

1 A JOINT MEMORIAL

2 REQUESTING THE STATE ENGINEER, WHEN EVALUATING APPLICATIONS
3 TO EXPORT GROUND WATER OUT OF THE ESTANCIA BASIN, TO CONSIDER
4 THE AVAILABILITY OF WATER SUPPLIES WITHIN THE BASIN TO WHICH
5 WATER IS BEING EXPORTED.

6
7 WHEREAS, certain governmental entities are considering
8 or have considered policies to mine and export ground water
9 from the Estancia basin, which is the sole water supply
10 source for Estancia basin communities; and

11 WHEREAS, the ground water resources of the Estancia
12 basin are not renewable and will not be replenished because
13 they are being mined; and

14 WHEREAS, the exportation of ground water from the
15 Estancia basin has the potential to shorten its productivity;
16 and

17 WHEREAS, the Estancia basin regional water plan provides
18 that the exportation of ground water is contrary to the
19 greater interest of the planning area and that it must be
20 aggressively discouraged and opposed; and

21 WHEREAS, the ground water of the Estancia basin
22 constitutes the sole potable water supply upon which the
23 communities in the basin depend; and

24 WHEREAS, the local governments of Moriarty, Willard,
25 Estancia, Mountainair, Edgewood and Torrance county and local

1 residents of the Estancia basin have joined together in
2 opposing increased mining and exportation of ground water
3 from the Estancia basin; and

4 WHEREAS, the boards of county commissioners of Torrance,
5 Bernalillo and Santa Fe counties have actively discouraged
6 the exportation of any ground water from the Estancia basin;
7 and

8 WHEREAS, during the hearings on the regional water plan
9 and the Torrance county comprehensive ordinance, the Estancia
10 basin public consistently voiced its opposition to the
11 exportation of water from the Estancia basin, fearing that
12 exportation will both impair the existing water rights and be
13 detrimental to planning regions' public welfare; and

14 WHEREAS, the state engineer has administratively
15 designated parts of the Estancia basin as a critical
16 management area, curbing both domestic use and other uses of
17 water; and

18 WHEREAS, there is uncertainty regarding the maximum
19 amount of ground water that will be placed to beneficial use
20 in any given year within the Estancia basin, and all studies
21 conclude that current existing diversions from the aquifer
22 exceed the rate at which it is being recharged; and

23 WHEREAS, the continued and future economic existence of
24 the Estancia basin communities is dependent on a reliable, if
25 not entirely sustainable, water supply; and

1 WHEREAS, some ground and surface water basins have
2 access to reliable, renewable sustainable water supplies from
3 renewable stream systems and have the ability to acquire
4 water rights within those systems and also have sufficient
5 ground water resources to sustain their current and projected
6 growth needs; and

7 WHEREAS, the public welfare of the state is served by
8 requiring other basins to develop the available surface and
9 ground water resources within their own basins rather than
10 mining the nonrenewable ground water resources in the rural
11 Estancia basin and depriving fellow New Mexicans, including
12 ranchers, farmers and community governments, of a future;

13 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF
14 THE STATE OF NEW MEXICO that the exportation of mined ground
15 water from the Estancia basin shall be consistent with the
16 public welfare of New Mexico and not contrary to the planning
17 objectives within a regional water plan; and

18 BE IT FURTHER RESOLVED that any application to export
19 water from the Estancia basin be supported by proof of a need
20 in the importing basin to import ground water from the
21 Estancia basin and proof that there are no alternative
22 available in-basin sources of water to supply the region
23 seeking to import ground water from the Estancia basin; and

24 BE IT FURTHER RESOLVED that a copy of this memorial be
25 transmitted to the state engineer. _____