Comments from New Mexico State Water Plan Public Meeting: Tularosa
Community Civic Center, 1050 Book Out Road
Thursday, July 17, 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 Tularosa, New Mexico. This was the 5th of 29 scheduled public meetings on the State Water Plan.

Introduction:

Planning and Communication Division Director Rhea Graham of the Interstate Stream Commission welcomed more than 110 people who attended the meeting from Tularosa and surrounding areas. She said the ISC wants to hear from residents regarding their values around the management and stewardship of water. New Mexico is growing and needs to plan, and needs ideas on how to administer water and arrange funding for projects.

Rhea 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 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:

- Try to determine all water in a watershed and all supply and quantify; Define demand based on current appropriations; Convert water right to a percentile to make demand meet supply; Everyone who had an appropriation would have a percentile of the water supply; We wouldn't allow any new appropriations; There would be an opportunity to sell it in a water bank through the open market to the Office of the State Engineer to those who need it; We would therefore have a system to balance supply and demand; Inherently create conservation because water has a value, and you could sell it; Inherent incentive is to create supply, whether through spending more money for watershed restoration or building reservoirs to hold more water; Water administration is basically no more than dealing with managing a water bank; For funding you would take a commission off the top
- Maintain flowing streams and springs; It's amazing how the ground water holds (water) when streams are flowing; Protection of water availability of water for the existing uses
- I think stewardship has to do with microclimate in Tularosa Basin, and ground water plans should be tied to the effect of local climate
- Stewardship has to do with taking into account the climate stability
- I have a concern about watershed management without consulting with other agencies; and the same is true for prior appropriation
- I think it's similar to real estate – it's location, location, and location; Some areas have plenty of water with lesser demand; State's goal of balancing supply and demand should go a long way; it's a problem of infrastructure to get water to areas of higher demand; Need Bureau of Reclamation projects supported by a strong Congressional delegation
- It is not a very popular idea, but wastewater recycling by larger communities should be looked at, such as Alamogordo using gray-water to water landscaping; We should see what works best and do it
- Before you can do anything, you have to know where the water is, where it's coming from, and where it's going; I recommend that isotope chemistry should be used
- I was wondering why the cities have to go outside their territories to get new supplies; They should stay within their own territories and use their own resources
- If you don't have the resource (water), why keep building and expanding (development)? This is not just for the big cities

- We have a limited resource, so we need to seriously examine limited growth; where are they going to get their water? From us, and we are already here; Is an unpopular idea, but is reality
- If we are in a low water area and everybody needs it, why are we building more houses with several on the market? Why are more subdivisions approved?
- In my estimation, they should have to buy out an existing house to get a new building permit
- Nothing is mentioned about the people who own water; I've been a water driller for 40 years; Water belongs to the people of New Mexico, but oldest water right owner owns it; Hasn't been considered so far by the State Engineer; this must be considered in the State Water Plan
- Limiting growth in an area is an impossibility, because we want our children to live and work near us
- Limiting growth to 1% per year will take care of families and connect growth to the water resource
- Right now a person with water rights on land can sell the land but not the rights, and everyone can drill domestic wells in a subdivision on that land. This should not happen
- Domestic wells should be included as an issue in the State Water Plan
- One thing under stewardship is that water right owners should maintain systems so that the Office of the State Engineer works for us who depend upon the systems to have what we need; Accountability for maintenance should be built into water rights ownership
- Most of the time when this area was settled, we were in a severe drought; Lots of areas with dry acequias; We are in a drought because the same streams they were using are dry now, then the number of trees contributed to drying of the streams
- Number of trees in a forest needs to be addressed; Elms are choking the land and no one is getting the water they used to; not just conifers but non-natives; Trees have multiplied and have impacted the availability of water
- Various estimates of total amount of water that falls two feet, limit to two gallons per day per tree; Very small effect of trees
- If that were the case, how come no water is up there?
- Lot of factors; water is extracted at much higher rate than 100 years ago; Trees create microclimate of enhanced humidity, which increases effectiveness of convection
- Old saying: waste not; want not; Using things like gray-water to irrigate lawns and trees, on a personal basis (shorten family showers); Lot of things that we can do on a personal level; Is a national problem, need to see what we can do as individuals; We can do that while we are investigating other possibilities for conservation

- A good way to conserve water, for example, hook up the new desalination plant to the other end of that waste water plant, and the Alamogordo folks will be getting their just deserts
- One thing I haven't heard is harvesting rainwater; I got 700 gallons in the last rain we had; I came from Wisconsin and I couldn't believe that every house didn't have holding tank
- All communities want to grow; some of us are at a point where we want to survive; Larger communities shouldn't encroach on smaller communities; larger communities should give their neighbors a chance to survive and live
- No growth can be done; San Diego passed a law without a Supreme Court challenge
- We live in the mountains and our springs are dropping; positions in Office of the State Engineer used to monitor if aquifer's dropped; we need data and to collect it; the Office of the State Engineer should be adequately staffed
- No community should have the right to steal water, and city fathers that allow that should be impeached
- Put together a commission to find out exactly how much water is in the state – how much comes from the sky, the ground?

Balancing Supply and Demand:

- We can't address without a mass balance; ability to know how much we have is here today with historical records, and we can do it today; We know climatic condition changes; we should put together a model instead of playing politics; We cannot make a comment if we don't know what we have; there have never been the resources put behind solving it; it's been done regionally or locally, but not statewide; once a model is put together, you can say what we receive in different parts of the state; we are just firing from the hip; it happens every four years with the Blue Ribbon Task Force; apply good science and good research
- Supply and demand deals with money economically; City of Alamogordo has taken my water and I didn't get one cent; Village of Cloudcroft put in spring boxes deeper than mine, and dried up my springs; when you go to State Engineer, you will be told that you can't fight City Hall
- I would just like a clarification on the last speaker; was he intending flow into state be tied to flow out of state?
- You have to inventory over many years, and then do demand, such as compacts, agriculture, cities, etc; let's see what that is and at that point you can make decisions
- To the extent that water is coming into state, the state can't export any more than that; this has to be part of law

- I'd like to add and amplify; I'm more interested in the miniature mass balance; the balance on each canyon; the word I'd like to use is sustainable yield; Add to the Office of the State Engineer an office of sustainable yield; can be estimated with a rough cut and annually upgraded with experience
- I was at a seminar in Albuquerque at Sandia National Labs and saw a program for the Middle Rio Grande that showed how much could be saved; that should be done for the whole state!
- Low use water toilets' savings aren't real; Concept of supply and demand doesn't apply in case of water; Water is the only item that is treated this way; Suppose the Office of the State Engineer knew I have a gold mine; no one would say since I don't have any gold, you have to give me yours
- I think the Office of the State Engineer should have more control and monitor more the permitting of drilling permits; watch communities that say they are in a state of emergency, when they continue to build and issue permits; Alamogordo built a Lowe's and Home Depot next to each other when they told the State Engineer that they were in a drought emergency
- I keep thinking about the amount of water that comes off the west side of Sierra Blanca; Can Office of the State Engineer see if there is a way to salvage from what goes into the bombing range? We need it more than Lake Lucero needs it
- Water retention ponds should be placed throughout all arroyos coming out of mountains; will recharge the aquifer, and reduce damage downstream
- Yes, water runs down into basin and goes into Lake Lucero; If we were to divert too much water from Lake Lucero, the ecosystem would start to unravel
- Would like to see Office of the State Engineer develop a team of citizens and a decision tree so that citizens can decide what the water priorities are in wet years and in dry years; We have good heartfelt values; I don't think that any one citizen can decide the best way to do that; several teams across the state to give constant input to Office of the State Engineer about our priorities for one another and for the landscape
- Our government has too many agencies, but we definitely want the State Engineer to know that we have a check and balance system that involves citizens at the local levels
- The Office of the State Engineer has given subdivision double water rights based on return flows; They gave a return flow for watering golf courses; that's not right; When you have to make a priority call, make sure that it is done strictly by priority; In the Pecos, that means Ruidoso's wells; State owns water in the Bottomless lake that is overflowing, and it should be pumped into the Pecos
- Navajo Dam was built in 60's and created water rights; sold it and then the San Juan Chama diversion was built; Tularosa basin got some of that water, which is in the

books; It got lost, but it's in the records somewhere; Old plans exist for bringing the water over here

- Change law to allow use of gray-water on private property
- Water use has to be tied to flexibility; If Alamogordo starts to pump, they won't be able to stop; The inability to stop once they start; If we preserve water for agriculture, we take a whole different path for the state; Flooding is good; it doesn't waste because evaporation goes up into clouds against the mountain; State Engineer needs to develop healthy respect for agriculture; much more flexible, and crops can be grown in more than one growing season; Portales has a refinery for sorghum; we could refine bio-fuels for state motor pool fleet; Water should be used for self-reliance in State of New Mexico
- All we have here is rainfall; No major rivers; Diversity of state means at least three area plans; Falls Acre problem; Huge drawdown based on depth of wells at Holloman Air Force Base
- I manage the wells for Holloman Air Force Base, and have no well deeper than 1000 ft, and take water from no deeper than 200 feet
- The volume of water in that basin is enormous, there is no chance it could be depleted in Falls Basin alone
- The state needs to figure out what is really there; you are only guessing
- I'd like to take the heat off the State Engineer, and include the Corps of Engineers in this debate; We are self-contained basin and need to conserve the water we've got; I think that we could get more innovative solutions than lining all of the ditches in Alamogordo with concrete; we need retention projects to save the rainwater we get

Drought:

- If you are going to go back and check laws, one is the United States Code that governs agriculture; Use existing law; Flood prevention is already mandated, and state should implement the things that are already in place
- Senate Bill 1 speaks to forest restoration and watershed management, and has things that can be done to alleviate drought
- Cities have to honest about reality of their water resource and their use of it
- Tularosa is one of the few villages that rely on surface water; what will happen when water is contaminated too much for drinking? We stand to gain 1200 acre-feet from the new desalination plant, and that is a good thing; we need cooperation all around
- One of the things to address drought is to find ways to preserve a portion of water in wet years to use in dry years, such as subsurface reservoirs.
- Mescaleros are contaminating surface flows and we need their cooperation to protect that water quality

- Would Alamogordo be willing to sign an agreement that if our wells go dry, would they sell us water at their cost to us? They should do this
- Maybe we are always in a state of drought; so do not use emergency powers or politics to get what we should be planning for already; Be more proactive
- If Alamogordo takes water from north of us, the creek will quit running
- The hydrological surveys are very accurate; it's going to cost us more money; If Alamogordo is going to do anything, it's going to cost us more money for our water; when a drought, we are going to have to use gray-water and to conserve more; When we accept the fact that the cost goes up, we'll get somewhere
- When we talk about ground and surface water, we have to realize that they are interconnected; if you take too much out of the ground, you are going to deplete the river and create subsidence; we need to remember that we don't have unlimited quantities of water
- Desalination plant in suburb of El Paso operated by Southwest; Cost of desalination isn't as frightening as folks might think; Two problems with water are mismanagement and politics; two solutions are good management and good politics; What we have to do is walk in the other guy's shoes; we can't sit there and call each other the bad guy; drought affects everybody; Cool Hand Luke was right – what we have is a failure to communicate
- Gentlemen who left has bought into a great lie; water that Alamogordo wants to steal isn't salty water, such as Dan Abercrombie's water; that's fresh sweet water; I don't care if the mayor of Alamogordo has a problem, that's his problem, not our problem
- Southern California got a desalination plant in 1990's – it's mothballed and the water tasted salty; Water bills went up 300%; so think about the cost, it's not just pennies

Water Administration:

- In line with not taking water, we shouldn't give what we don't have; we have compact deliveries in jeopardy due to drought; conditions at time they were written are different than conditions that exist now; Need to be in other guy's shoes with respect to other states, too; perhaps a pipeline to wetter areas
- We have seniority laws cities' inhabitants should have seniority over the new subdivisions; new subdivisions should have to buy water rights; State Engineer needs to keep records of what goes on in the state; 40-year plans have faulty listing of wells; Office of the State Engineer has to get an accurate list of what it has
- People are going to have bite the bullet, and good water administration means good stewardship organized along the watershed; Take whole river system as one entity; also microclimates such as Tularosa Basin

- If I were State Engineer, I would admit that our system is broken; in some areas of state, water is over-appropriated eight-fold; I would stop all new appropriations until supply and demand is balanced, and water needs to be reallocated; a management agreement should encompass the entire area that depends on that watershed
- Reverse osmosis is going to play a very key role in New Mexico's water future; we've got to get together and discuss it all the way through; we want to have the problem solved; Alamogordo wants to blend their fresh water in wells with water from desalination plant; use a bond to take care of subsidence and adjacent well draw down
- You need to whisper in Mr. Richardson's ear that the State Engineer is working for the Republicans and not the little guys
- Whatever happened to morality in government and how we live our lives?
- I worked on City of Santa Barbara's water system; they bought a desalination plant that they didn't need; water has limited growth even before written history; If we don't conserve and administer our water, we will have to move to some other place; management decisions have to studied and based on reality
- I think it is all about accountability; I suggest that if a community such as Alamogordo is so confident, then they should put up a severance bond for our kids' future; accountability must guide all management decisions
- Present criteria for the Office of the State Engineer is 2.5 feet per year, then in 100 years the Tularosa surface flow will be gone in a 150-year old ditch
- For drought administration, a lot of politics is involved; Set a goal of improving groundwater recharge efficiency by 1% or 5% or something, to reduce drought impacts
- I would like to see Office of the State Engineer have the resources to carry out the existing statutes; they need to be carried out as they are on the books; Courts work such that the Office of the State Engineer gives those who have the gold have the say; ability to provide resources to claimants of impairment in order to allow them to stand up for their water rights; Is highly complicated, but that office needs to be able to stand up for everybody
- Be nice if the State Engineer stopped worrying about just the north; the southern part of the state is important, too; It would have been nice if he could have been here
- Consider individuals as important as cities
- Since we are sending messages to the Governor, the Indians have the primary rights, and he should address it as quickly as possible

Funding:

- The state needs to figure out what is really there; you are only guessing. Take away penalty of the office of the State Engineer –use it or lose it – the Office of the State

Engineer should allow those who don't need their full quota should be able to bank or withhold it and to sell it; at this time they are penalized

- I think that the only thing to remember is "thou shall not steal"
- We all live in a single basin with users kind of hoarding their water; the 40-year water plan didn't show what the State Engineer wanted to say, that Texas could take some of our water; we want to make use of supplies available and create a regional water management entity that would give credits and others use water at a price that a regional board sets; Representatives would be members of the community; could be arranged; Holloman Air Force Base is interested in something like this; It's our water instead of pointing fingers at the State Engineer, when we sue each other, it makes the other states see us as vulnerable
- I think that it would be very good for the State Engineer to do a detailed analysis of cost of production and use of water as a statewide benchmark
- We need to fund the State Engineer's office so that he can be consistent
- I think that we can sum it up by saying that the State Engineer hasn't done its job; I was born in Roswell in 1932, and Office of the State Engineer was passing out water rights like they were candy; they are still doing the same thing
- You don't own water, and you own the right to use it; You cannot appropriate water
- I think that there is a lot we can do on the local level; We have got to be serious about having an equitable rate of water rates; We have a 3-tier residential system; the for-profit entities aren't paying their equitable share; Maybe some of the growth would stop if rates were made better
- The money available should be spent in your own back yard; City could desalinate their own backyard; I would like to see more agency employees present at these meetings
- All of the permits should be frozen until we get more information; we are dealing with a big dark area of guessing
- You cannot drink water rights
- There should be statutory authority for a joint powers agreement for Regional Water Authorities that would be able to administer water usage, supply, transfers, etc.