

REGIONAL WATER PLANNING Planning Committee Meeting Summary October 8, 2002

A Regional Water Planning Committee meeting was held, Tuesday, October 8, 2002 at the Farmington Civic Center, Room EH-2, 200 W. Arrington, Farmington, New Mexico.

CALL TO ORDER:

Facilitator Shaun Bishop called the Regional Water Planning Committee meeting to order at 7:00 P.M.

PANEL MEMBERS:

PANEL 1

Nick Ashcroft
Dave Barr
Michael Benson*
Fred Lee Etcitty*
Tim Foster*
Robert Hayes*
Elizabeth Kaime
Randy Kirkpatrick
Teresa Lane*
Keith Lee*
Paul F. Martin
Bob Richards
Steve Stevenson*
Becenti Wilson

PANEL 2

Robert Aheah *
Arlene C. Arviso*
Jill Atencio*
Anita Choate*
Rosalin Fulton*
Dwight James*
Andrea LeFevre
Don Owen
Bob Oxford*
Lynne Raner
Hobson Sandoval*
Max Vigil
Zang Wood

PANEL 3

Rob Ashman*
Lorenzo Bates*
Steven C. Begay*
Andy Brady *
Bob Browning
Loren Linville*
Michael Nordstrom
Evert Oldham
Cas Ruybalid
Lawrence Stock*
Michael B. Sullivan*
Mr. Trujillo*
A. J. Yazzie*
Harry H. Yazzie

PANEL 4

Mike Belt
Charles Blassingame*
David Brannan*
Carroll Crawford*
Mary (Tso)Day
Jiri Doskocil*
Jim Dunlap*
Richard Grimes*
Mike Hamman*
Ray E. Marley
Norman Norvelle*
Jim Renfro*
Maude Grantham-Richards*
Jack Scott

* Indicates: Absence of member

OBSERVERS:

Ray Benally & Laura Banish

WELCOME & OVERVIEW OF MEETING MATERIAL

The facilitator Shaun Bishop, greeted the Planning Committee members, and introduced Rick Cox from Parsons Engineering. The facilitator suggested that the Committee move through the housekeeping portion of the Agenda, to allow sufficient time for Rick Cox to give his presentation and address any concerns or questions about the Water Demand Assessment and the Water Budget Analysis report.

The facilitator listed the contents of the meeting packet, as follows:

Copy of the 'draft' August 8, 2002 Meeting Minutes

Copy of the July 18, 2002 Minutes with approved changes highlighted

Copy of the 'draft' Consensus Report-Water Supply Perceptions

Copy of the 'Final' Consensus Report-Water Supply Perceptions

Copy of the Comments and Responses (received to date)

Updated 'draft' report 'Legal Issues' to include footnotes and citations

Notice of Public Comment Period for the Water Demand Assessment and the Water Budget Analysis

Memo from attorney Elizabeth Taylor, addressing issues concerning effect of regional water plan on water rights

CONSIDERATION OF THE AUGUST 8, 2002 MEETING MINUTES

The facilitator requested a motion of approval of the August 8, 2002 minutes. Motion was made by Paul Martin, seconded by Dave Barr to approve the August 8, 2002 minutes, as written, and the motion passed by consensus.

CONSIDERATION OF THE 'FINAL' CONSENSUS REPORT-WATER SUPPLY PERCEPTIONS

The facilitator requested a motion of approval of the Final Consensus Report - Water Supply Perceptions. The facilitator explained that the Final report was prepared from the 'draft' version that had been approved at the August 8, 2002 meeting.

Motion was made by Evert Oldham, seconded by Michael Nordstrom to table consideration of the final Consensus Report - Water Supply Perceptions until a majority of the members were present. The facilitator called for a vote and the motion failed. Evert Oldham rose to a point of order stating, "the Committee is not following the process of consensus as agreed by the Committee in its first meeting. A majority vote is not the agreed upon process." The facilitator recognized the point and a discussion followed, resulting in no action being taken.

- A Committee member stated several concerns including: the consensus report being official – that water rights and irrigation issues were not being addressed by the Consultant and the attorney, and that the opinions of the Committee were not being considered.
- Responding, the facilitator said the report was not an "official" document in the strict sense but rather a finalized version of the Committee's initial perceptions. The facilitator said that the attorney and the consultant had responded to the written concerns that had been received so far and that each Committee member had the opportunity to voice their opinion at meetings as well as submitting their concerns or questions in writing.
- Another Committee member reminded the group that this effort was a planning process, bringing diverse interests together to develop ideas and alternative recommendations to protect and develop the water in the San Juan Basin.

Motion was made by Mike Belt, seconded by Lynne Raner to approve the final Consensus Report - Water Supply Perceptions, and the motion was approved by majority vote.

Three members expressed their displeasure over the Committee's operational process.

REVIEW OF 'DRAFT' REGIONAL WATER PLAN WATER DEMAND ASSESSMENT AND THE 'DRAFT' WATER BUDGET ANALYSIS

The meeting was turned over to Rick Cox of Parsons Engineering, who gave a presentation of the 'draft' Water Demand Assessment and the 'draft' Water Budget Analysis. Rick Cox and the Committee members engaged in an open discussion about the data included in the reports. Rick also provided answers to questions about why some data was not included in the reports. Rick Cox responded to the statements and Committee members passed on the information they had.

Statements made included: Colorado taking New Mexico's water - including the 1948 adjudicated water rights in the Demand Assessment - accounting for the non-irrigated water transferred to city use - water rights - having the State Engineer provide a list of all water rights – and the difference in water rights and water demand.

Having between 70,000 and 100,000 AF of water- the only water that exists outside the Indian water and Federal Reserve water, needs special recognition and protection - the function of the State Engineer and the administrative issue, that the State Engineer's attorney had announced in Judge Sanchez's court on adjudication, that most of the adjudicated water files had not (even) been established in the State Engineer's office and that the St. Engineer's office has no record for the majority of this water after the amended final decree was entered in 1948 - that the St. Engineer's record keeping is deplorable and that it is that office's responsibility to keep records – that we have never quit using one drop of our water and that we now have a narrow window of opportunity to come together as a community to figure out what we are going to do to protect that water.

Concern was expressed about: losing our priority dates - that the population centers in the middle Rio Grande corridor will take precedence over San Juan County – that we are at a significant physical disadvantage in this county because the input for the San Juan/Chama is in Colorado and not in New Mexico, and is upstream from all

points of diversion for this community's uses and that it would be quite easy to divert water and take it down the middle Rio Grande – that the Planning Committee should not create a single document, not one, that could be used by the State Engineer to our detriment because the State has a law, passed in 1985, that instructs the State Engineer to consider the public welfare of the community in making decisions over the allocation of water – that we should be apprehensive about how the Plan will be used, even though the opinion of the attorney (serving the Planning Committee) is that the State Engineer will never use our Regional Water Plan against us.

The following issues were discussed at length by the Committee members and Rick Cox: New Mexico water rights - decreed water rights - adjudication of water rights - why the adjudicated water rights were not included in the report - value of water rights, possible unaccounted acreage, Colorado water issues, watershed shortages, hydrographic survey, drought effects on watersheds, water shortages in the La Plata, Animas and San Juan Rivers. Rick Cox answered questions and responded to comments and the Committee members passed on the information they had.

DISCUSSION PERIOD:

The facilitator announced that the next Planning Committee meeting would be held on Thursday, October 24, 2002, at the Farmington Civic Center starting at 7:00 PM.

The facilitator announced that a workshop for Regional Water Planners, hosted by the New Mexico Water Dialogue, would be held in Albuquerque on October 17 – 18, 2002, and asked if anyone from the Committee would like to attend. Mr. Don Owen volunteered to attend. The Planning Committee will have three representatives at the workshop, Shaun Bishop, Andrea LeFevre and Don Owens.

Thinking it would be helpful to see how another Region put their plan together; the facilitator offered the information prepared by the Jemez y Sangre Region for their Regional Water Plan, to the Committee members for their use.

The *Water Demand Assessment* and the *Water Budget Analysis* will be posted on the San Juan Water Commission's website at www.sjwc.org.

Several members requested a copy of Rick Cox's presentation. The facilitator said a copy of the presentation would be sent to all the Committee members in the October 24, 2002 meeting packet.

ADJOURNMENT:

There being no further business, the facilitator adjourned the meeting at 9:10 P.M.