think about how far, and how often, we can transfer this water

Funding:

- The state should be more responsible for funding; they should have to put some more money up for water to New Mexico
- The state does not put enough money to water, and this is the highest priority; it is a sad situation at the state, and the money is not put into the right place; we need to set priorities, and we need funding to make these priorities happen; we need to start looking at our priorities and making the statement to the state leaders that we need the money to do it
- We need to put our money where are mouth is
- We need to provide incentives for conservation and for the management of our upland watersheds; private land owners cannot take this burden

- It has been only in the past two years that we (the legislature) have seen how critical the water situation is here; there is much more awareness now, and we are just beginning to allocate more money for water; but water still does not have the priority that it should in the legislature
- We don't want development taking over the water
- Who owns the infrastructure in this state? mostly the landowners; if someone wants their water, they should also have to pay for the retrofitting of their systems; the Interstate Stream Commission is trying to buy water and land; they should also think about leasing land and water; if you allow the state to purchase the water and land, it is taken off the tax roles; if you lease it to the Interstate Stream Commission, then it still stays on the tax rolls, and the Interstate Stream Commission can see if the lease is actually making a difference
- If you want to see property values go to hell, take our water rights
- There is 319 grant money available (Clean Water Act Section 319), both federal and private monies; this is really making a difference
- But filling out the paper work for that grant money is intensive, consumptive
- Water is a private property rights; don't encroach on our constitution
- It comes back to common sense, with funding, too; we need common sense and fairness in funding decisions

Other Comments/Questions:

- What effect will this SWP have on the decisions that the BOR make?
- How are regional water plans going to be integrated into the State Water Plan?