

## North 14 Deep Well Protest

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## Protect Our Water!

Aquifer Science, a partnership between Campbell Ranch and Vidler Water Company, is applying to the Office of the State Engineer (OSE) for a permit to pump 1500 acre feet of water from the Sandia Basin each year. They applied to drill 4 deep wells on Campbell Ranch, across North 14 from Paako, north of Frost Road. 1500 acre-feet is enough water for a city the size of Raton.<sup>1</sup>

This application is a serious threat to our water. With the aquifer already declining, and many lots approved, but not yet developed, the Deep Well protest Group was formed to make sure that the question “Can the aquifer support both current water users AND 1500 acre-feet/yr of new water for Aquifer Science?” is fairly considered by OSE.

The Deep Well Protest Group is a local, grassroots organization challenging the Aquifer Science application. The North 14 Forum, a community non-profit 501(c)3, is acting as the fiscal sponsor and helping with the bookkeeping.

**Why should you care?** In many parts of the Sandia Basin, water levels have been dropping and numerous wells have had to be replaced. Additional pumping has the potential to cause further water level declines, and we want to make sure that our wells don't go dry and that there is enough water for people who are already using water in the area.

### Background on the Aquifer Science Application

In June of 2009 Aquifer Science LLC applied to the OSE to appropriate up to 1500 acre-feet a year of water from four wells in the Sandia Basin north of Frost Road and east of Highway 14. This is the same amount of water that the entire City of Raton uses, so this is a large application for new water rights in our area. The application listed general purposes for the use such as public water supply and irrigation. The application said that the wells would be “up to” 4000 ft deep, leaving open the possibility that water could be withdrawn from either shallow or deep zones, or both. In recent meetings held in Edgewood, and at the OSE scheduling conference, representatives of Campbell Ranch and Aquifer Science LLC indicated that they intend to use the water for the Campbell Ranch planned development, including 4023 homes and 2 golf courses. Two exploratory wells have been drilled and are being tested. Only exploratory permits are in place for the drilling, and the OSE process will determine whether or not long-term pumping of the wells will be allowed.

The OSE application process is run by a Hearing Examiner, using legal procedures similar to a court, and allowing for all parties to present their case. Several hundred people initially protested the application to the OSE by submitting a letter to the OSE. Of those, 109 protestants filed a \$25 fee and are still active in the case. Almost all protestants have wells, own land or depend on water close to the Aquifer Sciences wells. Some are water co-ops and some represent many people as Homeowner's Associations. Bernalillo County is also protesting the application, as is New Mexico Water Services Company, which serves Sandia Knolls.

Aquifer Sciences is a partnership between Vidler Water Company of Carson City, Nevada and Campbell Ranch, which owns about 23,000 acres north of Frost Road. Campbell has a master plan to build 4023

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<sup>1</sup> According to the OSE, the Raton Municipal System, which supplies residents, businesses, and parks, used 1581 ac-ft of water in 2008. <http://www.ose.state.nm.us/PDF/Publications/Library/TechnicalReports/TechReport-052.pdf>

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homes just north of Pete's Mexican Cantina, a development larger than Socorro or Raton. Vidler Water Company, Campbell's partner, is a water resource company focused on the development of permanent and reliable water supplies for end users in the arid southwestern United States<sup>2</sup>. The primary strategy of the company is to locate, aggregate, develop and convert water rights from highly fragmented agricultural markets to emerging municipal and industrial uses. It is a subsidiary of PICO Holdings (stock symbol PICO). Vidler is the largest private land-holder in Nevada and with that land has large water rights holdings in Nevada. Vidler also has operations in Idaho, Colorado, Arizona and Texas. It has allocated \$5 million to this project. We expect Aquifer Science to mount a very vigorous legal effort to obtain these water rights in the Sandia Basin.

### Activities to date to protest the Aquifer Science Deep Well Application

A scheduling order was executed by the OSE, which indicates that initial testimony from all parties is due this summer and that a hearing will be conducted in 2012. 44 Protestants in the area have hired Bruce Frederick to present their case to OSE. Bruce is an attorney with the Environmental Law Center. He previously worked for the OSE, and has worked on cases in the Sandia Basin before. In addition to being an Attorney, Bruce also has a masters degree in hydrology. Bruce has identified several experts that may provide testimony on technical issues in the case. Expenses for the attorney and experts are being paid for by through tax deductible donations from the protestants and the community to the Deep Well Protest Group. This is possible because the North 14 Forum, Inc, (a 501(c)3 organization) is acting as the fiscal sponsor.

### How can you help?

All this requires a lot of money and volunteer help. We would greatly appreciate a generous donation as legal expenses could reach \$40,000 or more. Bruce Frederick and some experts are working at reduced rates, but costs may still be substantial with a prolonged legal battle. In addition to financial considerations, we also need volunteer help. Or if you are able to volunteer your time and skills, we need people to help stuff mailings, make copies, put up posters, organize fundraisers (yard sales, raffles, etc.) talk to their neighbors, and pass out bumper stickers. If you can help, please contact us!

Thank you for your interest in protecting our water!

**I am donating \$ \_\_\_\_\_ to be used exclusively for the North 14 Deep Well Protest against Aquifer Sciences OSE application.**

**I would like a receipt for use on my income taxes. (Write name and address if not on your check.)**

**I would like to be on an e-mail list to know what's going on.**  
**E-mail \_\_\_\_\_**

**Send donations to: Deep Well Protest PO Box 311, Sandia Park, NM 87047  
or visit us at DeepWellProtest.ORG to donate online.**

For more information, go to DeepWellProtest.ORG or contact Dale Kennedy [mmzouk@earthlink.net](mailto:mmzouk@earthlink.net), Jim Mullany ([jhmullany@yahoo.com](mailto:jhmullany@yahoo.com)), or [deepwellprotest@gmail.com](mailto:deepwellprotest@gmail.com)

<sup>2</sup> <http://www.vidlerwater.com/>