

San Augustin Plains water, aquifer focus of meeting

John Larson – El Defensor Chieftain staff writer - Sep 28, 2017

The Office of the State Engineer has called a public meeting for tonight at 6 p.m. in Macey Center's main auditorium.

According to the State Engineer's website, the meeting has been called to "discuss the Corrected Application filed by Augustin Plains Ranch, LLC on April 28, 2016, for a permit to appropriate groundwater in the Rio Grande Underground Water Basin in the State of New Mexico..." and "to provide information on the administrative hearing process, alternate dispute resolution, and to provide APR an opportunity, if amenable, to a description and summary of its application, and for protestants to succinctly state their positions other than those stated in the respective protest letters."

The project, first applied for in 2007 and subsequently revised twice, would involve 37 wells drilled to a depth of 2,000 feet to pump aquifer water and sell it in bulk via a north-south pipeline to the Albuquerque metropolitan area.

The amount of water pumped from the aquifer is expected to be 54,000 acre-feet, or 17 billion gallons of water, per year.

The OSE's scheduling order explains the application process and legal procedures through 2019.

According to the document, "APR proposed that any impairment of existing rights in the Gila-San Francisco Basin and the Rio Grande Basin, or any other basin, that would be caused by the applied for pumping, will be offset or replaced. APR intends to construct enhanced recharge facilities which will collect runoff that would otherwise evaporate in the Plains of Augustin [sic], recharge water that will augment the groundwater in the aquifer and offset the amount of water diverted from the APR wells."

Issues that the OSE will consider include:

- Availability of water to satisfy the application.
- Whether granting the application would result in impairment or detriment to existing water rights.
- Whether granting the application would be detrimental to the public welfare of the state.
- Whether granting the application would be contrary to the conservation of water within the state.

The application was filed on December 23, 2014, and re-filed with corrections April 28, 2016.

The application states that "the applicant intends to provide water for municipal purposes in one or more of the following municipalities." Those municipalities include Magdalena, Socorro, Belen, Los Lunas, Albuquerque Bernalillo County Water Utility Authority, and Rio Rancho.

Opponents say the project would devastate the economy of the local area.

As reported previously in the Chieftain, about 600 protests have been filed with the State Engineer since APR's initial application was filed in 2007. However, 234 Protestants failed to pay a \$25 fee and their protests have been dismissed. Another 108 didn't fill out the forms correctly and they will not be heard either, unless they provided required information by yesterday.

The New Mexico Environmental Law Center is representing 85 of those protesting, including three landowner associations. In addition, five individuals formed a group represented by the Domenici Law Firm.

A hearing deciding the outcome of the application is scheduled for June 17, 2019.