

# San Agustin water group holds fundraiser

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Story by [John Larson, El Defensor Chieftain](#) | Apr 27, 2023

The late U.S. Senator Barry Goldwater once said a man from the West will fight over three things: water, women and gold, “and usually in that order.”

In 2023, Goldwater’s words still ring true, especially in Socorro and Catron counties, as the 16-year fight over the San Agustin Aquifer continues.



A sign on Highway 60 west of Magdalena toward San Agustin Plains advocates against new water wells.

John Larson | El Defensor Chieftain

One of the players in that fight, the San Augustin Water Coalition, is sponsoring a 5K Run/1 Mile Fun Run/Walk on Saturday, May 6, to raise money to help with legal fees to help prevent Augustin Plains Ranch LLC (APR) from mining water from the aquifer beneath the San Agustin Plains, west of Magdalena.

The San Augustin Water Coalition was formed by ranchers and property owners in western Socorro and eastern Catron counties in 2007, soon after APR published its request for permits to drill 37 wells to pump 54,000 acre-feet from the aquifer every year.

Organizers of the coalition contend that the area may be facing a severe water shortage in years to come if the Italian-owned company based in New York City has its way.

“We’re committed to sustaining the protest to protect this finite resource on the San Agustin Plains,” said Eileen Dodds of Datil and a Coalition board member. “A researcher at New Mexico Tech carbon-dated the water in the aquifer. Some of the water in the deepest section of the aquifer is 11,000 years old. Or more.”

That means there is virtually no recharge.

“He also found out that the little recharge that we get from rain and spring runoff maintains what the ranchers use yearly,” she said. “We are doing this 5K Run/Walk to raise money for the continuing legal fight over our water.”

Augustin Plains Ranch has applied multiple times for the pumping permit from the Office of the State Engineer.

To recap, when the permits were applied for in 2007, there were 250 protests from Catron County, reportedly the state engineer's largest protest to date. The original proposal by the company asked for permission to "divert and consumptively use 54,000 acre-feet of water yearly for domestic, livestock, irrigation, municipal, industrial, and commercial uses to include providing water to the state of New Mexico to augment its capacity to meet deliveries to the state of Texas at Elephant Butte dam and offsetting effects of groundwater pumping on the Rio Grande in lieu of retirement of agriculture via a pipeline to the Rio Grande."

The application was amended in 2008 to allow the drilling to go deeper, from 2,000 feet to 3,000 feet, and 800 more joined the protest. Those filings protests included not 100 individual ranchers and residents of the area but Catron and Socorro county governments, the New Mexico Department of Game and Fish, Gila National Forest, Cibola National Forest, New Mexico Interstate Stream Commission, the Middle Rio Grande Conservancy District, U.S. Bureau of Reclamation, the Navajo Nation and several Pueblos including Isleta, Santa Ana, San Felipe, Sandia, Acoma, Santo Domingo and Zuni.



File photo

A new application in 2012 was denied because it was speculative.

Another application in 2014 was rejected on the grounds that it was also speculative.

The most recent application by the private company was rejected in 2016. The application outlined a plan to pump 54,000 acre-feet per year and offer the water – via a pipeline – to northern New Mexico entities and communities, including Rio Rancho, whose city manager has shown interest.

In August of last year, the Court of Appeals sent the case back to Seventh District Court, saying that the district court had erred in applying what is known as collateral estoppel, a legal doctrine intended to stop endless litigation. In other words, something cannot be brought back if it has already been litigated.

Dodds said the Coalition was encouraged by the scheduling of a recent hearing by Seventh District Judge Roscoe Woods.

"It was a procedural thing to take some of the people who are no longer living out here or who are no longer protestants off the list of protestants," she said. "What this means to us is that things are moving ahead. We've won twice in court, but APR has deep pockets and lots of lawyers, and they just come back at us."

Although the New Mexico Environmental Law Center still represents some protestants, several individuals and ranching families use private attorneys.

The SAWC 5K/1 Mile Fun Run/Walk on May 6 will be at the Datil Well Recreation Area Campground on Highway 60. The turn-off is approximately one mile west of Datil.



Turn off to the Datil Well Recreation Area Campground.  
Courtesy photo

“The route just grows around the campground,” she said. “Part of it will be on Highway 60, but we’ll have a fire truck there to control traffic.”

The fee to enter the race is \$25 per person. For 12-and-under, the fee is \$15.

“Participants get a t-shirt with that, and we’re going to have hamburgers and hotdogs afterward,” she said.

Sponsorships are also welcome. “Striders and Riders have been invited,” she said. “We’re expecting around 50 to 60 runners and walkers.”

Sign-in is at 10 a.m., and the race will start at 11 a.m.

“This is open to anyone who wants to support us,” Dodds said.

Rancher Roy Farr chairs the San Augustin Water Coalition board. Other board members are Vice Chair Brett Bruton, Secretary Mahana Burnett, and Treasurer Eileen Dodds. Dale Armstrong, Nicole Sanders, Anita Hand and Melynda James round out the board.