

February 2019 Update

LATE BREAKING NEWS:

Today (2/19/19) Governor Lujan Grisham appointed **John D'Antonio as the new State Engineer!** He served as the State Engineer 2003-2011 and is a well respected water expert. This is welcome news as we think and hope his appointment will bring much needed improvements to the OSE!

1. Status of Aquifer Science/Campbell Ranch Appeal Case –

- Judge Bacon's Ruling denying the application appeal can be found, in full, on our website... Go to **DeepWellProtest.org > Legal Filings > 1/29/19 Court Findings and Conclusions.**
- Our attorneys are working on the Post Judgement filings and procedures necessary to finalize the ruling. Here's what needs to happen:
 1. A new judge needs to be appointed to issue the FINAL Judgement, since Judge Bacon has moved on to the NM Supreme Court.
 2. Hearings (before the newly appointed judge) among all the need to be held BEFORE the Final Judgement is issued. This could easily take until May or June.
 3. THEN Aquifer Science has 30 days to file an appeal...so keep that champagne corked....for now!

2. Community Meeting – Saturday February 23, 2019 from 10am to 11:30am at Vista Grande Community Center.

Bernalillo County is hosting a meeting to provide an update on East Mountain Water issues and next steps in protecting the water supply. There will be several guest speakers including County Attorney Ken Martinez and attorney Jeff Albright (who represented the County in the Aquifer Science/Campbell Ranch case), Dan McGregor and Phillip Rust from the well monitoring program as well as a representative from the Deep Well Protest.

- #### 3. Legislative Work –
- We, our attorneys and several other parties are working on legislation to improve the Office of the State Engineer's process for accepting and reviewing water applications. There is a bill, introduced in both the House and the Senate, that we hope will begin to address the flaws in the system that result in water speculation and having applications repeatedly submitted for areas previously denied, causing communities to fight the same battle over and over. We face opposition from the Office of the State Engineer and recognize we might not be successful this time around...but we'll keep at it! In the coming weeks we may be putting out a call for community members to come up to Santa Fe and attend Committee Hearings as a show of support...stay tuned! **Many thanks to our local Senators and Representative for their support in sponsoring these bills!**
- **HB 576 sponsored by Representative Gregg Schmedes from our East Mtn District 22**
 - **SB 435 co-sponsored by Senator Antoinette Sedillo Lopez (Albuquerque District 16) and Senator Jim White (East Mtn District 19)**

You can see and follow any legislative bill in the US on **legiscan.com**. Just enter New Mexico and the Bill number (HB576 or SB435) in the fields on the lower left of the screen and SEARCH.

(We hope the newly appointed State Engineer John D'Antonio will be more supportive of this legislation!)

- #### 4. Thank you Commissioner Charlene Pyskoty!
- We want to thank our East Mountain Commissioner Pyskoty for introducing a County Resolution supporting the legislation we are trying to get passed. It was approved unanimously by the County Commissioners on February 12, 2019.