

NOTE: Augustin Plains Ranch

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## FOCUS - 1 of 21 DOCUMENTS

Deseret Morning News (Salt Lake City)

April 10, 2011 Sunday

**NM ranchers: Venture threatens to leave area dry****BYLINE:** John Fleck Albuquerque Journal**LENGTH:** 1056 words

DATIL, N.M. ? Ray Pittman pulled his 1994 F-150 pickup to the top of a thinly wooded hill, a short walk from the water tank he built back in 1999 on his 1,300-acre ranch. A mile down the hill, Pittman's 540-foot-deep well pumps groundwater, pushing it up to the tank to provide for cattle on this remote patch of central New Mexico landscape. To the west, on the vast plain that makes up the **Augustin Plains Ranch**, a commercial venture has proposed sinking 37 wells to pump groundwater and pipe it to the Rio Grande Valley to supplement dwindling water supplies of central New Mexico's farms and cities.

The **Augustin Plains Ranch** proposal would move 54,000 acre-feet per year of water to the Rio Grande Basin 50 miles away ? enough water to meet the needs of a city the size of Albuquerque. In their application to the state, project backers were not specific about how the water would be used. The group declined repeated requests to provide further information. But it appears to be aimed at making up for a water shortfall in the rapidly growing Rio Grande Valley, either through direct use or replacing water removed from the Rio Grande by municipal or industrial users upstream. Those in the central New Mexico ranch country where the water would start its journey fear the project would leave them high and dry. Pittman and his wife, Carol, use a second well to provide water to two ranch houses, three horses, two donkeys, "six or seven cats," one dog and nine goldfish that call one of the stock tanks home. "People are afraid that this will deplete the aquifer," said Carol Pittman. "We all have wells." The proposal would "essentially dry up the whole damn basin," said Albuquerque hydrologist Frank Titus. Water would disappear from wells, said Titus, who investigated the issue on behalf of the Pittmans and other residents of the ranching community. He said he has received no financial compensation for his work. The **Augustin Plains Ranch** proposal and a similar project in eastern New Mexico, which would send water from the Fort Sumner area to Santa Fe, reflect entrepreneurial attempts to deal with a glaring New Mexico water problem. The most detailed analysis, done for the New Mexico Interstate Stream Commission in 2004, found residents of New Mexico's Middle Rio Grande Valley are using water at an unsustainable rate, consuming water faster than nature replenishes it. Albuquerque and Santa Fe have in the past few years started using water imported from the Colorado River Basin via the San Juan-Chama Project, reducing their dependence on unsustainable groundwater pumping. Cities also have been pushed to make up some of the shortfall by buying up agricultural water rights in the Rio Grande Valley and taking the land out of production to reduce irrigation use. To meet all municipal water needs would require taking nearly all the valley's agricultural land out of farming and shifting the water to city use, according to an analysis by the state Interstate Stream Commission. The search for alternatives has led to the proposals to pump water from rural New Mexico into the Rio Grande Valley. "There's no question in my mind that at some point there may be a need to augment the Middle Rio Grande by bringing in some bulk water from somewhere," State Engineer John D'Antonio said. The proposals raise the specter of the Owens Valley, the California area dried up early in the 20th century to bring water to Los Angeles. Taking that water devastated the Owens Valley, D'Antonio said. For now, D'Antonio, whose office administers New Mexico water rights, has said no. In a ruling earlier this year, D'Antonio turned down the Fort Sumner proposal. The group proposing the pipeline has appealed. Attorneys involved in the case say the law cited in D'Antonio's decision is likely to apply to the **Augustin Plains Ranch** proposal. But the legal argument behind the decision is narrow, leaving open the possibility the proposal could return. There are significant differences between the proposals. The Fort Sumner proposal at 6,425 acre-feet of water per year involves about one-eighth the amount proposed to be pumped from the basin adjacent to the Pittmans' ranch. The Fort Sumner proposal also involves existing groundwater pumping rights being used to irrigate farm land, said Ron Green, the Roswell rancher behind the project. The **Augustin Plains Ranch** wants to create new water rights with its 37 wells. But the chief complaint against both projects is similar ? that pumping water from rural

NM ranchers: Venture threatens to leave area dry Deseret Morning News (Salt Lake City) April 10, 2011 Sunday

areas to meet demand in New Mexico's cities will reduce the water available to communities left behind. Green says the Fort Sumner project was designed to protect the water rights and economy of the Pecos River Valley, where the water will originate. The project has been structured to take only groundwater from farms in a way that won't affect the rights of other water users, Green said. Steve Hernandez, the attorney who represents Pecos Valley irrigators who oppose the project, says the project poses the risk of upsetting the delicate water rights balance in the valley. The project has a fatal flaw, according to D'Antonio's decision: Green has not identified who, specifically, will be using the water. State water law requires an identified "beneficial use" on the receiving end, D'Antonio ruled. Without knowing who will use the water, where and how, the state cannot approve the application, D'Antonio ruled. The argument used in the Fort Sumner ruling appears to apply to the **Augustin Plains Ranch** proposal, said Bruce Frederick of the New Mexico Environmental Law Center, who represents the Pittmans and other opponents. The **Augustin Plains Ranch** proposal submitted in 2008 simply says the water can be used for any purpose anywhere in the portions of Catron, Sierra, Socorro, Valencia, Bernalillo, Sandoval and Santa Fe counties that lie in the Rio Grande Basin. That falls short of the requirement to specify a "beneficial use," said Frederick. The proposal amounts to an "attempt to monopolize a water supply for purposes of speculation and possible future water sales," Frederick wrote in a brief filed in the case. There has been no decision in the case. But observers note both projects could overcome the current legal hurdle by signing up and identifying users, starting the legal discussions anew.

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FOCUS - 2 of 21 DOCUMENTS

Deming Headlight (New Mexico)

December 26, 2012 Wednesday

## Project could bring water solution

**BYLINE:** By Michel Jichlinski

**SECTION:** OPINION

**LENGTH:** 614 words

Drought has come to New Mexico. As the noose tightens around this state, and our water picture grows worse, it may be time to reach out and seek new solutions to our challenges, and that may mean looking at bringing water from one part of the state to another for the benefit of all the people of this state.

Drought is real, and precipitation predictions do not show any letup in the dismal water picture across the state. Farmers are suffering from reduced rationing; tourism is suffering from low lake water, as at Elephant Butte Lake; the economy is suffering due to the lack of water for industry; the environment is suffering due to loss of water for habitat, and opportunity is slipping away. In almost every place in New Mexico, water is now a critical issue and it could easily get worse.

**Augustin Plains Ranch** is a water project that would bring a partial solution to our water crisis. West of Socorro, in a vast underground reserve, sits as much as 50 million acre feet of good quality water, ready to use. This water has been collected in the Augustin Plains Basin from runoff coming off the surrounding mountains, perhaps for millions of years. Now it represents "new" water, or water that has not been appropriated. It is ready to be used for the benefit of the people of New Mexico. Given our water problems, the State should evaluate our proposal.

**Augustin Plains Ranch** would pump and deliver 54,000 acre feet per year by pipeline to Socorro and then north to Albuquerque and Rio Rancho, and perhaps Santa Fe. To give you an idea, Albuquerque uses 104,000 acre feet per year, so the amount of water would be considerable and change the water picture for years to come.

One of the most dynamic aspects of this project, and one of the most revolutionary elements, is that this project does not solely depend on existing groundwater or surface water resources. This project would be assisted by capturing the large amount of natural runoff that comes off the mountains and usually evaporates. This combination of groundwater and runoff recapture would vastly reduce and maybe eliminate the stress on the underground reserve.

The water delivered by this project could be used for many things, such as environmental habitat protection, agriculture, local businesses, and human consumption. In community after community along the Rio Grande, people are endangered by a severe lack of water. This project would change that, for decades to come.

Now, what about the people who live on the Augustin Plains and the people from Catron and Socorro Counties who live nearby? This is an important matter to all of us. There is a concern that this might be a water grab and that those people would be damaged and their water rights decimated. That won't happen. This project has made a commitment to provide better water resources for the people in the area, and of course the Office of the State Engineer, which has to approve this application, would enforce such an arrangement.

In addition, this project envisions a partnership between the state, municipalities, and the counties to manage this project and share in the benefits. And the good thing is that now, when the state and federal government cannot afford such projects, this would be financed privately.

**Augustin Plains Ranch** has a proposal: we strongly believe it will provide the water this State desperately needs, while protecting the local ranches and county residents and giving them a better water future. Isn't that worth examining? It is very possible that this project could change our water future, and that, in our view, is a project worth considering.

Michel Jichlinski is the project director for **Augustin Plains Ranch**.

Project could bring water solution Deming Headlight (New Mexico) December 26, 2012 Wednesday

**LOAD-DATE:** December 27, 2012

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**PUBLICATION-TYPE:** Newspaper

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COMPANY WANTS TO HELP N.M. FULFILL WATER CONTRACT The Santa Fe New Mexican (New Mexico)  
December 14, 2007 Friday Correction Appended

FOCUS - 3 of 21 DOCUMENTS

The Santa Fe New Mexican (New Mexico)

December 14, 2007 Friday  
Correction Appended

## COMPANY WANTS TO HELP N.M. FULFILL WATER CONTRACT

**BYLINE:** STACI MATLOCK, MAP BY ALEXANDER USATINE

**SECTION:** LOCAL NEWS; Pg. C-1

**LENGTH:** 837 words

### 1938 RIO GRANDE COMPACT

Water: Residents of nearby communities riled by proposal

Has a New York company got a water deal for New Mexico?

**Augustin Plains Ranch** LLC is proposing to pump billions of gallons of water into the Rio Grande that could help New Mexico fulfill its interstate stream obligations to Texas and alleviate the pressure on farmers to sell their water rights, according to the company's drilling application. The pumping also could be a new source of water for cities along the river.

The company has filed an application with the state engineer to drill 37 wells each about 2,000 feet deep in Catron County and pump 54,000 acre-feet of groundwater a year into the Rio Grande. That's about half the annual amount of water used by Albuquerque and more than 10 times what Santa Fe uses. (One acre-foot equals 325,851 gallons.)

The water could be used for all kinds of purposes -- domestic, livestock, irrigation and municipal -- or, the company proposes, the state could buy it to meet its water delivery requirements under the 1938 Rio Grande Compact. Delivering the water promised under the compact has been the driving force behind water policies in the state that have impacted cities like Santa Fe and farmers along the river.

But the residents of nearby rural Datil, Quemado, Magdalena and Pie Town are riled by the **Augustin Plains Ranch** proposal. About 300 of them turned out for a meeting in Datil on the proposed pumping last week, and more than 200 had filed protests against the application by Thursday. Protests still were pouring in to the tune of 40 a day, according to the State Engineer's Office. The U.S. Forest Service and the Interstate Stream Commission are among those protesting.

"There's a lot of unanswered questions about what this water will be used for," said Rep. Don Tripp, D-Socorro, who was at the meeting. "It's considered a water grab by most people."

The public has until Monday to protest the application. The permissible grounds for protest are that approval would be detrimental to existing water rights, contrary to water conservation within the state or detrimental to the public welfare.

Attorney Charles DuMars, whose Albuquerque company Law and Resource Planning Associates, is representing **Augustin Plains Ranch**, was out of his office and did not respond to messages seeking comment.

The area where the wells are planned is mostly ranch country in the Plains of San Augustin but is attracting a growing number of retirees and a burgeoning tourism industry, Tripp said. About 2,800 members of the Alamo band of the Navajo Nation also live nearby. Most of the estimated 3,000 other residents in the area rely on shallow wells that produce little water, he said, and are concerned the deep wells and massive amount of water the company is proposing to pump would drain the aquifer and dry up their wells.

New Mexico State Engineer John D'Antonio said the application is the first step in a long process, and it could take more than 18 months just to approve the wells. The company then would have to put the water to beneficial use within four

COMPANY WANTS TO HELP N.M. FULFILL WATER CONTRACT The Santa Fe New Mexican (New Mexico)  
December 14, 2007 Friday Correction Appended

years. But if that happened, he said, it would be a big, new potential source of water for cities like Santa Fe and Albuquerque.

"What makes this different is it's an application for a new appropriation for water," D'Antonio said. "Most requests we see are for a change of use or transfer of water rights. And it's a large amount of water."

The application is broad, covering every possible type of use and many points of diversion. "It kind of implied the state is a potential customer (for the water)," D'Antonio said. "No one in the state as far as I know has said they're interested."

If the application is approved and the company gains the right to pump all that water, it could become available to cities to offset the impact of their municipal well pumping on the Rio Grande. Cities such as Santa Fe could lease water from the company to leave in the river down south while pumping water for their own use from the river up north.

Interstate Stream Commissioner Estevan Lopez said his office has protested the application because it wants to be sure the pumping proposed by **Augustin Plains Ranch** won't hurt flows in the Rio Grande or the Gila River basin. "We don't really have interest in purchasing that water for compact compliance, at least not in the near future," Lopez said.

He noted he commission has a similar application to pump about 90,000 acre-feet of water a year from the underground Salt Basin in southeastern New Mexico and pipe it to the Rio Grande or the Pecos River to meet interstate stream compact requirements. That application was filed in 2002. "There hasn't been much movement on it," Lopez said.

D'Antonio said it is likely there will be increasing interest in piping water from areas of the state that have more of it to areas with less, especially along the Rio Grande. But if there are sufficient precautions, he said, that's not necessarily a bad thing.

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**LOAD-DATE:** December 18, 2007

**LANGUAGE:** ENGLISH

**CORRECTION-DATE:** December 18, 2007

**CORRECTION:** The 54,000 acre-feet of water that a New York company has applied to pump a year from the San Augustin Plains near Datil is five times the amount of water Santa Fe uses annually. A Friday story on page C-1 gave the wrong number.

**GRAPHIC:** 1. (Map)

**PUBLICATION-TYPE:** Newspaper

## FOCUS - 4 of 21 DOCUMENTS

The Santa Fe New Mexican (New Mexico)

September 6, 2008 Saturday

**MYSTERIOUS FIRM'S WATER PLAN DRAWS PROTESTS****BYLINE:** STACI MATLOCK**SECTION:** MAIN; Pg. A-1**LENGTH:** 809 words

Small towns in the San Agustin Plains worry about impact on wells

By Staci Matlock

The New Mexican

Datil, N.M., is a tiny rural town with a cafe, a school, three churches, a U.S. Department of Agriculture office and a mom-and-pop grocery store next to the post office, snuggled up to the Datil Mountains and cupped by the San Agustin Plains.

California retiree Carol Pittman said ranch families and "people trying to escape the law or life or something else" used to populate the valley. In the last couple of decades, retirees like Pittman have steadily moved in.

All it took to unite the old-time ranchers and the new retirees, however, was the threat of a New York company siphoning off 17 billion gallons of water each year from an area near Datil. "It is a real rallying point," Pittman said.

Last year, **Augustin Plains Ranch** LLC filed an application with the state engineer to drill 37 deep wells and annually pump up to 54,000 acre-feet of water. The company proposes to use the water for everything from farming to recreation and, according to the application, maybe pipe it to the Rio Grande "to reduce the current stress on the water supply" of the river.

In August, the company filed an amended application to drill the wells deeper, as much as 3,500 feet. The company proposes to sink all the wells along U.S. 60 between the Catron-Socorro county line and Datil.

More than 450 individuals, pueblos, school districts and government agencies filed protests over the original application. More than 100 have already protested the amended application. The protest deadline is Monday, according to Jess Ward, water rights director in the Albuquerque office of the State Engineer's Office.

People in Datil, Magdalena, Quemado and other small towns ringing the San Agustin Plains worry about the impact that much pumping might have on their own wells and the flows in nearby streams. They also are suspicious about who's behind **Augustin Plains Ranch** and what they want with the water.

Who owns Augustine Plains Ranch remains a mystery, even to the New Mexico Environmental Law Center, hired to represent several of the protestants.

The company is registered in New Mexico, but the home office listed on its state corporation filings is in New York. A Santa Fe office listed for the company simply serves as an address for out-of-state corporations. Attempts to track down the organizer listed, Barry W. Silverstein, were unsuccessful.

Calls to the ranch representative, Everett Shaw of ERS Consulting in New York, were not returned. John Draper, an Albuquerque attorney with the Montgomery and Andrews law firm, which represents the ranch, said to call Shaw.

Last year, Shaw told the Albuquerque Journal that one of the principals in the company that owns the ranch was an Italian businessman, Bruno Modena. But Modena's name is not linked to any of the New Mexico corporation papers. A Bruno Modena is involved in another controversial project, an eco-resort development on Maine's Schoonic Peninsula.



MYSTERIOUS FIRM'S WATER PLAN DRAWS PROTESTS The Santa Fe New Mexican (New Mexico) September 6, 2008 Saturday

People opposed to the water application, such as Liz Strand, who lives west of Quemado in Catron County, say the difficulty in finding out who owns the ranch adds to the belief the company wants the water rights so it can sell water to the highest bidder. "Why should a few rural people bear the burden for someone else's profit making?" Strand said. "This happens repeatedly in rural America."

Carol and Ray Pittman's property borders **Augustin Plains Ranch**. They have water rights dating to the 1920s on one 350-foot deep well and another well is for livestock and wildlife. They figure they'll be among the first to feel the impacts if the company gets its wells and starts pumping.

Peter Chestnut is an attorney representing Acoma Pueblo, one of a half-dozen pueblos protesting the water application. Chestnut said Acoma is worried the pumping would impact a livestock well on a ranch the pueblo bought in the area and opposes what they think is water speculation.

"We think it is tough enough to find enough wet water to satisfy existing rights, especially senior rights," Chestnut said. "The idea of someone proposing a very water intensive project in a water-short area is something Pueblo of Acoma thinks is unsustainable."

The New Mexico State Department of Game and Fish opposes the application because pumping out so much water near Datil could impact Alamosa Creek and the Gila River Basin, which support fish and wildlife already struggling to survive.

The **Augustin Plains Ranch** application says if someone else's wells are impacted by the proposed pumping, the company would compensate them.

Said Strand: "That is the most bizarre thing. If the (State Engineer's Office) approves that, they're approving the breaking of state law -- allowing the company to damage someone else's water rights."

Contact Staci Matlock at 470-9843 or smatlock@sfnewmexican.com

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**GRAPHIC:** See pdf's for exact rendition, caption, graphics and photographer info.

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Water removal objections no surprise, firm says Silver City Sun-News (New Mexico) December 19, 2007 Wednesday

FOCUS - 5 of 21 DOCUMENTS

Silver City Sun-News (New Mexico)

December 19, 2007 Wednesday

## Water removal objections no surprise, firm says

**BYLINE:** By Levi Hill/Sun-News Bureau Chief

**SECTION:** NEWS

**LENGTH:** 994 words

SILVER CITY -- A spokeswoman for a firm representing **Augustin Plains Ranch** LLC, which proposes to remove 54,000 acre-feet of water per year from the aquifer beneath northern Catron County, said Wednesday that resistance to the application was expected.

**Augustin Plains Ranch** filed for a water use permit with the New Mexico Office of the State Engineer in October, proposing to draw the 54,000 acre-feet of water from 37 proposed wells on the ranch property, located northwest of the Very Large Array near Socorro.

Monday was the deadline for the filing of protests against the application and Office of the State Engineer officials said well over 200 protests were received as of Tuesday.

Adriana Badal, senior associate with Butch Maki and Associates, an governmental consulting firm, said Wednesday that heavy opposition was expected, but **Augustin Plains Ranch** LLC plans to work with concerned residents and governments in the area.

Among those who filed protest were environmental groups and the county governments of Catron and Socorro counties.

"We have done some work and followed similar applications," Badal said. "We were prepared for this."

She said the company will now take copies of the complaints and begin compiling lists of talking points to work with protesters on resolving issues and addressing concerns with the application.

"We will be visiting those individuals probably in January," she said.

She said the applicant has conducted some hydrological studies of the aquifer in question, the San Augustine aquifer, and many more tests are needed before the project could move forward.

"The client did spend a lot of time to hire hydrologists and other individuals to conduct research," she said. "More research has to be done. This process could probably take two years."

Office of the State Engineer staff said it is likely the review process for the application could take as long.

Badal said the applicant wants to assure concerned residents and agencies that the project is designed to aid the entire state.

"We would like folks to understand that we want to work with them on how best that water can be used. As opposed to them thinking we are taking it away from them it will be given to them," she said.

An eight-page memorandum provided by Badal concerning the application, cites the project's potential as a benefit to the entire state

"This project could provide many benefits, including assuring communities of an adequate water supply; laying the framework for continued economic success and balanced growth for New Mexico; providing protection from possible priority calls against irrigation users in the middle Rio Grande under the Rio Grande Compact by providing water to the Rio Grande in times of shortage; maintaining agriculture in the middle Rio Grande; and supporting municipal use by

Water removal objections no surprise, firm says Silver City Sun-News (New Mexico) December 19, 2007 Wednesday

providing a source for offsetting Middle Rio Grande pumping other than drying up existing agriculture. In essence, if successful the project will have a substantial and positive effect on the entire state," the document reads.

"This is not an effort to take over anyone's water. Instead, the primary goal is to supply the water that is available to a larger population of people while ensuring a sufficient supply in the area where the groundwater is located and protecting all existing water rights," the memorandum continues.

The document cites the limited amount of "usable" water in the state as a need for exploration and development of the aquifer and cites possible uses for the water such as: piping the water east to supply communities such as Datil, Socorro, Magdalena and New Mexico Tech, as well as increasing water levels in the Elephant Butte and offsetting low-flows in the Rio Grande -- enhancing the bosque and providing water for Texas as part of the interstate stream compact with that state.

Concerns raised by opponents to the application include impacts to the Gila/San Francisco watershed and to users in the area. The document states that development will "have no effect on any water moving in a westerly direction as part of the Gila-San Francisco watershed."

The document also cites possible uses of the water to aid high-growth areas such as Rio Rancho in addressing their water needs.

"The application that was submitted is multi-purpose in nature, which provides the project team with the opportunity to work cooperatively with citizens from all parts of the region. By working with the community, we can ensure that they will not be negatively impacted while at the same time providing enhancements to economic growth and public services to towns, counties and regions," the document reads.

"There are many potential uses of this water that would benefit the state as a whole," the conclusion states. "From augmenting capacity to meet compact deliveries to offsetting ground water pumping and supplying local communities with the water they need to thrive, the Augustin Ranch Aquifer Evaluation and Water Development Project is the kind of forward-thinking needed by the state to move boldly into the future."

Opposition, however, is strong. Carol and Ray Pittman live adjacent to the **Augustin Plains Ranch**. The couple said they are strongly opposed to the project.

"Our opposition has two levels," Carol Pittman said. "One, we neighbor to the particular ranch and the effect would be very direct. The noise from the pumps, disturbance of wildlife and the pumping out of that much water will affect us. The other concern is our community. We are a rural and ranching community. There are a number of subdivisions, but they appreciate the ranching lifestyle. We don't think the project would contribute to that at all. It will be disruptive to our water supply."

Ray Pittman said pumping of the water from 2,000 feet in depth will have an effect on shallower wells.

"It is a threat to the entire area, so everybody is opposed," he said. "I think this would destroy our property values."

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## FOCUS - 6 of 21 DOCUMENTS

The Santa Fe New Mexican (New Mexico)

December 19, 2007 Wednesday

**WATER APPLICATION DRAWS PROTEST****BYLINE:** STACI MATLOCK**SECTION:** LOCAL NEWS; Pg. C-1**LENGTH:** 544 words

N.Y. company seeks to pump groundwater from San Augustin Plains

Protest: Turner protest under fire

A board member from the Middle Rio Grande Conservancy District, the U.S. Forest Service and three conservation groups were among those filing more than 200 protests against a New York company's application to pump groundwater from the San Augustin Plains.

Monday was the deadline to file protests against the application by **Augustin Plains Ranch**, which is asking the state for permission to pump 54,000 acre-feet of water near Datil to the Rio Grande. The company proposes to drill 37 wells 2,000 feet deep and install 20-inch diameter casings to pump the water. The application gives a broad set of uses for the water, including the possibility of pumping it to the Rio Grande 50 miles away and selling it to the state.

The Middle Rio Grande Conservancy District manages water distribution off the Rio Grande to 70,000 acres of land from Cochiti to the Bosque del Apache.

Bill Turner, a board member of the conservancy district and an independent water broker, filed a protest Monday with the state engineer against the application. Turner said he is acting in his capacity as a board member, and his protest was filed on conservancy district letterhead. But the board failed to hold its last meeting Dec. 10 and did not vote as a whole for the protest.

Charles "Chuck" DuMars, an attorney for the district, whose Albuquerque law office also filed the water drilling application on behalf of the New York company, said Turner had no right to act on behalf of the whole board. "He doesn't have the right to represent the district," DuMars said. "He should have filed it as an individual."

But Turner said the conservancy district claimed in a state Supreme Court case that it was a trustee of all the irrigation waters for its members. "That imposed a trust responsibility on the board jointly and (individually)," Turner said. "Every board member had imposed on him a fiduciary duty, not to be taken lightly. That means any board member can file a protest on behalf of the board."

Turner's protest claims the amount of water the company proposes pumping could be detrimental to senior water-rights holders in the conservancy district.

The Gila Conservation Coalition, the Tucson, Ariz.-based Center for Biological Diversity and the Upper Gila Watershed Alliance also protested the application, claiming it is detrimental to the public welfare and contrary to the conservation of water in the state.

DuMars said his role in the application is "pretty narrow," and **Augustin Plains Ranch** has its own team of public relations people, hydrologists and economists working on the project.

He said the company has to prove pumping the water won't harm the Rio Grande, the Gila River or well owners. Even then, it will have to file a separate application to use the water anywhere except for the company's ranch, he said. "At this point, it is simply a blanket application to explore how much water is there, and the only place of use is on the ranch," DuMars said.

WATER APPLICATION DRAWS PROTEST The Santa Fe New Mexican (New Mexico) December 19, 2007  
Wednesday

DuMars said the conservancy district has never opposed a water-drilling application, "not with Rio Rancho, not with Albuquerque. And this one is 50 miles away."

Contact Staci Matlock at 470-9843 or [smatlock@sfnewmexican.com](mailto:smatlock@sfnewmexican.com)

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More than 200 protest letters filed against plan to take water from Catron county Silver City Sun-News (New Mexico)  
December 18, 2007 Tuesday

FOCUS - 7 of 21 DOCUMENTS

Silver City Sun-News (New Mexico)

December 18, 2007 Tuesday

## **More than 200 protest letters filed against plan to take water from Catron county**

**BYLINE:** By Levi Hill/Sun-News Bureau Chief

**SECTION:** NEWS

**LENGTH:** 819 words

SILVER CITY -- The letters of opposition were still filing in Tuesday to the Office of the State Engineer against the drilling of 37 wells and proposed removal of 54,000 acre feet of water from aquifers beneath Catron and Socorro counties.

The application filed with the State Engineers office on Oct. 12 by **Augustin Plains Ranch**, LLC was greeted with immediate cries of outrage from Catron County residents. A public meeting held Dec. 4 in Datil saw more than 400 attendees all strongly opposed to the proposed drilling.

According to the application filed with the state engineers office, the applicant proposes to drill 37 wells, all with 20-inch casing to a depth of approximately 2,000 feet and remove 54,000 acre-feet of ground water per year for domestic, live-stock, irrigation, municipal, industrial, and commercial purposes of use, to include providing water to the State of New Mexico to augment its capacity to meet Rio Grande Compact deliveries to the State of Texas.

Jess Ward, District I supervisor for the office of the state engineer, said more than 200 letters of protest had been received Tuesday. The deadline for filing a letter of protest was by 5 p.m. Monday.

He said the office will wait at least a week to ensure all mailed-in letters had been received and then turn the information over to the Chief of Water rights and the litigation unit to set a pre-hearing on the application.

"It could be months before we see a pre-hearing," he said.

He said it is yet to be determined where and when the hearing will be set. He said those opposed to the application will be allowed to present their case at the pre-hearing in preparation for the actual hearing, which could be years from now.

The list of opponents to the application includes not only private individuals living in the area, which is in the area along Highway 60 between Datil the Socorro County line, as well as county governments and conservation agencies.

Catron County filed a letter of opposition as well as Socorro County.

Catron County Manager Bill Aymar said his concern is the application is actually being filed in an attempt to find water sources for subdivisions further upstream in the Belen and Albuquerque areas as well as possible developments in Catron Count.

"We have over 100 subdivisions in Catron County now," he said. "There is a lot being bought here, but not much being built yet."

He said it would be unfeasible to pump water to the Rio Grande and thus suspects water rights transfers to areas upstream could meet the Rio Grande Compact by reducing how much would be pulled from the river to supply the large subdivision developments in the Albuquerque area.

Socorro County Commission Chair Jay Santillanes said he suspects much the same and, since much of the aquifer is beneath Socorro County, the county has taken a stand to protect its residents.

"We are not sure the effect of pumping that much water out of the ground will have," he said. "There is not enough science on the aquifer to see if it will handle that amount."

More than 200 protest letters filed against plan to take water from Catron county Silver City Sun-News (New Mexico)  
December 18, 2007 Tuesday

He said the commission spoke with a representative of **Augustin Plains Ranch** LLC during the commission's Dec. 11 meeting. He said representatives told the commission the aquifer could handle the 54,000 acre-feet per annum for 300 years.

"But at what effect," he said. "Without information like that we felt it was prudent to issue our protest so we will be one of the parties that are addressed when it comes to public hearings."

Protests were also filed by agencies concerned about areas downstream of the aquifer.

The Gila Conservation Coalition also filed a letter of protest citing possible impacts on the Gila River.

"There is a 1973 hydrology report that has shown that there might be some recharge leakage between the San Augustine and Gila Basins," said Allyson Siwik, executive director of the coalition. "We believe that this proposal is contrary to the state water conservation regulations."

Lif Strand, a research associate with the Southwest Center for Resource Analysis, said the attempt to remove large quantities of water from the aquifers beneath Catron County is the second the last few years.

She said a previous application for 7,300 acre-feet was filed by another organization earlier this year. She said the applicant in that case listed irrigation as a reason for the withdraw of water, but said the company was an acquisition and investment firm and had no need for water for irrigation.

"There is no way the Augustin proposal could be used within the spirit of the law of beneficial use. You can't call it beneficial for any one here," Strand said. "The attorney's can't possibly have believed this would have gone through unless the people here were asleep."

Representatives of **Augustin Plains Ranch** LLC from Butch Maki and Associates, a government consultant firm in Albuquerque, did not immediately return phone calls Tuesday.

Levi Hill can be reached at [lhill@scsun-news.com](mailto:lhill@scsun-news.com)

**LOAD-DATE:** June 5, 2008

**LANGUAGE:** ENGLISH

**PUBLICATION-TYPE:** Newspaper

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Augustin Plains Ranch to appeal water decision in New Mexico Farmington Daily Times (New Mexico) April 10, 2012  
Tuesday

FOCUS - 8 of 21 DOCUMENTS

Farmington Daily Times (New Mexico)

April 10, 2012 Tuesday

## **Augustin Plains Ranch to appeal water decision in New Mexico**

**SECTION:** BREAKING; News

**LENGTH:** 140 words

ALBUQUERQUE (AP) A commercial venture that sought to drill water wells in western New Mexico plans to take its case to state district court.

**Augustin Plains Ranch** announced Monday it will appeal a recent decision in which the state's top water official dismissed its application for the proposed project.

The plan called for drilling 37 wells. In all, the company asked to pump more than 17 billion gallons a year for up to 300 years to supplement supplies in the Rio Grande Valley.

State Engineer Scott Verhines said the plan was too broad and the effects of granting the application could not be reasonably evaluated.

**Augustin Plains Ranch** spokesman Tom Carroll says a hearing on the project's merits should be held.

He says the project can deliver a large volume of water in a sustainable way without infringing upon ranchers' water rights.

**LOAD-DATE:** April 12, 2012

**LANGUAGE:** ENGLISH

**PUBLICATION-TYPE:** Newspaper

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STILL UNSETTLED SCHOODIC'S FUTURE; Plans to build a resort on the quiet peninsula have stalled, but locals remain worried. Portland Press Herald (Maine) April 24, 2011 Sunday

FOCUS - 9 of 21 DOCUMENTS

Portland Press Herald (Maine)

April 24, 2011 Sunday  
FINAL Edition

## **STILL UNSETTLED SCHOODIC'S FUTURE; Plans to build a resort on the quiet peninsula have stalled, but locals remain worried.**

**BYLINE:** DEIRDRE FLEMING Staff Writer

**SECTION:** OUTDOORS; Pg. K1

**LENGTH:** 845 words

**DATELINE:** WINTER HARBOR

Years ago, when Tom Sidar commented on the Schoodic Peninsula's raw beauty to former Acadia National Park Superintendent Paul Haertel, the response shocked him.

Sidar said the scenic drive around this unique sliver of land was one of the most beautiful in the country.

And Haertel replied, "It is the most beautiful," recalls Sidar, director of the Frenchman Bay Conservancy.

Haertel, who worked at eight national parks over a 41-year career, said the coastal drive around Acadia's lesser-known section is unparalleled in its rugged terrain, unusual natural features and wild beauty.

"I don't know another in the country that is better, and there are a lot of beautiful shoreline drives. It's about as pristine a drive and as pristine a view as could be had," said Haertel, Acadia's superintendent from 1994 to 2002.

But all that would change if the 3,200 acres north of the Schoodic section of Acadia National Park were developed into an "eco-tourism" resort, as many locals here feared three years ago.

Today, many are still worried.

In 2008, the threat of such a large-scale commercial development was at the forefront of news here as Italian millionaire Bruno Modena pursued plans for an eco-tourism complex with hotels, a golf course and carriage roads.

The project stalled after a public meeting in May 2008 in Winter Harbor, but the Modena family still owns the land, and some locals still fear they'll develop it.

Efforts to reach the Modena family were unsuccessful, but across the country another Modena project is under way.

A New Mexico-based company owned by the Modenas, **Augustin Plains Ranch** LLC, has applied to withdraw water from an aquifer that serves communities in Catron County, N.M.

More than 1,000 people protested the application permit, said Bruce Frederick, who is representing the opponents.

"It's enough water for a city of 300 to 400,000 inhabitants; that's about half the water the city of Albuquerque uses," said Frederick, of the New Mexico Environmental Law Center in Santa Fe, N.M.

**Augustin Plains Ranch** filed the application for water rights three years ago, about the time the Modenas left the Schoodic Peninsula project, after the town meeting in Winter Harbor.

Mike Saxl, a former speaker of the Maine House of Representatives who represented the Modenas at that time, said he believes a solution benefiting all sides is possible.

STILL UNSETTLED SCHOODIC'S FUTURE; Plans to build a resort on the quiet peninsula have stalled, but locals remain worried. Portland Press Herald (Maine) April 24, 2011 Sunday

"I think the seeds of something came out of that town meeting for everybody. There is a pathway there to serve development, the park and community. That town needs to have alternatives to grow so the people can work," said Saxl, managing principal at Maine Street Solutions in Augusta.

However, in the Acadia region, confusion and concern over the fate of the Schoodic Peninsula remain today.

"What the future of that project is, we don't know," said Acadia National Park Superintendent Sheridan Steele. "It's an extremely important piece of property that if developed inappropriately would have a very negative impact on Acadia National Park. My vigilance is as high as it's always been."

The site plan developed for Bruno Modena and laid out in 2008 calls for hiking trails, carriage roads, a hotel, a lodge, a golf course, a boating center, a beaver ecology center and a bird-watching tower. How it would change the landscape around the Schoodic Peninsula is not completely clear, but it would certainly have an impact on that pristine Downeast landscape.

"I heard 850 villas and hotels and other kinds of things, houses and what have you," Steele said Wednesday. "That would be at a scale that would be very unfortunate for the park. Development of that scale would dramatically change the character of the Schoodic Peninsula. And I don't think anyone wants that."

A week ago, it was just that message that Stephanie Clement of Friends of Acadia and Sidar of the Frenchman Bay Conservancy carried with them on a hike up Schoodic Head.

They looked out over the land owned by the Modenas and wondered if the face of this unusual part of Maine would be altered forever.

"When you stand here and look back, it puts everything that is at stake into perspective," said Clement, the group's conservation director. "The visitor experience here would change. You'd hear leaf blowers, golfers' swings."

Today you hear just the ocean. And standing atop Schoodic Head, signs of development are hard to find.

The precious sense of place here comes from the expansive views of Mount Desert Island's hills across Frenchman Bay; the undeveloped, protected coastline around Schoodic Peninsula; and the rare, nesting-bird islands in the distance.

And all around Schoodic Peninsula are the small, undeveloped islands of Acadia National Park: Pond, Big Moose, Little Moose, Schoodic and Rolling islands.

But the future of this unique geological and protected piece of coastline, like the owners of the land near it, is a mystery.

"I think we can assume the economy slowed things down. What happens next is anybody's guess," Steele said.

Staff Writer Deirdre Fleming can be contacted at 791-6452 or at:

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**LOAD-DATE:** April 26, 2011

**LANGUAGE:** ENGLISH

**GRAPHIC:** Photos by Shawn Patrick Ouellette/Staff Photographer

Schoodic Head in Acadia National Park, as seen from Schoodic Harbor, is considered by some as one of the most beautiful stretches of coastline in the world.

"What the future of that project is, we don't know," said park Superintendent Sheridan Steele., referring to a 2008 proposal for an eco-tourism resort.

Atop Schoodic Head, Stephanie Clement, conservation director of Friends of Acadia, and Tom Sidar, director of the Frenchman Bay Conservancy, look out over land that may be targeted for development.

Shawn Patrick Ouellette/Staff Photographer

Stephanie Clement, conservation director of Friends of Acadia, and Tom Sidar, director of the Frenchman Bay Conservancy, hike Schoodic Head in Acadia National Park.

**PUBLICATION-TYPE:** Newspaper

STILL UNSETTLED SCHOODIC'S FUTURE; Plans to build a resort on the quiet peninsula have stalled, but locals remain worried. Portland Press Herald (Maine) April 24, 2011 Sunday

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## FOCUS - 10 of 21 DOCUMENTS

The Santa Fe New Mexican (New Mexico)

February 4, 2012 Saturday

**IN BRIEF****BYLINE:** Staff and wire reports**SECTION:** LOCAL NEWS; Pg. A-7**LENGTH:** 863 words

## Student transfer time for SFPS

Santa Fe Public Schools will accept student transfer requests for elementary school students from Feb. 6 to Feb. 17. The lottery for these students will take place at 5:30 p.m. March 22 at the district's Educational Services Center, 610 Alta Vista St.

Parents/guardians must complete the Elementary Student Transfer Request Form, available at the ESC or online at [www.sfps.info](http://www.sfps.info). Parents/guardians will receive formal written notice upon approval of student transfers, and they must in turn return that notice to the district indicating acceptance of the transfer.

## Manage the bandstand

The city of Santa Fe Arts Commission is accepting applications for a contractor to manage the 2012 Summer Music Festival on the Plaza, which features a variety of musical acts between July 5 and Aug. 23. Santa Fe County individuals or organizations with a music-arts programming background are eligible to apply. Visit [www.santafenm.gov/bids.asp](http://www.santafenm.gov/bids.asp) for the Request for Proposal, or call/email Julie Bystrom at 955-6707 or [jmbystrom@santafenm.gov](mailto:jmbystrom@santafenm.gov) for more information.

The Summer Music Festival originated as Summer Scene back in the mid-1990s. Outside In Productions has managed the event for many years, but the city is required to bid it out every three years under the state's purchasing law, Bystrom said.

## Hearing set in water case

SOCORRO -- A hearing is scheduled next week in Socorro on a proposal to pump what would amount to billions of gallons of water from the San Augustin Plains in central New Mexico.

On Tuesday, a hearing officer with the state engineer's office will consider motions to dismiss a 2007 application by the **Augustin Plains Ranch** commercial venture to pump 54,000 acre-feet of water from the basin.

The company proposes moving the water to the Rio Grande Basin, where it could be used or sold.

More than 200 residents are protesting the application. More than 80 are represented by the New Mexico Environmental Law Center and staff attorney Bruce Frederick.

He says the application doesn't comply with state law because **Augustin Plains Ranch** has failed to identify exactly how and where it intends to use the water.

## Park gets grant for tree seedlings

RATON -- Northern New Mexico's Sugarite Canyon State Park has been awarded a grant that will help it purchase more than 10,000 tree and shrub seedlings.

The seedlings will help with restoration efforts after last year's Track Fire. The blaze burned a big portion of the park near Raton.

Seedlings will be purchased from New Mexico State Forestry's Conservation Seedling Program. They will include aspen, ponderosa pine, white fir, chokecherry, mountain mahogany and other shrubs.

Sugarite Superintendent Bob Dye says the planting will be done in the fall by volunteers and park staff. They plan to focus on areas hit hardest by the fire.

The grant comes from the Arbor Day Foundation's National Reforestation Program. Since 1990, the program has facilitated the planting of more than 32 million trees in state and national forests in the United States.

Town accused of racial profiling

LAS CRUCES -- The New Mexico League of United Latin American Citizens is accusing the Mesilla Marshal's Department of conducting racial profiling in order to enforce U.S. immigration laws.

The Las Cruces Sun-News reports that the civil rights group recently sent Mesilla Mayor Nora Barraza a letter about racial profiling complaints from residents and tourists.

Paul Martinez, immediate past state director of the group, said in the letter that the complaints came after the town moved to allow its "law enforcement personnel to enforce U.S. immigration laws with impunity."

Barraza said she'd be willing to meet with LULAC officials. She called LULAC's charges "false accusations" and said the town has nothing to hide.

Mesilla is in the second year of a three-year federal grant involving U.S. border security.

NMSU car thefts on the rise

LAS CRUCES -- Auto thefts are rising now that classes are in session at New Mexico State University in Las Cruces. Campus police say thieves are easily entering unlocked cars and stealing iPads, parking passes, loose change and anything else that's not secured.

But thieves are also going a step further and are removing catalytic converters because of the valuable metals inside.

The pollution control device has materials made of platinum, iron, copper and nickel.

Since the beginning of the semester, at least four catalytic converters have been hacked off vehicles parked on campus. Most often the targeted vehicle is a Toyota.

"The interesting thing [is], it is really professional," said campus police Lt. Garrett Ferreiro in an interview with the Las Cruces Sun-News.

"The cuts are clean and nothing else is damaged in the vehicle."

Campus officials are working to combat the thefts, but urge anyone parking on campus to be vigilant.

While January numbers are not yet available, campus police recorded 69 vehicle break-in reports last semester, between August and mid-December.

Campus police have requested cameras in parking lots in higher crime areas, but authorities urge everyone to be proactive.

"If [thieves] don't see anything, they will move on to the next car," Ferreiro said.

**LOAD-DATE:** March 6, 2012

**LANGUAGE:** ENGLISH

**GRAPHIC:** See pdf's for exact rendition, caption, graphics and photographer info.

**PUBLICATION-TYPE:** Newspaper

## FOCUS - 11 of 21 DOCUMENTS

The Santa Fe New Mexican (New Mexico)

April 3, 2012 Tuesday

**STATE OFFICIAL REJECTS COMPANY'S MASSIVE WATER PERMIT REQUEST****BYLINE:** Staci Matlock**SECTION:** MAIN; Pg. A-1**LENGTH:** 558 words

A New Mexico hearing examiner recommends denial of a permit to a New York company seeking to pump millions of gallons of groundwater from Catron County in Southwestern New Mexico and make it available to cities including Santa Fe.

The New York-based **Augustin Plains Ranch** LLC applied for rights to pump up to 54,000 acre-feet of water a year from 37 wells around Datil, N.M., in the San Augustin Plains. An acre-foot of water is equal to 325,851 gallons. The company estimated the wells could sustain that yield for 300 years.

The application was protested by 80 groups and individuals, including Catron County farmers, ranchers and residents. The groups were represented by the New Mexico Environmental Law Center. The Navajo Nation, the Pueblo of Acoma and the Interstate Stream Commission also protested the application.

The company can refile its application or appeal the decision to state District Court. "We don't know which one we're going to do, but we will look to see what is the best way to present our case to the public," company spokesman Tom Carroll said. "It is possible we'll do one or both or something else."

The proposal is to withdraw water from an aquifer below the San Augustin Plains about 50 miles west of Socorro. **Augustin Plains Ranch** representatives said last year the water would supplement supplies for municipalities, including Santa Fe, and help the state meet required Rio Grande water deliveries to Texas.

"The Ranch is committed to public priorities for water use and pledges to bring the water to market in a manner that upholds the public welfare, incorporates best-practices in water conservation, does not impair existing water rights, protects the environment, and upholds New Mexico's cultural heritage and agricultural traditions," the applicants promised in a proposal made public in 2011 under the heading "A New Management Structure for a New Water Supply."

The plan included a diagram showing a pipeline along the Rio Grande through Rio Rancho to Santa Fe.

Hearing examiner Andrew B. Core of the New Mexico Office of the State Engineer issued his decision Friday. Core wrote in his recommendation that approving a vague and overbroad application to pump groundwater for a nonspecific purpose and location is "contrary to sound public policy."

New Mexico water law requires water-use applications to have a specific benefit -- such as household use or farming.

Bruce Frederick, who handled the case for the New Mexico Environmental Law Center, said the application sought rights to the largest amount of water he knows of from a private entity. "It's certainly the most egregiously speculative one I've seen," Frederick said. "People often ask for more water than they need, but they usually need some water for a specific project."

Frederick said the application should never have been accepted by the state engineer. "We could have saved the state and the parties tens of thousands of dollars if someone at the [State Engineer's Office] had recognized the application was invalid on its face," he said.

STATE OFFICIAL REJECTS COMPANY'S MASSIVE WATER PERMIT REQUEST The Santa Fe New Mexican  
(New Mexico) April 3, 2012 Tuesday

Carroll said there was a valid reason behind the application. "New Mexico is going to have a huge water deficit in the next 15 to 30 years," he said. San Augustin "is a vast resource. ... We believe the state ought to take a look at our project."

Contact Staci Matlock at 986-3055 or smatlock@sfnewmexican.com

**LOAD-DATE:** June 28, 2012

**LANGUAGE:** ENGLISH

**GRAPHIC:** See pdf's for exact rendition, caption, graphics and photographer info.

**PUBLICATION-TYPE:** Newspaper

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STATE OFFICIAL REJECTS COMPANY'S MASSIVE WATER PERMIT REQUEST The Santa Fe New Mexican  
(New Mexico) April 3, 2012 Tuesday

FOCUS - 12 of 21 DOCUMENTS

The Santa Fe New Mexican (New Mexico)

April 3, 2012 Tuesday

## STATE OFFICIAL REJECTS COMPANY'S MASSIVE WATER PERMIT REQUEST

**BYLINE:** Staci Matlock

**SECTION:** MAIN; Pg. A-1

**LENGTH:** 558 words

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STATE OFFICIAL REJECTS COMPANY'S MASSIVE WATER PERMIT REQUEST The Santa Fe New Mexican  
(New Mexico) April 3, 2012 Tuesday

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Contact Staci Matlock at 986-3055 or smatlock@sfnewmexican.com

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**PUBLICATION-TYPE:** Newspaper

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## FOCUS - 13 of 21 DOCUMENTS

The Santa Fe New Mexican (New Mexico)

December 16, 2007 Sunday

**WEEK IN REVIEW;  
DECEMBER 9 - DECEMBER 15****BYLINE:** PHOTOS BY LUIS SÁNCHEZ SATURNO**SECTION:** LOCAL NEWS; Pg. C-8**LENGTH:** 1367 words**Business**

Merchants buck sign rules -- About

40 downtown shopkeepers are asking the city to ease its restrictions on temporary sale signs in Santa Fe's historic district. The business owners whose names appear on a petition this week suggested the city for the next month administratively suspend rules it changed this summer. The rules are penalizing merchants rather than serving as an "actual tool" to rid the historic district of so-called "distressed sale signs," the petition said. Wednesday, C-1

**Crime**

Driver to serve three years -- A doctor testified Monday that a woman who slammed a pickup into a medical clinic last year, killing three people, has the mental capacity of a fourth-grader, but a judge sent her to prison anyway, saying she should have taken responsibility for her mental health.

State District Judge Michael Vigil said Rachel Ruiz, 39, of Santa Fe acted irrationally in the aftermath of the March 17, 2006, crash at Concentra Medical Centers on St. Michael's Drive and sentenced her to three years in prison. Ruiz received credit for about six months she has served on electronic monitoring since her arrest in June. Tuesday, A-1

County lowers fees for GPS monitoring -- Lawbreakers sentenced to electronic monitoring will pay significantly less for the service under the new terms approved by the Santa Fe County Commission on Tuesday.

The change came after two county commissioners questioned the rates the county was charging for the service and ordered county staff to reduce them. Wednesday, C-1

**Development**

Condo project comes under heavy fire --

The Villas at the Lensic, a condo/restaurant proposal for downtown Santa Fe, ran into criticism at a meeting Thursday night of the Business Capitol District/Development Review Committee that could require a revision of the project. Friday, A-1

**Environment**

Tecton seeks permits for three new oil wells -- The specter of oil and gas drilling that has loomed over the Galisteo Basin for months began to take form Thursday as Tecton Energy filed three applications to drill new wells with the state Oil Conservation Division.

Applications to drill usually are approved in as little as two days, but because of the large public interest in this case, the division will hold a special public hearing on the applications. The hearing -- which will include expert testimony and public comment -- will be held in mid-February, the division said. Friday, A-1

## General

Montoya's ex-partner sues over land deal -- A former business partner of the late real-estate speculator Richard P. "Dickie" Montoya says in a lawsuit that Montoya cheated him out of south-side land with a "wink and nod."

Garrett Quintana alleges fraud, breach of fiduciary relationship, breach of contract, violation of state partnership laws and "action in accounting" in a complaint filed in state District Court on Nov. 26 by lawyer William Waggoner. He seeks unspecified damages. Monday, A-1

Closure in wildlife areas irk residents -- Elk herds, verdant valleys and shady forests draw hunters, hikers and horseback riders from around New Mexico and across the country to the W.A. Humphries and Edward Sargent state wildlife areas near Chama.

But some Chama residents are up in arms again over the state Game and Fish Department's ongoing fall closures to allow hunting in the popular wildlife areas, especially the 10,868-acre Humphries. Thursday, A-1

Taos on board -- Of the hundreds of e-mails in Adriana Blake's in box Friday morning, several were from panicked patrons of Taos Ski Valley.

"They said that someone had hacked the (Web) site," said Blake, marketing manager for the ski valley and a member of the family that founded the resort in the 1950s.

But the news that the world-class ski mountain would allow snowboarders beginning March 19 -- wrongly attributed to hackers when it was trumpeted loudly on the Taos Ski Valley Web site Thursday night -- was not the result of a computer geek's chicanery. It was real.

Saturday, A-1

Mexico flights return to Sunport -- Frontier Airlines puts the international back into Albuquerque International Sunport today by beginning three-day-a-week flights nonstop to Puerto Vallarta, Mexico.

The flights, which originate in Denver, will continue each Saturday, Sunday and Wednesday at least through late March.

Sunport spokesman Daniel Jiron said the new flights are the first regularly scheduled international flights from Albuquerque in more than

15 years. Saturday, A-1

## Government

Panel mulls scrapping hilltop law -- Santa Fe might be looking at a new round of public hearings over attempts to stop development on hilltops.

The Planning Commission recently balked on amending the controversial escarpment ordinance after developers said the regulations have become so confusing that the entire law needs to be rewritten. Sunday, Dec. 9, C-1

Some owners overcome restrictions through variances -- Restrictions over building in the escarpment district can be resolved with variances from the Planning Commission or City Council.

Land-use lawyer Karl Sommer recently has won variances for three clients whose north-side lots were made subject to the 1992 regulations through September 2006 amendments.

Sunday, Dec. 9, C-1

City casts wide net for new officers -- Santa Fe Police Department officials have been advertising nationwide over the last several months in an effort to fill a number of vacancies that hovered around 20 officers for much of the past two years, and the strategy is beginning to pay off. Tuesday, C-1

State alcohol authority faces test -- Airlines could be free of New Mexico's efforts to regulate their sales of alcohol to passengers if US Airways wins its newly filed federal lawsuit.

The Arizona-based carrier, which operates flights connecting Albuquerque with Phoenix and Las Vegas, Nev., stopped serving alcoholic beverages to passengers on those flights in June after New Mexico refused to grant the airline a license. Wednesday, A-1

WEEK IN REVIEW; DECEMBER 9 - DECEMBER 15 The Santa Fe New Mexican (New Mexico) December 16, 2007  
Sunday

Legislative committee proposes budget hike -- State spending on public education and general government operations would increase by slightly more than 6 percent next year under a budget proposal outlined Tuesday by a legislative committee. Wednesday, C-1

County, city OK two stops -- City and county officials serving on a joint transportation policy board agreed Thursday on where the state-run Rail Runner Express trains should stop in Santa Fe.

The Metropolitan Planning Organization approved both long-term and short-term recommendations for stations in addition to the two Santa Fe stops that already have been identified -- in the city-owned Railyard and at the state complex at Cerrillos and Cordova Roads.

The MPO asked the state Department of Transportation to build stations at N.M. 599 and at Zia Road/St. Francis Drive before the anticipated beginning of train service at the end of next year and also requested future evaluation of a fifth location between where Richards Avenue and Cerrillos Road cross Interstate 25. Friday, A-1

#### Health

'We want to thrive' -- St. Vincent Regional Medical Center says its potential merger with CHRISTUS Health, a Roman Catholic health-care organization, will bring financial stability, but some worry religious concerns could alter services. Sunday, Dec. 9, A-1

#### Schools

Teachers turn to Web site for needed resources -- DonorsChoose allows people to pick the projects they want to support. Sunday, Dec. 9, C-1

Engaging education -- The Yale National Initiative helps Agua Fría Elementary teacher Danielle Gothie develop innovative lessons for students. Monday, A-1

Giving a boost -- A Santa Fe Public Schools homeless-student program provides food, clothes, English classes and art lessons every Thursday night at César Chávez Elementary School. Tuesday, C-1

#### Water

Company wants to help N.M. fulfill water contract -- Has a New York company got a water deal for New Mexico?

**Augustin Plains Ranch** LLC is proposing to pump billions of gallons of water into the Rio Grande that could help New Mexico fulfill its interstate stream obligations to Texas and alleviate the pressure on farmers to sell their water rights, according to the company's drilling application. The pumping also could be a new source of water for cities along the river. Friday, A-1

**LOAD-DATE:** December 18, 2007

**LANGUAGE:** ENGLISH

#### **GRAPHIC:** 1. The sweetest gift

Elizabeth Bachicha, right, looks on as her son, Spc. Michael Garcia, greets his brother, Andre Chavez, 12, after surprising him Thursday at Capshaw Middle School. Garcia, a medic with the New Mexico National Guard serving in Iraq, returned home Wednesday for 15 days.

Friday, A-1

2. Deputy Ben Chavez cuffs Rachel Ruiz after her sentencing in state District Court on Monday.

**PUBLICATION-TYPE:** Newspaper

## FOCUS - 14 of 21 DOCUMENTS

The Santa Fe New Mexican (New Mexico)

April 10, 2012 Tuesday

**IN BRIEF****BYLINE:** The New Mexican**SECTION:** LOCAL NEWS; Pg. A-6**LENGTH:** 442 words

## Commission hears Aamodt resolution

The Santa Fe County Commission is scheduled to vote Tuesday on a resolution approving the county's share of costs to build a regional water system as part of the Aamodt water-rights settlement.

The case was filed in 1966 to resolve water rights of four pueblos and nonpueblo residents in the Pojoaque Valley. Congress approved a settlement and some funding in 2010, but key elements remain outstanding.

Part of the settlement includes building a regional water system to serve both pueblo and nonpueblo residents in the communities around Tesuque, Nambé, Pojoaque and San Ildefonso.

Under a proposed agreement, the county would fund \$7.4 million of the regional water system, which has an estimated total cost of \$177 million.

Under a separate agreement, the county would sell 1,141 acre-feet of water rights that it claims from Top of the World farm in northern Taos County to the federal government as partial fulfillment of the Aamodt settlement.

The commission meeting is set to begin at 2 p.m. in the commission chambers, 102 Grant Ave.

## N.Y. firm appeals well permit denial

**Augustin Plains Ranch** LLC has appealed the state engineer's recent decision to deny the New York-based commercial venture a permit to withdraw millions of gallons of water from wells in Catron County.

The company proposed to pump the water from the San Augustin Plains, 50 miles west of Socorro, and send it to the Rio Grande, where it would be available for towns along the river and for the state to meet water obligations to Texas.

The state's chief water regulator denied the application in early April, saying it was too broad and did not specify an end user.

The company's application was protested by more than 80 individuals, including farmers and ranchers near Datil, the Navajo Nation, the Pueblo of Acoma and the Interstate Stream Commission.

## Officials plan April crime meeting

City officials plan to meet with residents of south-central Santa Fe to discuss public safety in the wake of a series of property-crime incidents.

Police Chief Ray Rael and City Councilors Bill Dimas and Ron Trujillo, who represent Council District 4, plan to attend the April 20 meeting.

A city news release said the session is intended to "address citizens' concerns and questions" about recent break-ins and property crimes.

The meeting is scheduled for 6 p.m. at Santa Fe Christian Fellowship, 2860 Cerrillos Road, No. 5.

IN BRIEF The Santa Fe New Mexican (New Mexico) April 10, 2012 Tuesday

Library in Eldorado closed temporarily

The Vista Grande Library in Eldorado will be closed through Wednesday due to construction work.

The library plans to reopen Thursday, but patrons should check the website, [www.vglibrary.org](http://www.vglibrary.org), for updates.

**LOAD-DATE:** June 28, 2012

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**GRAPHIC:** See pdf's for exact rendition, caption, graphics and photographer info.

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## FOCUS - 15 of 21 DOCUMENTS

The Santa Fe New Mexican (New Mexico)

April 10, 2012 Tuesday

**IN BRIEF****BYLINE:** The New Mexican**SECTION:** LOCAL NEWS; Pg. A-6**LENGTH:** 442 words**Commission hears Aamodt resolution**

The Santa Fe County Commission is scheduled to vote Tuesday on a resolution approving the county's share of costs to build a regional water system as part of the Aamodt water-rights settlement.

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Corporate veil hides Schoodic landowners; Modena family from Italy pays taxes on 3,300 acres Bangor Daily News (Maine) December 30, 2008 Tuesday

FOCUS - 16 of 21 DOCUMENTS

Bangor Daily News (Maine)

December 30, 2008 Tuesday  
All Editions

## **Corporate veil hides Schoodic landowners; Modena family from Italy pays taxes on 3,300 acres**

**BYLINE:** BILL TROTTER OF THE NEWS STAFF

**SECTION:** Pg. B1

**LENGTH:** 1070 words

**DATELINE:** WINTER HARBOR

Who has an ownership stake in an undeveloped 3,300-acre parcel of land on the Schoodic Peninsula that might get developed into an ecofriendly resort?

That question has come up repeatedly in recent months as area residents and interest groups have tried to find out more about the people who have been behind proposals to turn the property, which abuts Acadia National Park, into a resort with a hotel and golf course.

The revelation last week that two Maine consultants have quit working for the landowner, Winter Harbor Holdings Inc., has fueled curiosity about the corporation shareholders' identities, but the development company is not answering the question.

A company spokeswoman last week declined to identify the individual partners in Winter Harbor Holdings Inc. or to reveal any detailed information about how or where the company is organized.

"I am not at liberty to release that information," the spokeswoman, Cecelia Ward, said Dec. 22.

Ward has said previously that the ownership group is made up of 20 or so partners, most of whom live in Europe. Two of the main partners in the group are believed to be Bruno and Vittorio Modena, a father-and-son millionaire duo from Milan, Italy, who first acquired the property in the 1980s.

The question initially arose 12 years ago when a proposal to harvest timber from the property created a stir about how the harvest might affect the peninsula's character. When the harvest was proposed in 1996, local residents and officials with the park and with conservation groups had difficulty getting information about the absentee owners. During the controversy, the advocacy group Friends of Acadia traced the ownership to the Modenas, but learned little else about them.

The controversy dissipated in 1997 after trees were cut from the property without having a significant adverse impact on the surrounding landscape.

Attempts in recent weeks by the Bangor Daily News to find out more by searching public databases on the Internet also have revealed little about the company or the people believed to be behind it.

Initial ideas floated for the Schoodic development project include a "green corridor" of preserved land but also environmental education facilities, a hotel, an 18-hole golf course, and possibly hundreds of house lots.

This past summer, The Associated Press attempted to track down the Modenas in Italy to ask them about the Winter Harbor project. An AP reporter was able to contact a developer based in Milan named Bruno Modena, but the man told AP he did not own any land on the Schoodic Peninsula and was not involved in the development project.

Corporate veil hides Schoodic landowners; Modena family from Italy pays taxes on 3,300 acres Bangor Daily News (Maine) December 30, 2008 Tuesday

Roger Barto, who has been Winter Harbor's town manager for the past 10 years, said last week that he does not know anything about the Modenas' background. He said he spoke to Bruno Modena once years ago on the phone in connection with the timber harvesting controversy, but he has never met him in person.

"I don't have a clue," Barto said. "I never heard from him since [the phone call]. I don't know that he's ever been to the site."

According to Barto, the Modenas owed the town more than \$40,000 in back taxes for the property in the 1990s, but all that has since been paid. As long as they pay the taxes on the property, Barto said, it is not his business to find out more about them.

Marla Stellpflug O'Byrne, president of Friends of Acadia, said recently that the group has been trying to no avail to find out more about the ownership group.

"We've asked and really have no information," O'Byrne said. "I think it would give us a better sense of the motivation for the project."

O'Byrne said FOA believes that striking the right balance between development and conservation is critical to the success of the project, and that knowing who is in the ownership group would help clarify what kind of balance might ensue.

"That's the kind of balance we'd like to know better, and who's making the decisions as well," she said.

One thing that is known about the Bruno Modena behind the Winter Harbor project is that he also has been identified as the owner of a New Mexico company that hopes to pump water from an underground aquifer near Datil, N.M. Stories about the firm, **Augustin Plains Ranch** LLC, have been published by the Albuquerque Journal, Sante Fe New Mexican and Mountain Mail newspapers.

According to the reports, the water might be used for recreational, agricultural or commercial purposes. The water also might be used to meet New Mexico's obligation for maintaining water levels in the Rio Grande River as it flows into Texas.

More than 400 protests over the proposal have been filed with the state by area residents, nonprofit and governmental agencies, private businesses, and others concerned that the project could affect their underground water supplies, according to the reports. The stories include no further information about the Modenas or others who may be involved in the local development company.

Business organizations such as for-profit corporations or limited liability companies frequently are required to register in states where they are headquartered or where they do business, but online searches of such official registries in Maine, New Mexico and New York and with the federal Securities and Exchange Commission reveal little or nothing about the Modenas and their development companies.

Documents on file in the Hancock County Registry of Deeds in Ellsworth suggest that the formal name of the landowner is Winter Harbor Holdings Inc., and that it is located in Troy, N.Y. There is no listing by that name in the Maine Secretary of State's online database. There are variations of that name listed in the Maine database, but they are listed as "dissolved" or "suspended."

A listing for Winter Harbor Holding Inc. in the New York Secretary of State's online database indicates the firm's status in that state is "inactive."

Ward, who lives and works in Florida, declined to say how the ownership entity is organized, such as a corporation or a limited liability company, or in which state, if any, it is registered.

Sheridan Steele, superintendent of Acadia National Park, said recently he was unsure how far the ownership group extends beyond the Modenas.

"My belief is that the Modenas own the property," Steele said. "When they talk about 'investors,' [I believe] they're trying to diffuse the ownership. They appear to be very secretive people."

brotter@bangordailynews.net

460-6318

**LOAD-DATE:** December 30, 2008

Corporate veil hides Schoodic landowners; Modena family from Italy pays taxes on 3,300 acres Bangor Daily News  
(Maine) December 30, 2008 Tuesday

**LANGUAGE:** ENGLISH

**PUBLICATION-TYPE:** Newspaper

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## FOCUS - 17 of 21 DOCUMENTS

Ruidoso News (New Mexico)

April 25, 2012 Wednesday

**New Mexico mirages****BYLINE:** Sherry Robinson**SECTION:** OPINION COLUMNISTS**LENGTH:** 599 words

All She Wrote

In New Mexico, like that trick of light that makes a highway look wet when it's not, things are not always as they seem.

A couple of weeks ago, I wrote about the State Engineer's denial of an application to pump an ocean of water from western Catron County because it was "vague, over broad, lacked specificity, and the effects of granting it cannot reasonably be evaluated."

I now learn that two of the contractors, including a hydrologist who won an Ethics in Business award, have recently quit the project, and reportedly there were issues about getting paid.

Apparently, the project has two sets of professionals, an arrangement that would support consensus unless the land owner is shopping for opinions.

It's odd that in the five years from the announcement in 2007 until the present the promoters have remained vague about uses for the water. It can't be that hard to find customers.

What do we know about the promoters? Not much.

**Augustin Plains Ranch** is owned by Bruno Modena, an Italian businessman, and his son Vittorio. Their agent is Everett Shaw, of ERS Consulting in New York, plus an occasional New York lawyer.

We share a similar dilemma - and the Modenas - with Maine.

In 2008 the same parties announced plans for a 3,300-acre, eco-friendly resort abutting Acadia National Park.

The Winter Harbor area has been economically depressed since a Navy base closed in 2002. The project might have 100 homes or 1,000, along with hotels and a golf course.

That project also sparked an uproar. And two Maine companies hired to plan the resort quit the project over differences in philosophy and difficulties in getting paid, according to the Bangor Daily News.

A Florida-based spokeswoman in 2008 said Bruno and Vittorio Modena, father and son millionaires from Milan, Italy, led an ownership group of some 20 partners, most of them in Europe.

The project stalled after a public meeting, but the Modenas still own the land, and locals still fear they'll develop it, said the Portland Press Herald last year.

So we see secretive owners operating through New Yorkers, who hold their cards close and don't necessarily work well with the locals.

We might suspect that they're up to no good, or that their agents are inept, or that their hazy plans are intended mostly to drum up investors.

Maybe the New Yorkers chose rural sites in poor states and dangled the possibility of economic development, assuming the rubes would swoon.

On the other hand, maybe they're on the level but keep a low profile until they have financing in place to begin their ambitious projects.

All we can do is nurse our suspicions because we lack the information to do anything else.

On the subject of outsiders, the ad campaign, "New Mexico True," created by a Texas agency for the state Tourism Department, is out. Here's what the state's own film community had to say on their listserve:

"This cookie cutter looks exactly like the tourism videos for Nebraska, South Dakota, Virginia (and) generated no interest in visiting their fine states."

"I've seen worse. A little bit out of central casting, which clashes with the superfluous 'what is truth?' storyline, but it might work for the intended audience."

"A lot of money to spend to just get average."

"Who on earth approved that music?? Are they trying to coax people to come out and smoke a joint?"

"I think aesthetically they're fine with crisp visuals and a current tone that's likely to make New Mexico seem like a safe bet for a vacation if you don't know much about the culture."

See for yourself at [http://www.youtube.com/watch?v=eUICGv2SvKA\\_&feature=player\\_embedded](http://www.youtube.com/watch?v=eUICGv2SvKA_&feature=player_embedded)

**LOAD-DATE:** April 25, 2012

**LANGUAGE:** ENGLISH

**PUBLICATION-TYPE:** Newspaper

FOCUS - 18 of 21 DOCUMENTS

Silver City Sun-News (New Mexico)

May 12, 2008 Monday

**In the area: Meetings and events in Silver City****BYLINE:** Sun-News reports**SECTION:** NEWS**LENGTH:** 422 words**Candidate speaks at GOP meeting**

The Grant County Republican Party will hold its monthly meeting at 6:30 p.m. Wednesday at the home of party chairwoman Punkie Garretson, 231 Ridge Road.

The guest speaker will be Bill Van Dran, candidate for County Commission in District 3. Planning for the upcoming Cowboy Breakfast on May 17 at the Gila Hot Springs will occur. Discussion on early voting and the primary election will also take place.

Refreshments and dessert will be served. For more information, contact Garretson at (575) 538-5876.

**Plant society field trip set for Sunday**

The Gila Native Plant Society continues its series of summer field trips with a hike Sunday. The walk will take place off Ridge Road.

Wayne Buckner will share his knowledge of the vicinity and its flora. A considerable variety of spring blooms promises to be evident, as May is usually a prolific time for this often overlooked area.

Participants should meet in the south parking lot of the Western New Mexico University Fine Arts Center Theatre at 8 a.m.

The public is invited to attend free of charge. Hikers should bring water, lunch, a hat, sunscreen and good hiking shoes.

For more information, call Deming Gustafson at (575) 388-5192.

**Water meeting planned Saturday**

A meeting on the **Augustin Plains Ranch** proposal to pump 54,000 acre-feet of water each year and pipe it to the Rio Grande will be held at 6 p.m. Saturday at the Datil Elementary School gymnasium.

Bruce Frederick, attorney with the New Mexico Environmental Law Center, will discuss New Mexico's complex water laws and present options for residents of the area.

The water permit process is a legal process, not a political process. Anyone with a water right is invited to attend.

For more information, contact Carol and Ray Pittman at [pittray@gilanel.com](mailto:pittray@gilanel.com).

**Women's fiber group to meet**

The Southwest Women's Fiber Arts Collective will hold its monthly Board of Directors meeting at 1 p.m. on May 20 at the Fiber Arts Center, 211-D Texas St. The public is cordially invited to attend.

**Microwave class offered May 20**

The Grant County Extension Service will offer a class on microwave and convection cookery from 10 a.m. to noon on May 20 at 2610 N. Silver St., the County Complex meeting room.

In the area: Meetings and events in Silver City Silver City Sun-News (New Mexico) May 12, 2008 Monday

The class will demonstrate how to maximize your microwave for energy efficiency and cooler kitchen temperatures for the upcoming summer months. Convection oven cookery will also be demonstrated. Taste samples will be served.

Space is limited, so call the extension service at (575) 388-1559 and reserve your space.

**LOAD-DATE:** June 5, 2008

**LANGUAGE:** ENGLISH

**PUBLICATION-TYPE:** Newspaper

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Letters to the editor (April 5) Silver City Sun-News (New Mexico) April 5, 2009 Sunday

FOCUS - 19 of 21 DOCUMENTS

Silver City Sun-News (New Mexico)

April 5, 2009 Sunday

## Letters to the editor (April 5)

**SECTION:** OPINION

**LENGTH:** 2083 words

Assassination squad

Remember when former Vice President Cheney used to claim that he constituted a peculiar fourth branch of government unto himself, claiming executive privilege as part of the executive branch, while with the next breath refusing to obey executive branch record-keeping laws? Now we are beginning to find out what that fourth branch of government actually was . . . his own private worldwide assassination ring. Somehow we don't recall the U.S. Constitution providing for such a fourth co-equal branch of our government.

Even those who argue that the president has the power as "commander in chief" to commit war crimes with impunity, do not argue that the vice president should be able to operate his own war crimes franchise independent of the president. And yet, according to Seymour Hersh, a most reliable source, that is exactly what took place. Cheney was running his own personal assassination squad, reporting directly to himself.

Is there no level of treason outrageous enough to get one of the other two branches of government to confront these crimes against the Constitution? The Justice Department must immediately appoint a special prosecutor. Failing that, Congress must launch its own investigation, as called for by the always heroic Dennis Kucinich, to get to the bottom of this. We the people must demand justice and Cheney should be held accountable for his crimes.

KATHLEEN CLEMENTI

Do-a Ana

Game and Fish

The New Mexico Department of Game and Fish is not the enemy to wildlife, as declared by Mr. Joe Miele in his recent article to the "Your View" page. Far from being that, the Department is always striving to furnish the wildlife of New Mexico the best possible habitat. By building fences, moving animals, researching streams and building better environments for our wildlife, we have bigger and healthier herds and better protected fish. Teaming up with sports organizations such as the Rocky Mountain Elk Foundation and Quail Unlimited, the Department has helped keep a sustainable wildlife program going to help, not only hunters and fishermen, but the general public. Thousands of people visit our state parks and state forests to just view the wildlife.

I'm proud that the money I spend on equipment and ammunition goes to help all wildlife in general, not jut the ones that I choose to hunt. Relocating animals is a proven management procedure that, in many cases, keeps forage areas plentiful so animals do not starve during adverse conditions.

To change the makeup of the Game and Fish Commission will not help anyone but Mr. Miele and his agenda stop sports hunting, period. The Commission reflects the people of New Mexico. They are appointed for their general knowledge and area of the state. When Mr. Miele talks about a better society, what he means is a vegetarian society like the one he wants you to read about at the Web site. I think it is "obscene" that he would hold the average hunter in distain for doing what we have done for millions of years. I think it would shock Mr. Miele to know that the hunter is the first person to honor the animal they harvest.

WILLIAM W. SHIPTON

Las Cruces



### Swindled

Are Americans becoming a nation of swindlers? I'm embarrassed.

Businesses give bonuses to employees who nearly run them into the ground. Share value tanks while businesses lather executives with money for million-dollar office makeovers. Businesses are admired for creating financial instruments which are smoke and mirrors. I won't mention Bernie Madoff, but swindlers are as prevalent as roaches.

We've all read about massive amounts of money disappearing into the pockets of contractors in Iraq. Swindled.

An investigation into government workers at the Department of Labor showed that the incorrect information employees gave was matched only by the number of businesses trying to swindle employees out of their wages.

We complain about China and dog food. Let's check the home front, the infamous Peanut Corporation of America-tainted food gets passed off without a qualm. Swindled.

One recent Letter-to-the-Editor charged a local restaurant with advertising one price for wine while charging a higher price and then bringing in the police to strong-arm the customers.

A lab billed Medicare twice for the same set of lab tests for my mother-in-law. One charge (\$70) was for a PSA test, an exam for men. When confronted, the doctor said that he's not involved with lab billing. Medicare fraud-just another swindle by an American business.

A builder contracted for a certain amount of insulation for a ceiling, but he checked only half the insulation was installed. Swindled.

How long does it take before aberrations such as these become a defining feature of our national character? Are we moving closer to that point? Remember the Ronald Reagan adage, "Trust but verify." With trust dwindling daily, we need a lot more verification.

MICHAEL WALSH

Las Cruces

Water grab

Some of your readers are aware of the attempted water grab by the mysteriously owned **Augustin Plains Ranch LLC** located near Datil. It is a huge privatization scheme for water in New Mexico. Consider this: If approved, the plan would remove 54,000 acre feet of water out from under northern Catron County each year, and transport it to the Rio Grande 60 miles away. The LLC will then sell the water for what the market will bear. As our local wells dry up, the water can even be sold back to us.

The Legislature passed HB 19 that gives the state engineer jurisdiction over water below 2,500 feet deep, but between the time it was introduced and the time it passed, applications to mine this water more than doubled to over 1 million acre feet. The law is not retroactive.

These applications are an attempt to privatize our water. If the Augustin water grab can happen in Catron County, it can happen anywhere in NM. Privatization of water means lower efficiency and higher costs. Water is a basic and fundamental human right and should be in the hands of public servants accountable to the people and not in the hands of greedy corporatists who would meagerly ration it back to us at an inflated price.

CAROL PITTMAN

Datil

Help for teen moms

This is in regards to Kim Tysseling's letter published in your March 28 edition concerning the preferential treatment our teenage mothers receive in our public schools.

If you are pro-choice, then you must support the mother's decision to have her child. If you are pro-life, then your support mustn't stop at birth; it just begins. The idea of having child services in the public schools is to provide time for the mother to finish high school and find a job to support her child. Unless, of course, you want them to be on welfare forever. Maybe we should place more emphasis on showing our children how not to have children; they sure know how to have them without our help.

Letters to the editor (April 5) Silver City Sun-News (New Mexico) April 5, 2009 Sunday

RICHARD L. MARKMAN

Las Cruces

Read before signing

Congress needs to learn, you do not sign anything unless you read it. or at least have your staff read it for you.

Remember, Obama told them they had to pass the bailout bill and did not give them a chance to read it.

Page after page after page and no one read the full bill before it was passed.

The bonuses for the AIG people was just one "little thing" in the whole big trillions of dollars bill that we are paying attention to. A lousy little \$184 million.

How many other things were just slipped by without anyone even noticing?

Plus, If our leaders are going to overturn contracts and make laws for just a few people, do you think any country or foreign corporation will do business with us? We would be totally untrustworthy as a business partner.

KATHY FESLER

Las Cruces

Who makes the rules?

What is it the financial intuitions don't understand? You mismanaged your business to the point of bankruptcy. I, the American taxpayer, buy your business. I now own controlling interest in your business and therefore have the right to protect my investment. I suspend bonus payments to those employees I have determined led the business into fiscal ruin. Get over it, you have no say! You screwed up and I bought your company, you should feel lucky that based on unsatisfactory performance I haven't terminated your employment. Now get the hell back to work!

A.J. SIMONIN

Las Cruces

Season tickets

I have been a season-ticket holder for the last four years. So I was pleased to read the full-page ad which states "Season tickets are the very best deal, savings up to 60 percent off the single game-game price." It further states "Best deals are reserved for our best fans our season ticket holders." I am really looking forward to reduced season ticket prices.

Now I received my invoice and did not see my savings or discounts. Fact is, my season ticket prices increased by a whopping 45 percent over last year. This from a team with an 11-38 record the last four years. I was witness to a perfect season in 2005, (0-12).

Also included in with the invoice they sent me was a memo from Steve Macy, associate athletic director. It states in big bold black letters "Our new flat pricing structure rewards our best fans with up to a 60 percent savings on season tickets." I suggest the Department of Athletics be required to take remedial courses in basic math skills so they can identify saving percentages versus increase percentages. Then, perhaps, they will stop the misleading advertisements and ridiculous memos.

WILLIAM H. WOZNIAK

Las Cruces

Red-light cameras

There have been several Sound Off! items worried about the what ifs, of the red light cameras. What if I am waiting, in the intersection, for traffic to clear, so I can complete my left turn? What if I go a couple of inches over the stop line, do I get a ticket? If these things are a concern to you, you need to read the driver's manual. First of all, you are not to enter the intersection, to make a left turn, unless you can complete the turn during the green light. If you stop there and wait for traffic to clear and then turn, during the red light, you should get a ticket.

The red light cameras take pictures, of your rear plate, in the intersection. They can not take a picture, of your rear plate, if you stop at the line or a couple of inches over.

Letters to the editor (April 5) Silver City Sun-News (New Mexico) April 5, 2009 Sunday

I walk all over this town and I see people go through the red lights up to three seconds after it has turned red. I have almost been run over a number of times, by people making right turns on red, when I had the walk light.

I think it would be great if everyone had to retake, at least, the written test, to renew their driver license. People do not seem to understand, driving is a privilege, not a right. You do have certain responsibilities, while driving. It is good to see impounding for no insurance or license. It is part of the requirement, for the privilege to drive. Why should it cost the person, that gets run into by an uninsured driver?

CHARLIE MULLIN

Las Cruces

Alzheimer's care

I took no offense at Mr. Don Miles' letter of Feb. 26 regarding square dancing helping to cure Alzheimer's. If only that could be!

However, I take this opportunity to thank Nicky Phillips (March 22) for recognizing caregivers and families who cope with this horrible disease. I am sure it is difficult for anyone who is not in this all-consuming and heartbreaking effort to even imagine what it involves. I encourage everyone who is not affected to be very grateful that they have been spared.

CAROL PEARSON

Las Cruces

The Protection Faith

The government should never exercise control over any religious tradition, except in the prevention of harm to citizens outside of that tradition. Likewise, no religion should hold sway over the government that preserves the rights of all the people it serves. Regardless of how it is spent, government monies distributed to any religious organization cannot be prevented from promoting that religion or their proselytizing to the people it aids. A religion's order cannot help being influenced by a government that finances them or their endeavors. Even the practice of tax exemptions for religious organizations should be scrutinized. Tax exemptions are always just another form of welfare.

For the protection of the faith shared by an abundance of US citizens, James Madison, father of Our Constitution, author of the Bill of Rights, wrote, "Who does not see that the same authority which can establish Christianity, in exclusion of all other religions, may establish with the same ease any particular sect of Christians, in exclusion of all other sects?" Memorial and Remonstrance.

NED CASSLES

Las Cruces

**LOAD-DATE:** April 5, 2009

**LANGUAGE:** ENGLISH

**GRAPHIC:**

**PUBLICATION-TYPE:** Newspaper

## FOCUS - 20 of 21 DOCUMENTS

Las Cruces Sun-News (New Mexico)

April 5, 2009 Sunday

**Letters to the editor (April 5)****SECTION:** OPINION**LENGTH:** 2083 words

## Assassination squad

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KATHLEEN CLEMENTI

## Do-a Ana

## Game and Fish

The New Mexico Department of Game and Fish is not the enemy to wildlife, as declared by Mr. Joe Miele in his recent article to the "Your View" page. Far from being that, the Department is always striving to furnish the wildlife of New Mexico the best possible habitat. By building fences, moving animals, researching streams and building better environments for our wildlife, we have bigger and healthier herds and better protected fish. Teaming up with sports organizations such as the Rocky Mountain Elk Foundation and Quail Unlimited, the Department has helped keep a sustainable wildlife program going to help, not only hunters and fishermen, but the general public. Thousands of people visit our state parks and state forests to just view the wildlife.

I'm proud that the money I spend on equipment and ammunition goes to help all wildlife in general, not jut the ones that I choose to hunt. Relocating animals is a proven management procedure that, in many cases, keeps forage areas plentiful so animals do not starve during adverse conditions.

To change the makeup of the Game and Fish Commission will not help anyone but Mr. Miele and his agenda stop sports hunting, period. The Commission reflects the people of New Mexico. They are appointed for their general knowledge and area of the state. When Mr. Miele talks about a better society, what he means is a vegetarian society like the one he wants you to read about at the Web site. I think it is "obscene" that he would hold the average hunter in distain for doing what we have done for millions of years. I think it would shock Mr. Miele to know that the hunter is the first person to honor the animal they harvest.

WILLIAM W. SHIPTON

Las Cruces

### Swindled

Are Americans becoming a nation of swindlers? I'm embarrassed.

Businesses give bonuses to employees who nearly run them into the ground. Share value tanks while businesses lather executives with money for million-dollar office makeovers. Businesses are admired for creating financial instruments which are smoke and mirrors. I won't mention Bernie Madoff, but swindlers are as prevalent as roaches.

We've all read about massive amounts of money disappearing into the pockets of contractors in Iraq. Swindled.

An investigation into government workers at the Department of Labor showed that the incorrect information employees gave was matched only by the number of businesses trying to swindle employees out of their wages.

We complain about China and dog food. Let's check the home front, the infamous Peanut Corporation of America-tainted food gets passed off without a qualm. Swindled.

One recent Letter-to-the-Editor charged a local restaurant with advertising one price for wine while charging a higher price and then bringing in the police to strong-arm the customers.

A lab billed Medicare twice for the same set of lab tests for my mother-in-law. One charge (\$70) was for a PSA test, an exam for men. When confronted, the doctor said that he's not involved with lab billing. Medicare fraud-just another swindle by an American business.

A builder contracted for a certain amount of insulation for a ceiling, but he checked only half the insulation was installed. Swindled.

How long does it take before aberrations such as these become a defining feature of our national character? Are we moving closer to that point? Remember the Ronald Reagan adage, "Trust but verify." With trust dwindling daily, we need a lot more verification.

MICHAEL WALSH

Las Cruces

Water grab

Some of your readers are aware of the attempted water grab by the mysteriously owned **Augustin Plains Ranch LLC** located near Datil. It is a huge privatization scheme for water in New Mexico. Consider this: If approved, the plan would remove 54,000 acre feet of water out from under northern Catron County each year, and transport it to the Rio Grande 60 miles away. The LLC will then sell the water for what the market will bear. As our local wells dry up, the water can even be sold back to us.

The Legislature passed HB 19 that gives the state engineer jurisdiction over water below 2,500 feet deep, but between the time it was introduced and the time it passed, applications to mine this water more than doubled to over 1 million acre feet. The law is not retroactive.

These applications are an attempt to privatize our water. If the Augustin water grab can happen in Catron County, it can happen anywhere in NM. Privatization of water means lower efficiency and higher costs. Water is a basic and fundamental human right and should be in the hands of public servants accountable to the people and not in the hands of greedy corporatists who would meagerly ration it back to us at an inflated price.

CAROL PITTMAN

Datil

Help for teen moms

This is in regards to Kim Tysseling's letter published in your March 28 edition concerning the preferential treatment our teenage mothers receive in our public schools.

If you are pro-choice, then you must support the mother's decision to have her child. If you are pro-life, then your support mustn't stop at birth; it just begins. The idea of having child services in the public schools is to provide time for the mother to finish high school and find a job to support her child. Unless, of course, you want them to be on welfare forever. Maybe we should place more emphasis on showing our children how not to have children; they sure know how to have them without our help.

Letters to the editor (April 5) Las Cruces Sun-News (New Mexico) April 5, 2009 Sunday

RICHARD L. MARKMAN

Las Cruces

Read before signing

Congress needs to learn, you do not sign anything unless you read it. or at least have your staff read it for you.

Remember, Obama told them they had to pass the bailout bill and did not give them a chance to read it.

Page after page after page and no one read the full bill before it was passed.

The bonuses for the AIG people was just one "little thing" in the whole big trillions of dollars bill that we are paying attention to. A lousy little \$184 million.

How many other things were just slipped by without anyone even noticing?

Plus, If our leaders are going to overturn contracts and make laws for just a few people, do you think any country or foreign corporation will do business with us? We would be totally untrustworthy as a business partner.

KATHY FESLER

Las Cruces

Who makes the rules?

What is it the financial intuitions don't understand? You mismanaged your business to the point of bankruptcy. I, the American taxpayer, buy your business. I now own controlling interest in your business and therefore have the right to protect my investment. I suspend bonus payments to those employees I have determined led the business into fiscal ruin. Get over it, you have no say! You screwed up and I bought your company, you should feel lucky that based on unsatisfactory performance I haven't terminated your employment. Now get the hell back to work!

A.J. SIMONIN

Las Cruces

Season tickets

I have been a season-ticket holder for the last four years. So I was pleased to read the full-page ad which states "Season tickets are the very best deal, savings up to 60 percent off the single game-game price." It further states "Best deals are reserved for our best fans our season ticket holders." I am really looking forward to reduced season ticket prices.

Now I received my invoice and did not see my savings or discounts. Fact is, my season ticket prices increased by a whopping 45 percent over last year. This from a team with an 11-38 record the last four years. I was witness to a perfect season in 2005, (0-12).

Also included in with the invoice they sent me was a memo from Steve Macy, associate athletic director. It states in big bold black letters "Our new flat pricing structure rewards our best fans with up to a 60 percent savings on season tickets." I suggest the Department of Athletics be required to take remedial courses in basic math skills so they can identify saving percentages versus increase percentages. Then, perhaps, they will stop the misleading advertisements and ridiculous memos.

WILLIAM H. WOZNIAK

Las Cruces

Red-light cameras

There have been several Sound Off! items worried about the what ifs, of the red light cameras. What if I am waiting, in the intersection, for traffic to clear, so I can complete my left turn? What if I go a couple of inches over the stop line, do I get a ticket? If these things are a concern to you, you need to read the driver's manual. First of all, you are not to enter the intersection, to make a left turn, unless you can complete the turn during the green light. If you stop there and wait for traffic to clear and then turn, during the red light, you should get a ticket.

The red light cameras take pictures, of your rear plate, in the intersection. They can not take a picture, of your rear plate, if you stop at the line or a couple of inches over.

I walk all over this town and I see people go through the red lights up to three seconds after it has turned red. I have almost been run over a number of times, by people making right turns on red, when I had the walk light.

I think it would be great if everyone had to retake, at least, the written test, to renew their driver license. People do not seem to understand, driving is a privilege, not a right. You do have certain responsibilities, while driving. It is good to see impounding for no insurance or license. It is part of the requirement, for the privilege to drive. Why should it cost the person, that gets run into by an uninsured driver?

CHARLIE MULLIN

Las Cruces

Alzheimer's care

I took no offense at Mr. Don Miles' letter of Feb. 26 regarding square dancing helping to cure Alzheimer's. If only that could be!

However, I take this opportunity to thank Nicky Phillips (March 22) for recognizing caregivers and families who cope with this horrible disease. I am sure it is difficult for anyone who is not in this all-consuming and heartbreaking effort to even imagine what it involves. I encourage everyone who is not affected to be very grateful that they have been spared.

CAROL PEARSON

Las Cruces

The Protection Faith

The government should never exercise control over any religious tradition, except in the prevention of harm to citizens outside of that tradition. Likewise, no religion should hold sway over the government that preserves the rights of all the people it serves. Regardless of how it is spent, government monies distributed to any religious organization cannot be prevented from promoting that religion or their proselytizing to the people it aids. A religion's order cannot help being influenced by a government that finances them or their endeavors. Even the practice of tax exemptions for religious organizations should be scrutinized. Tax exemptions are always just another form of welfare.

For the protection of the faith shared by an abundance of US citizens, James Madison, father of Our Constitution, author of the Bill of Rights, wrote, "Who does not see that the same authority which can establish Christianity, in exclusion of all other religions, may establish with the same ease any particular sect of Christians, in exclusion of all other sects?" Memorial and Remonstrance.

NED CASSLES

Las Cruces

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Mountain Mail

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September 3, 2009

## San Augustin Plains to Dark Mountain: A Troubled Journey

**BYLINE:** Magdalena Potluck, By Mountain Mail staff

**LENGTH:** 646 words

For those of you who are concerned about the availability of water in our area for us, for our children and for our grandchildren, have I got a treat for you! A group of us "rabid activists" got together last Sunday to plan an early November meeting in Magdalena to discuss what we know about the local "water grab." I'll keep you informed as soon as guest speakers commit and plans are finalized.

For those of you who are unfamiliar with this water grab issue, here is a brief synopsis: Back in October 2007, the **Augustin Plains Ranch**, LLC, filed an application with the State Engineer's Office to drill 37 water wells on their property to a depth of 2,000 feet with 20-inch casings. They proposed to pump 54,000 acre-feet of ground water (that's 17,000,000,000 gallons) a year and dump it into the Rio Grande via pipeline. This would evidently be "sold" to New Mexico so that we might meet our water obligations to Texas.

The Ranch is supposedly owned by a Mr. Bruno Modena, a businessman who lives in Milan, Italy. Google him and you will find the heart-throb soccer star of Italy, NOT the Bruno we're looking for ... or is it?.

Protests to this application were filed by 382 groups and individuals. They saw the writing on the wall: that this privatization of ground water would devastate the entire area.

Then, in August 2008, Bruno decided to amend his application to increase the depth of the wells to 3,000 feet. This opened up the window of opportunity to protest again and, indeed, another 600 of us responded. There are now more than 1,000 official letters of protest on file at the State Engineer's Office. Each one of these is an official document which must be responded to and dealt with, in order to move this application forward. That's quite a large wrench that we've managed to throw into the gears of "progress."

The San Augustin Water Coalition was formed to organize these protestors and the New Mexico Environmental Law Center will represent the group without charging attorney fees. The contact person at the Coalition is Carol

Pittman and can be reached at [pit-tray@gilanet.com](mailto:pit-tray@gilanet.com)

This battle is far from over. The Cordova Public Relations group, hired by Bruno, paints a glowing picture of the "benefits" that New Mexico could reap from this project. It is particularly appealing to the Santa Fe and Albuquerque residents who are concerned with keeping their pools filled. Who knows what strings might get pulled or whose palm might get greased.

It was while mulling over this insatiable greed for profit at the expense of us "common folk" that the Dark Mountain Project came to my attention. (Thanks Elaine and Elliot). Every once-in-a-while an idea comes along that seems to burrow beneath the daily static of "economic crisis," "healthcare reform," or "global warming." Dark Mountain consists of a group of writers in England who bill themselves as "a new literary movement for an age of global disruption."



In spite of the ominous sounding title, this does not seem to be a "doomsday" group. Rather, they seem to be concerned with how we will manage to live in harmony with the Earth after the collapse of civilization.

From the home page of their website: "We aim to question the stories that underpin our failing civilization, to craft new ones for the age ahead and to write clearly and honestly about our true place in the world." I can't wait to get started on their suggested reading list.

After the unimaginable horrors of the collapse, it will be refreshing to imagine a world without bubble wrap, WalMart bags, credit cards, e-mail (but wait! How will I get my column in?)

If you're intrigued, check out their site at <<http://www.dark-mountain.net/>>.

Comments? Problems? Solutions? Up coming Events? Volunteers to be Book-people Contact me at [mtn\\_don@yahoo.com](mailto:mtn_don@yahoo.com): Don Wiltshire lives in Magdalena. His opinions do not necessarily represent the Mountain Mail.

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