

Senate measures address state's water woes

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Sen. Majority Leader Michael Sanchez, D-Belen, called water “the sleeper issue” of the New Mexico Legislature this session.

The sleeper has awoken. “Every day, we see the magnitude of water issues facing us,” said Sen. Peter Wirth, D-Santa Fe, who, along with several other senators, introduced a slate of water bills Tuesday (Feb. 12).

Legislation in both houses addresses issues such as closing loopholes in the domestic well rules, clarifying the authority of the State Engineer’s Office and protecting water from possible hydraulic fracturing fluid contamination.

The bills aren’t a silver bullet, warned Wirth, who chairs the Senate Conservation Committee. But they are a step in the right direction, he said.

The litany of water problems facing the state is long and growing. Texas is suing New Mexico, alleging under-delivery of Rio Grande water. The state is in court with several tribes and pueblos trying to resolve water-rights claims. And shortages have forced water curtailments for farmers.

Sen. Joseph Cervantes, D-Las Cruces, said his family’s Do-a Ana County farm is one of many in Southern New Mexico affected by the shortages. Their farm is entitled to 4.5 acre-feet of water a year — Rio Grande water delivered from Elephant Butte Reservoir. (One acre-foot is enough water to cover an acre of land a foot deep with water.) Last year, the farm received about 4 inches per acre. “This year, we’re being told we may not get any,” he said.

Cervantes has introduced bills seeking money to help the state engineer find water to augment supplies for farmers downstream of Elephant Butte. He’s also seeking to clarify the duties of the state engineer in light of a recent state Supreme Court decision that upheld the state engineer’s methods for managing water during shortages.

The lack of water affects all businesses and ultimately, then, the ability of towns to grow, said Sen. John Arthur Smith, D-Deming, chairman of the Senate Finance Committee. “Businesses won’t expand because of the lack of water resources,” said Smith, who is seeking \$400,000 to update the state’s 16 regional water plans.

Bills co-sponsored by Wirth and Sanchez seek to prevent “double dipping” with domestic wells.

Wirth said the problem is developers will install groundwater wells for a new subdivision on a piece of land from which surface water rights have been severed.