

NOVEMBER 2022 Latest News

When we last reported in September 2021, the filings for the NM Appeal Court review of the District Court decision (which was decided in our favor) were completed and the waiting game was starting.

WE ARE DELIGHTED TO REPORT THAT

THE NM APPEALS COURT UPHELD THE ENTIRE DISTRICT COURT RULING!!!!

The official ruling, dated 12/15/22, is attached and we will post it as soon as we can on the DeepWellProtest.ORG website under LEGAL FILINGS.

Aquifer Science has 30 days to file a further appeal to the NM SUPREME COURT...in that case, the Supreme Court gets to decide whether or not to even hear the case. We hope that Aquifer Science decides to finally throw in the towel after losing at every step along the way! Keep your fingers crossed!

We so appreciate everyone's continued support in this loong process. It is gratifying that the hard work of the entire East Mountain community, both individual landowners and neighborhood associations, especially San Pedro Creek Estates, along with Bernalillo County has resulted in, not only continuing to win this case but also obtaining the basin closure by the Office of the State Engineer and the protection of our wells going forward.

The Basin closure will prevent any new applications, but Aquifer Science applied before the closure, so their application for 350 acre feet of water would go through if they won in court. We will have to wait and see if they appeal to the NM Supreme Court, before we can be sure they won't win. As soon as we know, we will report it to you!

ON A RELATED NOTE:

EDGEWOOD and the CAMPBELL RANCH MASTER PLAN: *The newly formed grass-roots organization EMPAC (East Mountains Protection Action Coalition) is focusing on the Edgewood subdivision activities as a whole. Even if Aquifer Science is denied the water rights, the Campbell Ranch land CAN be developed if another water source, like Entranosa, is secured. We urge you to connect with them if you are concerned about the possible development of the land.*

TO GET ON THE EMPAC EMAIL LIST, go to <https://theempac.org/> and use the CONTACT tab.

It has been a really long legal road we have been on to get to this point. As a community, we have had 2 major accomplishments critical for our future:

1. The closure of the Sandia Basin to new applications for water rights and
2. To win our Protest against Aquifer Science's application for new water rights, first at the NM State Engineer's Office, then at District Court and now at the NM Appeals Court.

We at Deep Well Protest/N14 Forum are so grateful to all of you who helped over all these years!!