

SEPTEMBER 2021 Latest News

As we last reported in May 2021, the OSE had withdrawn their appeals of the District Court decision and award of costs and Aquifer Science had filed a motion opposing it. We are happy to report that the Appeals Court accepted the OSE's withdrawal, so that is done with.

In late May, 2021 Aquifer Science filed its Brief in Chief, laying out why they believe the District Court decisions (both the denial of the water application and the award of costs) should be overturned by the Appeals Court. At the time of our last update, the attorneys for our side and Bernalillo County were working on the Answer Brief to refute the claims made by Aquifer Science in the Brief in Chief.

On September 18, 2021 the attorneys for our side and Bernalillo County both filed their Answer Briefs laying out why the claims in the Aquifer Science Brief in Chief do not justify having the District Court decisions overturned.

We do not know when the Appeals Court will schedule our case. We also do not yet know whether there will be oral arguments or just those on paper...that is still for the Appeals Court to decide.

We will continue to keep you posted as things develop.

NOTE: All of the filings referenced above can be found on the DeepWellProtest.ORG website under LEGAL FILINGS.

We appreciate your 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 such as San Pedro Creek Estates, and Bernalillo County has resulted in the basin closure by the Office of the State Engineer and the protection of our wells going forward. BUT we must persist in fighting the Aquifer Science appeal so they are prevented from moving forward with their water grab! NOTE: the Basin closure will prevent any new applications, but Aquifer Science must win their appeal to move forward with their original application. And so our attorneys must continue their work.

Donations can be made through the DeepWellProtest.ORG website or by checks made out to North 14 Forum – Deep Well Protest and mailed to Deep Well Protest PO Box 311, Sandia Park, NM 87047.

ON A RELATED NOTE:

EDGEWOOD and the CAMPBELL RANCH MASTER PLAN: We have learned that Edgewood is holding a zoom hearing on **Tuesday September 28th at 6:30pm** regarding an amendment of the Campbell Ranch Master Plan, which is the development for which the Aquifer Science deep wells were originally sought.

The hearing is open to the public and you can join the zoom. An information packet about the amendment will be made available. If you are interested, you can get the information packet and the zoom link at: EDGEWOOD-NM.GOV/DEPARTMENTS/PLANNING_AND_ZONING

On the left side of the page, click on: [PLANNING AND ZONING COMMISSION AGENDA/MINUTES/AUDIO](#) and select the 9/28/21 meeting once it shows up there.

One final note: Douglas Meiklejohn, our attorney with New Mexico Environmental Law Center has left the firm to do other conservation work. He was an invaluable asset for our efforts and will be greatly missed. Our new attorney with NMELC is Maslyn Locke.