



## The Aamodt Settlement

Santa Fe County supports the Aamodt Settlement Agreement because it is in the best interest of both Pueblo and non-Pueblo water rights owners.

### Background

Filed in 1966, the Aamodt case quantifies all Pueblo and non-Pueblo water rights in the basin and establishes their priority dates.

The State, United States, County, City of Santa Fe, and the Pueblos of Nambe, Pojoaque, San Ildefonso and Tesuque signed, and Congress approved, the Aamodt Settlement Agreement, which resolves the Pueblos' claims and provides other benefits.

### Why Santa Fe County Supports the Aamodt Settlement Agreement:

- Protects traditional agriculture and acequias.
- Protects non-Pueblo water rights
  - Affords all non-Pueblo water right owners the opportunity to prove the full amount of their water rights
  - Creates a 0.5 acre-feet per year (afy) presumption for domestic wells, not otherwise restricted, regardless of actual beneficial use;
    - 0.5 afy  $\approx$  162,900 gallons/year  $\approx$  13,570 gallons/month;
    - the average County utility residential customer uses approximately 0.18 afy  $\approx$  60,000 gallons/year  $\approx$  5,000 gallons/month;
  - Allows domestic well right owners to elect to continue using their well or connect to the regional water system. Well owners may have the option to do both.
  - Provides priority-call protection for non-Pueblo water rights
- Quantifies Pueblos' senior water rights
- Promotes surface flows and ecosystem health for Rios de Nambe, Pojoaque, and Tesuque

### Why Santa Fe County Supports the Regional Water System:

- Provides a **safe, reliable** source of potable water for both Pueblo and non-Pueblo users
- Protects customers from groundwater contamination
- Imports water from the Rio Grande for both Pueblo and non-Pueblo residents with 2,500 afy for the Pueblos and up to 1,500 afy for non-Pueblo residents
- Promotes economic development, both from construction and operation
  - total construction costs are estimated at \$261 million (\$ 2024)
  - federal share is  $\approx$  65%
  - Construction will create direct and indirect jobs
- Provides fire protection and reduces fire insurance rates
- Recharges aquifer by reducing demand on groundwater and importing surface water

### Risks

- **Appropriations.** Ideally all appropriations would be in place after the next Legislative session and prior to initiation of construction in June, 2018.
- **Substantial Completion.** If the RWS is not substantially complete by June 2024, the Settlement Agreement is no longer in effect and unexpended Federal dollars are returned.
- **The RWS and the Agreement could fail if the political will is not supportive.**