

August 16, 2018 - press release:

APR to Appeal Denial of Application to 7th Judicial Court (Socorro)

As expected, the Augustin Plains Ranch LLC has appealed the decision of the State Engineer to the 7th Judicial Court in Socorro.

In the order denying the application to mine water in the Plains of San Augustin, the Hearing Officer stated that “In the absence of a specific plan to appropriate a specific quantity of water for specific identified beneficial uses, there is no showing of a non-speculative need, which is a requirement for the issuance of a permit under which a water right may be developed. ... All of the findings of fact and conclusions of law set out above collectively support the conclusion that APR’s Corrected Application is speculative and should be denied.” The State Engineer stated in the order, “I ACCEPT AND ADOPT THE REPORT AND RECOMMENDATION OF THE HEARING EXAMINER THIS DAY OF JULY, 2018.”

Nevertheless, the APR has appealed. Why they appealed or what kind of arguments they will bring before a judge remains to be seen. The appeal avoids the need for a full evidentiary hearing on permit to drill 37 wells and pump 54,000 acre-feet per year out of the area.

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