



## East Mountain Citizens Win 14 Year Battle with Water Speculator



**With all avenues for further appeal now exhausted, a December 15, 2022, NM Appeals Court Decision protects East Mountain groundwater.**

(see [DeepWellProtest.ORG](http://DeepWellProtest.ORG) > Legal Filings > December 2022)

**!! Aquifer Science did NOT appeal to the NM Supreme Court so the case is finally over !!**

The Decision prevents new groundwater pumping in support of the Campbell Ranch 4000 home and golf course development in the Sandia Park area. The Campbell Ranch land in Bernalillo County was annexed by Edgewood in 2001 using a 15-mile shoestring to connect it to Edgewood. The Appeals Court Decision confirmed the lower court's denial of the application for a new appropriation based on the impairment to existing wells and the application not being consistent with the conservation of water. (The Town of Edgewood could still approve the Campbell Ranch development if a different source of water, such as importing from the Estancia Basin, is obtained.)

The water conflict began in 2009, when Aquifer Science applied to the Office of the State Engineer (OSE) to appropriate 1500 acre-feet of groundwater (later reduced to 350 acre-feet) in the Sandia Basin. Aquifer Science (AS), a Nevada-based limited liability company, was formed to obtain water for the Campbell Ranch Project. It consists of a partnership between Campbell Ranch (5%) and Vidler Water Company, (95%); Vidler was recently purchased by DR Horton, a national homebuilder. The application was denied by the Office of the State Engineer in 2014 and the denial was confirmed in a de novo District Court Appeal in 2019.

The Campbell Ranch area is also protected from additional applications for new groundwater rights.

In 2021, based on an analysis of declining water levels in the area, the OSE issued an order to protect the groundwater resources of the Sandia Underground Water Basin and a portion of the Rio Grande Underground Water Basin located in Bernalillo and Sandoval Counties east of the Sandia Mountains.

The order bars applications for new appropriations of groundwater in the protected area under Section 72-12-3 of the New Mexico water code. NOTE: Domestic wells are not affected.

The effort to protect groundwater was supported by San Pedro Creek Estate Homeowners, the Deep Well Protest (a local community non-profit), Bernalillo County, and hundreds of local individuals and small businesses who together contributed countless hours of community organizing and over \$750,000 for legal and expert fees. The community is grateful to Doug Meiklejohn, founder of the New Mexico Environmental Law Center, for his legal support since 2009, and to all the attorneys, experts, volunteers, and donors that worked to protect our local groundwater.



**CONGRATULATIONS TO US ALL!!!**