

Summer 2010

Santa Fe Basin Water Association

Special Commentary:

Our goal is to raise \$20,000 to replenish funds used to achieve the successes described in this newsletter.

Our experts believe in the work we're doing and give us excellent rates.

Our board members donate hundreds of hours of time.

However there are several legal actions in the near future where we need money to represent our water interests.

Watching out for all our water...

Dear Well Owner, Acequia Member, and Interested Citizen

SFBWA Summary

In the last year the Santa Fe Basin Water Association (SFBWA) has actively worked to protect domestic well users, acequias, and springs in the Santa Fe and Galisteo Basin areas. Using facilitation and mediation we were able to:

- Mediate a settlement with the Eldorado Water and Sanitation District (EAWSD) over their new well application.
- Work with Santa Fe County (SFC) to completely change their application from 17 production wells to 5 wells used for backup only
- Increase monitoring to identify and manage sources of depletion

Eldorado

SFBWA initially protested a supplemental well permit in Eldorado that would have added more than 200 acre-ft of water rights, without having to prove previous use. In addition, we discovered an unadvertised agreement was being made between Office of the State Engineer (OSE) and EAWSD. After mediation with OSE, EAWSD and area residents we accomplished these landmark objectives:

- The first regional monitoring plan in the Galisteo Watershed. This will be used to determine where water is being drawn down for miles around the Eldorado wells. This is very useful in restricting or managing use, should it prove the EAWSD is impacting area residents and warn residents of potential future impacts
- EAWSD must apply to the OSE for any increase of use

- Developed excellent working relationships with the County, City, State Engineer and Eldorado. We now have a "seat at the table" regarding important water decisions that effect us all.

Using mediation and facilitation is far less expensive than head on legal battles (original estimate of fighting the county exceeded \$100,000). But we need top quality experts to help us represent our water concerns. We need water lawyers to review all settlements. Our hydrologist reviews all of the technical water data. Even a simple legal or technical mistake today could impact our water years from now.

- Our hydrologist and representative worked closely with the OSE on the monitoring plan. This is the first time they did this with a community group.
- We have established a good working relationship with both the OSE and EAWSD that should continue as we stay involved with subsequent applications.

We incurred substantial legal fees during the mediation and settlement, but saved five to ten times that amount by avoiding a major legal battle, and got good results. EAWSD is now considering a new supplemental well application with transfer of water rights and they have consulted with us. We need funds to continue to participate in the process and continue to protect the interests of area residents.

County Supplemental Wells

Four years ago the County stunned area residents by applying for hundreds of acre/ft of production wells with virtually no public input. In response, SFBWA organized a public protest that set a record at the OSE.

The story is completely different now. The new Board of County Commissioners (BCC) has become much more transparent on this issue. We consulted with most of the BCC. As a result they appointed a five member Focus Group from the community to work with staff on the application. Two of the members are the President and Vice President of SFBWA. Together with staff we determined the following to protect existing users:

- the best location for wells
- an excellent monitoring and mitigation plan (hopefully mitigation won't be needed)

- permit conditions that limit use only to backup the county's share of Buckman Direct Diversion during drought or mechanical failure, i.e. they are not production wells

The plan will likely go before the BCC in September. There were multiple public meetings and the Focus Group is still meeting with stakeholders. The BCC has been very grateful of our input, and we are appreciative of their support.

We have incurred thousands of dollars in legal fees to review the application. We also paid a hydrologist to examine the county's work. We will still need to protest, as that is the OSE process. However with continued good communication and the work we've already done, we hope to avoid legal costs that would be many times greater in an adversarial legal battle.

Other Projects

We are working with the city to monitor the Buckman supplemental well settlement and make sure the terms of our settlement with the city are met. SFBWA is the water policy arm of the United Communities of Santa Fe County. We have been working closely

on the County's new Sustainable Land Use and Development Plan (SLDP) to insure that water usage is truly sustainable.

Our Request to You

Each of the efforts described in this newsletter is expensive. To work with the OSE, City, and County we need to hire the services of highly specialized attorneys and hydrologists. We have assembled an excellent team, which includes our board members who

donate their time. But we need money to pay our experts and other organizational expenses. While we keep costs as low as possible, we have to meet considerable expenses to carry on our work.

Please send your donation to:

SFBWA, P.O. Box 6132, Santa Fe, NM 87502.

You can also use Paypal at <http://www.sfbwa.org/html/donate.html>.

If you wish to volunteer or have questions, please call 505-471-3974.

Note: SFBWA is a 501(c)(4) non-profit organization. Donations are not tax deductible.



"The new Board of County Commissioners has become much more transparent..."

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