

# **Aamodt Settlement Outreach Report**

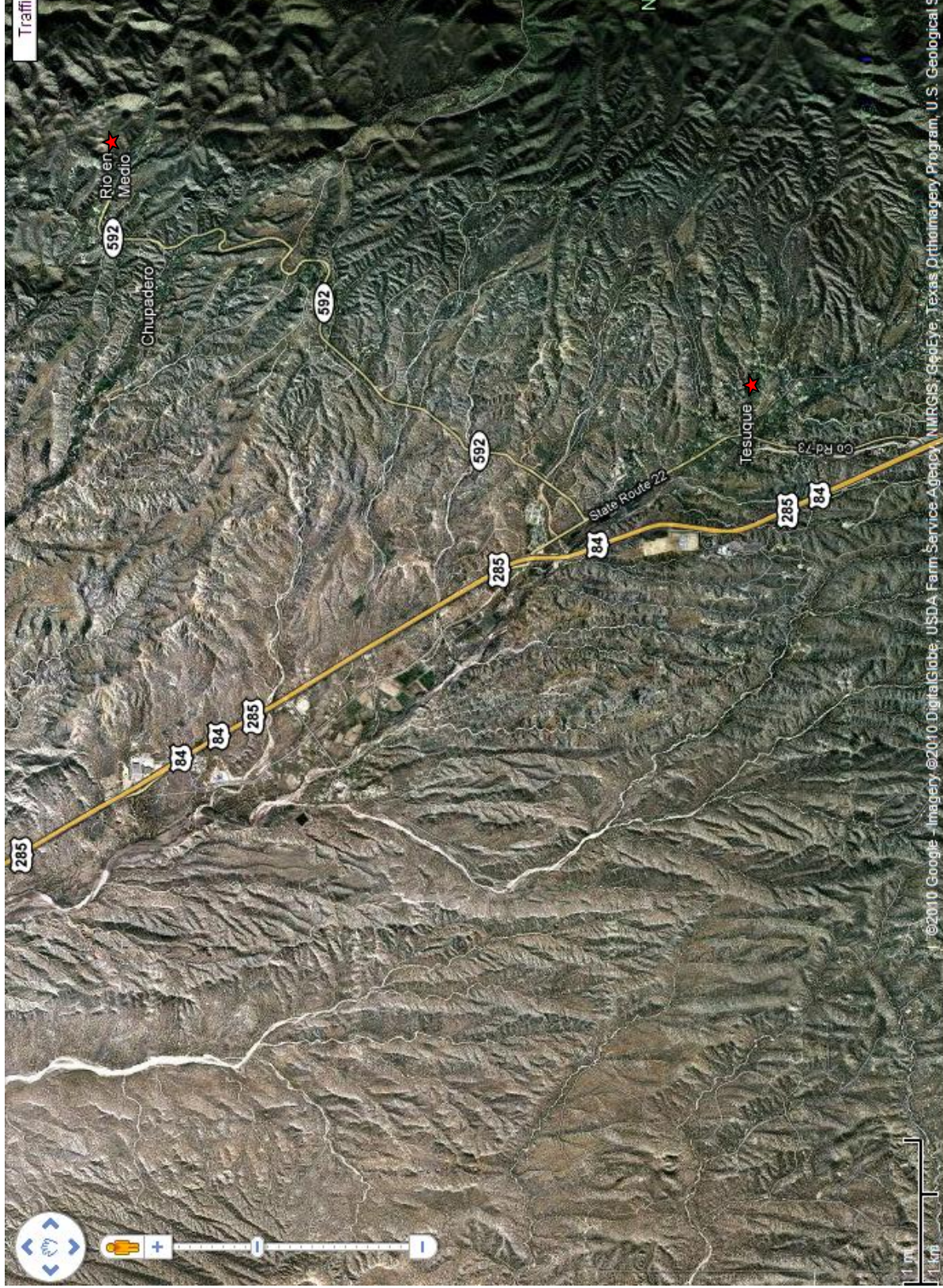
**Exhibits A through F**

# EXHIBIT A



**Ten Aamodt outreach venues sponsored by the County of Santa Fe  
From Left to Right: El Rancho Community & Senior Center; Nuestra Senora De Guadalupe; Santa Fe County Pojoaque  
Office; & Nambe Head Start**

**EXHIBIT A**



**Two Aamodt outreach venues in the Tesuque area:  
From top to bottom: Rio En Medio Community Center; En Medio Community Ditch**

**EXHIBIT B - ADVERTISING**

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## Aamodt settlement meetings planned

Santa Fe County is hosting a series of public meetings to gather public input and provide information about the pending Aamodt settlement, which would settle a decades-long dispute over water in the Nambé-Tesuque-Pojoaque water basin. All meetings will be held from 6 to 8 p.m. Meeting dates and locations are as follows:

**Today:** El Rancho Community Center

**March 9:** Pojoaque Parish Hall

**March 10:** Santa Fe County Pojoaque  
Satellite Office

**March 16:** Nambé Head Start

**March 17:** County Pojoaque Satellite Office

**March 23:** El Rancho Community Center

**March 24:** County Pojoaque Satellite Office

The settlement agreement is available for review on the State Engineer's Office Web site at [www.ose.state.nm.us](http://www.ose.state.nm.us) under the heading "hot topics." To register for one of the meetings or for more information, contact Darcy Bushnell at 505-277-0551 or 877-775-8333.

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Thursday, February 25, 2010

# Around Northern New Mexico

Journal Staff Reports

## Signed Bill Creates Two New Judgeships

Gov. Bill Richardson has signed a bill that creates two new judgeships — one in the Santa Fe-based 1st Judicial District and one in the Doña Ana County Magistrate Court.

Richardson signed the measure (SB6) into law Tuesday to allow ample time for this year's list of election-eligible positions to be updated, Richardson spokesman Gilbert Gallegos said.

The bill, which was unanimously passed by both the House and Senate, doesn't carry a financial burden to the state since existing funding can be used to pay for the two new judgeships.

Even with the creation of the two new judgeships, both court systems will still need more judges, according to a study conducted by the New Mexico Sentencing Commission.

Richardson has until March 10 to act on legislation passed by the Legislature during the 30-day session that ended Feb. 18.

## Aamodt Meetings Open to the Public

Meetings to involve the public in discussions of the Aamodt case, settlement and proposed Regional Water System are under way.

All meetings will be from 6 to 8 p.m. Space is limited. To sign up, call 505-277-0551 or 877-775-8333.

Scheduled meetings will be today and March 16 at Nambé Headstart, Tuesday and March 9 at the Pojoaque Parish Hall, Wednesday and March 23 at El Rancho Community Center, March 10, 17 and 24 at the Santa Fe County Pojoaque Satellite Office.

The Aamodt settlement agreement is available for review on the Office of the State Engineer Web site at [www.ose.state.nm.us](http://www.ose.state.nm.us) under "Hot Topics."

It resulted from the longest-running lawsuit in the federal court system and will determine water rights in the Nambe-Tesuque-Pojoaque basin.

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# Pojoaque

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II. Pojoaque Valley Aamodt Public Outreach Meetings Scheduled

III. By [John Knoll](#) • on March 13, 2010 • [Print](#) • [Email Page](#) • [Facebook](#) • [Comment Feed](#)

**Santa Fe – March 12, 2010**– Aamodt public outreach meetings will continue to meet until the end of March. The meetings discuss the Aamodt case, settlement and proposed Regional Water System.

The meetings will be from 6 pm to 8 pm. Refreshments served, hosted by the Stell Ombudsman Program. Space is limited. To sign up call (505) 277-0551 or (877) 775-8333.

Tuesday 3/16 Nambe Head Start

Wednesday 3/17 Santa Fe County Pojoaque Satellite Office

Tuesday 3/23 El Rancho Community Center

Wednesday 3/24 Santa Fe County Pojoaque Satellite Office

The Joe M Stell Ombudsman Program of the Utton Center at the UNM School of Law are hosting the Aamodt public outreach meetings. Darcy Bushnell, of the Ombudsman Program is conducting the sessions.

Judge Michael Nelson and several of the settlement parties will also attend.

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March 14 - March 20

All Combined Calendar

Sunday, March 14

Time: 8:00 AM - 11:00 AM

Summary: Art gallery opening in Jemez Springs

Location:

Description: Jemez Artisans, a new art gallery, will have its grand opening March 19, 5-8, and March 20-21, 11-5. We are located at 17375 Highway 4 in Jemez Springs. Call 575-829-3018 for more information.

Time: 2:00 PM - 4:30 PM

Summary: NMSO: Saint-Saens' Organ Symphony

Location: Popejoy Hall

Description: Spring is greeted with Mendelssohn's Scottish Symphony, thought to have been inspired by a painting the composer saw on a trip to Scotland. Saint-Saens' well-known masterpiece bookends performances you'll be talking about for years to come.

Time: 3:00 PM - 5:00 PM

Summary: Cabaret

Location: Popejoy Hall

Time: 7:30 PM - 9:30 PM

Summary: Cabaret

Location: Popejoy Hall

Description: Set in 1929 Berlin,

Monday, March 15

Time: 6:00 PM - 9:00 PM

Summary: Learn the Basics of 3D Modeling

Location: UNM Continuing Education

Description: UNM Continuing Education is offering a class in Maya: Foundation where you will learn how to use the software and where to find the appropriate tools to establish the techniques you're trying to reach. Explore a range of tools that will allow you to create and understand basic 3D modeling, animations, textures, renders and lighting concepts to achieve photo realistic imagery and animated visual effects! The class uses Autodesk Maya, one of the world's leading software applications for 3D digital animation and visual effects. Maya Foundation covers essential techniques to establish a balance workflow method within the software. The class runs from March 15, 2010 through March 24, 2010 for 4 sessions from 6-9pm and costs \$299. For more information contact: Caroline Orcutt at 505-277-6037 or digitalarts@dce.unm.edu or go to http://dce.unm.edu/digital-arts.htm. Register online at dce.unm.edu or call 505-277-0077.

Time: 6:00 PM -

Summary: Booksigning & reading

Location: Collected Works Bookstore

Description: Award-winning journalist and author Gustavo Arellano will discuss his book and column, "Ask a Mexican," which appears in dozens of altweekly papers around the country.

Tuesday, March 16

Time: 5:30 PM - 7:00 PM

Summary: A CONTEMPORARY COCKTAIL

Location: SITE Santa Fe

Description: A Contemporary Cocktail is a "kicked-up" version of SITE's Contemporary Art in Context series, which is a program meant to ground the art of today in art history. Mixing a social atmosphere with informative lectures, a Contemporary Cocktail invites you to enjoy a drink, mingle with friends and other art lovers, and feed your brain. The topics for this two-part series emerge out of the work of two artists featured in the exhibition One on One.

Time: 6:00 PM - 8:00 PM

Summary: Aamodt Settlement Outreach Meetings

Location: Nambe Head Start

Description: Presenting information about the choices each Acequia member and well owner will have to make in the next phase of the settlement. If you have questions or comments about the Aamodt case or settlement, this meeting is for you. The Joe M Stell Ombudsman Program, Settlement parties and Settlement Judge Michael Nelson will be present to tell you about the terms of the settlement, the Aamodt Case, What has happened and what will happen next. Refreshments served. DIRECTIONS to Nambe HeadStart From 285 N. Continue through Pojoaque business center toward Espanola. At the light Cundiyo Rd/NM503 turn Right. Drive about 1.7 Miles. Head Start, on Right. Take Driveway just beyond and loop back to parking lot.

Wednesday, March 17

Time: 8:00 AM -

Summary: On The Spot Tria

Location: Santa Fe Brewing Company



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Aamodt Settlement Outreach Meetings  
 Wednesday, March 24, 2010 (6:00 PM - 8:00 PM)

Presenting information about the choices each Acequia member and well owner will have to make in the next phase of the settlement. If you have questions or comments about the Aamodt case or settlement, this meeting is for you. The Joe M Stell Ombudsman Program, Settlement parties and Settlement Judge Michael Nelson will be present to tell you about the terms of the settlement, the Aamodt Case, What has happened and what will happen next. Refreshments served. DIRECTIONS to County of Santa Fe Pojoaque Satellite Office. From 285 N, Go Right at light at W Gutierrez; Go to forward and to the right to Pojoaque Supermarket parking lot. Office in strip mall to the left of Supermarket.

**Contact:** Darcy Bushnell 505-277-0551 or 1-877-775-8333

**Contact Email:** [bushnell@law.unm.edu](mailto:bushnell@law.unm.edu)

**Category:** Lectures/Books

**Location:** County of Santa Fe Pojoaque Satellite Office  
 in strip mall to left of Pojoaque Super Market  
 Pojoaque, NM [map](#)  
 505-277-0551 or 887-775-8333

SANTA FE, NM

**AAMODT SETTLEMENT:** Community meetings are scheduled for questions and comments about the Aamodt Settlement. Meetings will be held 6-8 pm at the following locations: Pojoaque Satellite Office- Wednesdays 2/24, 3/10, 3/17 and 3/24; Nambe Headstart on Thursday 2/25 and Tuesday 3/16; Pojoaque Parrish Hall on Tuesdays 3/2 and 3/9; El Rancho Community Center on Wednesday 3/3 and Tuesday 3/23. Space is limited. To sign up, call 505-277-0551 or 1-877-775-8333. Settlement parties and settlement Judge Michael Nelson will attend. Refreshments served. Hosted by Stell Ombudsman Program, Utton Center, UNM School of Law.

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# UNM law school's Utton Center hosts Aamodt meetings

Staci Matlock | The New Mexican  
Posted: Tuesday, February 23, 2010 - 2/24/10

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The Utton Center at The University of New Mexico School of Law is hosting a series of community meetings beginning this week to discuss the Aamodt water-rights settlement and what it means to Pojoaque Valley residents.

The meetings are organized by the center's Joe Stell Ombudsman Program and will give residents an opportunity to question attorneys involved in the water-rights case. Settlement Judge Michael Nelson will attend the meetings.

Darcy Bushnell, director of the Stell Ombudsman Program, said Santa Fe County officials requested help setting up the meetings after a county poll showed many respondents didn't understand the settlement. In addition, New Mexico's congressional delegation asked for the meetings in light of legislation pending in Congress regarding the Aamodt settlement.

Bushnell said her staff members "explain process and provide information to people so they can make educated choices. We do not give legal advice."

Aamodt is a decades-old case involving the water claims of four pueblos and the non-Indian residents in the Pojoaque basin north of Santa Fe. The pueblos, the state and other entities reached a settlement agreement in the case a couple of years ago. But some non-Indian, private well owners in the valley never stopped protesting the terms of the settlement.

The meetings organized by the Utton Center "have been organized with the explicit goal of providing an opportunity for local folks to ask whatever is on their minds in small, local settings where they can have adequate face time with those who know the ins and outs of Aamodt's history and the trajectory of the settlement," said Melanie A. Stansbury, a Cornell University doctoral candidate in sociology, who's helping with the meetings. Stansbury has been meeting with various parties in the Aamodt case for two years and is working on a book about the case. Water-rights cases are always contentious, especially those involving Indian claims, she said. "In some ways, parties in Aamodt are behaving in a much more civilized manner than in similar cases in other water basins," she said.

She said people who have continued to question the Aamodt settlement "seem to have some legitimate concerns over how the settlement was reached and how they were or were not represented," she said. "There seems to have been a real disconnect between people doing the negotiations and trying to resolve problems, and the people who are raising questions."

The meetings are all scheduled from 6 to 8 p.m. at the following locations:

- Today, Santa Fe County Pojoaque Satellite Office, near Pojoaque grocery store
- Thursday, Nambé Head Start
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- March 3, El Rancho Community Center; March 9, Pojoaque Parish Hall; March 10, Santa Fe County Pojoaque Satellite Office; March 16, Nambé Head Start; March 24, Santa Fe County Pojoaque Satellite Office

Santa Fe County is sponsoring the meetings and paying for them. Space is limited. Residents can call to reserve space at 877-775-8333 or 505-277-0551. Bushnell said she would arrange other meetings if the

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5. Judge sends girl, 14, to state custody after chase
6. Leyba Jr. found guilty in double-murder trial
7. Funeral today for motorcyclist killed in crash
8. Woman sues Santa Fe police over nude photos
9. Murder suspect testifies in pregnant girlfriend's slaying
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- Ed Campbell commented on: NM woman sues over HPV vaccine · 1 hour ago
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- David Martínez commented on: NM woman sues over HPV vaccine · 3 hours ago

community requests them.

To learn more about Aamodt, visit the State Engineer's Office Web site at <http://www.ose.state.nm.us/>, current events, and click on "Aamodt information."

Contact Staci Matlock at 986-3055 or [smatlock@sfnewmexican.com](mailto:smatlock@sfnewmexican.com).

*Editor's note: A previous version of this story incorrectly stated the day a meeting would be held at the Nambe Head Start. The text was corrected at 10:15 a.m., Feb. 24, 2010*

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## UNM's Utton Center hosts Aamodt talks

By Staci Matlock  
The New Mexican

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Santa Fe County is sponsoring the meetings and paying for them. Space is limited. To reserve space, call 877-775-8333 or 505-277-0551.

To learn more about Aamodt, visit the State Engineer's Office Web site, [www.ose.state.nm.us/](http://www.ose.state.nm.us/), and click on "current events" and "Aamodt information."

## CALENDAR

### TODAY

### ONSTAGE

**SANTA FE STUDENT PRODUCED OPERA FESTIVAL** Santa Fe Opera artists-in-residence present an opera created by Salazar Elementary School students. 6 p.m. Scottish Rite Center, 463 Paseo de Peralta. 946-2404.

**BANFF INTERNATIONAL MOUNTAIN FILM FESTIVAL** Sangre de Cristo Mountain Works hosts a collection of action, environmental, and adventure mountain films. 7 p.m. Lencic Performing Arts Center, 211 W. San Francisco St. \$15. 988-1234.

for \$7. 476-7869.

### MEETINGS

**COUNTY COMMISSION FORUM DISTRICT 3** Angelica Ruiz, David Bacon and Robert Anaya. 6-8 p.m. Ortiz Middle School Gym, 4164 S. Meadows Road. Sponsored by the Democratic Party of Santa Fe County. 992-1396.

**AAMODT WATER RIGHTS** \* Settlement parties and Judge Michael Nelson answer questions and hear comments from the community. 6-8 p.m. El Rancho Community Center. Hosted by Stell Ombudsman Program, Utton Center and UNM School of Law. 505-277-0551.

*R6 Sum 3-11-10*

## Aamodt Meetings Scheduled in March

### From a press release

Public outreach meetings about the Aamodt water case are scheduled over the next two weeks.

All meetings will be from 6 to 8 p.m. Space is limited, so call (505) 277-0551, or (877) 775-8333 to sign up for a spot.

The meetings are scheduled on the following dates and at the following locations:

- Wednesday (3/10) at Santa Fe County's Pojoaque Satellite Office.
- March 16 at the Nambé Head Start.

- March 17 at Santa Fe County's Pojoaque Satellite Office.

- March 23 at the El Rancho Community Center.

- March 24 at Santa Fe County's Pojoaque Satellite Office.

The Settlement Agreement is available for review at [www.ose.state.nm.us](http://www.ose.state.nm.us) under "Hot Topics."

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Aamodt Public Outreach Meetings...March 24, 2010 at 6:00 PM...Santa Fe County Pojoaque Satellite Office...This is... <http://bit.ly/bCyBOd> 3:05 PM Mar 24th via Facebook



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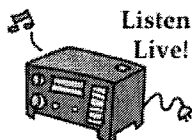


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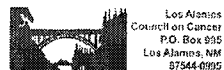
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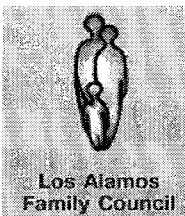
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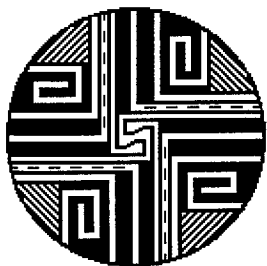
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Los Alamos Family Council

4/30/10 8:30 am	Marlene Hamilton Los Alamos Arts Council	Craft Fair May 1	<a href="http://www.laartscouncil.org">www.laartscouncil.org</a>
4/30/10 7:40 am	Chick Keller PEEC	Bird walk Sat 8-11am	<a href="http://www.pajaritoecc.org">www.pajaritoecc.org</a>
4/29/10 8:07 am	Herb McLean LAHS Construction Administrator	Design Progress of LAHS Construction	LAHS Speech Theater 6pm tonight
4/29/10 7:40 am	Lori Tomlinson LALT	Spitfire Grill	<a href="http://www.lalt.org">www.lalt.org</a>
4/28/10 8:30-9:30am	Carol Clarke, Sgt. Jeff Regenold Khalil Spencer	Safety and Security Issues	Bicycle Safety
4/28/10 7:30 am	Robert Gibson Los Alamos County Council	Budget Hearings	
4/27/10 8:40 am	John Ruminer, Tom Sandford, Gerry Strickfaden	Romero Cabin restoration	Grand opening May 1
4/27/10 7:40 am	Thelma Hahn Los Alamos School Board	2010-2111 school budget hearings	
4/26/10 8:40 am	Geoffery Rodgers	Republican Candidate for County Council	
4/26/10 7:40 am	Dr. Carol Linnebur Los Alamos Council on Cancer	Prostrate Cancer Treatment Options 4/29/10	<a href="http://www.LosAlamosCouncilonCancer.org">www.LosAlamosCouncilonCancer.org</a>
4/23/10 8:40 am	Jason Lott Bandelier National Monument	current events	<a href="http://www.nps.gov/band/">www.nps.gov/band/</a>
4/23/10 7:40 am	Mike Kerry Cochiti Lake	current events	
4/22/10 8:40 am	Ralph Phelps	Republican Candidate for County Council	
4/22/10 8:07am	Eric Corey Freed	GreenSense for the Home	<a href="http://www.greensensebook.com">www.greensensebook.com</a>
4/22/10 7:40 am	Ron Selvege	Republican Candidate for County Council	
4/21/10 7:40 am	Richard Reynolds	Earth Day Speaker	Bradbury Science Museum 4/22
4/20/10 8:40 am	Jim Hall	Republican Candidate for County Council	
4/20/10 8:07 am	Fran Berting	Republican Candidate for County Council	
4/20/10 7:40 am	LAYL Representatives	LAYL Wild Day	April 24th
4/19/10 8:07 am	Terry Fox PEEC	Earth Day Activities	<a href="http://www.pajaritoecc.org/">www.pajaritoecc.org/</a>
4/19/10 7:40 am	Liz and Gordon Bradbury Science Museum	Science on the Radio Earth Day Activities	<a href="http://www.lanl.gov/museum">www.lanl.gov/museum</a>
4/16/10 8:40 am	Anthony Davis	Republican candidate for County Council	
4/16/10 7:40 am	Donna Concannon Heron Lake	Earth Day Activities on 4/17	575-588-7470
4/15/10 8:40 am	Michael Di Rosa PEEC Earth Day Hikes	4/17 and 18	<a href="http://www.pajaritoecc.org/">www.pajaritoecc.org/</a>
4/14/10 8:40 am	Dennis Roybal LANL Small Business Program Manager	Small Business forum 4/20	
4/14/10 7:40 am	Nona Bowman Los Alamos County Councilor	meeting held 4/13	
4/13/10 8:40 am	Ralph Damiani	Republican for County Council	
4/13/10 8:07 am	Oscar Payan	Traviesos Poker Run	fundraiser on 4/17
4/13/10 7:40 am	Susana Martinez Republican Candidate for Governor	current issues	<a href="http://www.susanamartinez2010.com/">www.susanamartinez2010.com/</a>
4/12/10 8:40 am	Richard Hannemann	Republican for County Council	<a href="http://www.losalamosrealitycheck.blogspot.com/">www.losalamosrealitycheck.blogspot.com/</a>
4/12/10 8:07 am	Mike Stevenson Museum of New Mexico Regent	History of the Palace of the Governors	History Lecture on 4/13 7:30 pm Fuller L
4/9/10 8:40 am	Daniel Archuleta, Oliver Morris LAFD, LAPD	Battle of the Badges Basketball Game	4/10 6pm
4/9/10 8:07 am	Joe Campos Candidate for Lieutenant Governor	discussion of issues	visiting on Saturday <a href="http://www.JoeCampos.or">www.JoeCampos.or</a>
4/9/10 7:40 am	Julie Williams-Hill, Rafael DeLaTorre LAC Utilities Department	Smart Grid Project	

3/12/10 8:40 am	New Mexico Foundation for Open Government	Sunshine Week	<a href="http://www.nmfog.org">www.nmfog.org</a>
3/12/10 7:40 am	Kimberly DeVall Valles Caldera Trust	winter recreational opportunities	<a href="http://www.vallescaldera.gov/">www.vallescaldera.gov/</a>
3/11/10 8:40 am	Gillian Sutton Self Help Inc.	Empty Bowls event 3/13/10	<a href="http://www.SelfHelpLA.com">www.SelfHelpLA.com</a>
3/11/10 7:40 am	John Hopkins, Larry Warner LA Charter Review Committee	update on meetings	<a href="http://www.losalamosnm.us/projects/council/Pages/CRC.aspx">www.losalamosnm.us/projects/council/Pages/CRC.aspx</a>
3/10/10 8:00 am	The LAHS Varsity Boys Basketball game	State Quarterfinal game from the PIT in ABQ	The morning show is cut short for BB cov
3/10/10 7:40 am	David Burns Hal Burns Trucking and Equipment		
3/9/10 8:40 am	Ms. Debbie Weber Los Alamos Visiting Nurses	Daffodils for Hospice	<a href="http://www.lavns.com/">www.lavns.com/</a>
3/9/10 7:40 am	Wes Pfanner L A Historical Society Lecture	The Richard Dorman Railroad Photographs	lecture tonight <a href="http://www.cumbrestoltec.org">www.cumbrestoltec.org</a>
* 3/8/10 8:40 am	Ms. Darcy Bushnell Stell Ombudsman Program	The Utton Center at UNM School of Law	Aamodt Water Settlement <a href="http://www.SantaFecounty.org">www.SantaFecounty.org</a>
3/8/10 7:40 am	Former Mayor Maestas	discussion of his term as Mayor	
3/5/10 8:40 am	Chuck Cannon Country Singer	concert at the Lensic	<a href="http://www.Chuckcannon.com">www.Chuckcannon.com</a>
3/5/10 7:30 am	Pete Billac Author	Your Home Based Business	
3/4/10 8:40 am	Deborah Brink Access Art	Program at the Art Center of Fuller Lodge	<a href="http://artfulnm.org/AccessArt.php">http://artfulnm.org/AccessArt.php</a>
3/4/10 7:40 am	Wendee Brunish New Mexico Network for Women in Science	Expanding Your Horizons	<a href="http://nmnwse.org/lawis/eyh/">http://nmnwse.org/lawis/eyh/</a>
3/3/10 8:40 am	Ann Laurent Los Alamos County	Capital Projects update	
3/3/10 7:40 am	Robert Gibson Los Alamos County Councilor	meetings held 2/25 and 3/2	
3/2/10 8:40 am	Bonnie Gordon UNM-LA	upcoming plans	<a href="http://www.la.unm.edu">www.la.unm.edu</a>
3/2/10 7:40 am	Herb Mclean Los Alamos Schools	High School Remodel plans	
3/1/10 8:40 am	Gina Stevens Stan Kosiewicz Fishing fanatics	Muskie Fishing in NM	<a href="http://www.newmexicomuskiesinc.org">www.newmexicomuskiesinc.org</a>
3/1/10 7:40 am	Venessa De Los Santos Los Alamos SBDC	Small Business Workshops in March	<a href="http://www.nmsbdc.org/losalamos/">www.nmsbdc.org/losalamos/</a>
2/26/10 8:40 am	Pat Lind-Kyle Author	Heal Your Mind, Rewire Your Brain	
2/26/10 8:07 am	Jason Lott Bandelier National Monument	current events	
2/25/10 8:40 am	Gillian Sutton KRSN/Self Help	Open House here tonight	Self Help Empty Bowls Project
2/25/10 7:40 am	John Wolfe LAPS Business Manager	upcoming listening sessions 3/2, 3/3, 3/4	<a href="http://laschools.net/laschools/cwp/view.asp?A=3&amp;Q=299904">http://laschools.net/laschools/cwp/view.asp?A=3&amp;Q=299904</a>
2/24/10 8:30-9:30 am	Carol Clark, Chief Torpy LA Monitor, LAPD	Safety and Security Show	2009 year review
2/24/10 7:40 am	Mr. Vincent Chiravalle LA County Councilor	meeting held 2/23	
2/23/10 8:40 am	Cheryl Kuske LANL LDRD Researcher	Microbial Community Processes	<a href="http://www.lanl.gov/science/ldr/LDRD">www.lanl.gov/science/ldr/LDRD</a>
2/23/10 7:40 am	Liz and Gordon Bradbury Science Museum	Science on the Radio	
2/22/10 8:40 am	Michael Hamilton Morgan Author	Author Speaks Series 2/25	Lost History: The Enduring Legacy of M Scientists, Thinkers, and Artists
2/22/10 7:40 am	Cedrick Page UNM-LA	Black History month	
2/19/10 8:40 am	Janice Arnold-Jones State Representative district 24	candidate for governor	
2/19/10 7:40 am	Phil Tubesing LA Community Winds	The Firebird Suite Concert 2/20	<a href="http://www.lacw.org/">www.lacw.org/</a>
2/18/10 8:40 am	Skip King Rotary Club	Crabfest 2/27	
2/18/10 7:40 am	Dianna Andrews Heron Lake	Bald Eagle Watching	weekend 2/20
2/17/10 8:40 am	Juan Duque LANL LDRD Researcher	Energy Transfer in Single Walled Carbon Nanotubes	<a href="http://www.lanl.gov/science/ldr/LDRD">www.lanl.gov/science/ldr/LDRD</a>
2/17/10 8:07 am	Mr. Bill Hudson Retired Marine	Uncommon Valor: The Battle of Iwo Jima	showing at Mesa Public Library 2/17
2/17/10 7:40 am	Nona Bowman LA County Council	meeting held 2/16	
2/16/10 8:40 am	Ronald Asmus Author	A Little War that shook the World	
2/16/10 8:07 am	Cathy Walters Trinity on the Hill Episcopal Church	Shrove Tuesday Pancake dinner	occurring 2/16
2/12/10 8:40 am	Ken Nebal Village Arts	card making at craft fair 2/13	
2/12/10 7:40 am	Cindy Eaton, Mike Wismer, Alan Wadlinger	Relay for Life Kick-off	Waffle breakfast at Mason's Lodge 2/13
2/11/10 8:40 am	Aprille Erickson-Jackson	Black History Month	



# La Jicarita News

A community advocacy newspaper for northern New Mexico

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[Interview with Michael Wolfson on the Canadian National Health Plan](#)

**Interview with Michael Wolfson on the Canadian National Health Plan**

Editor's Note: Michael Wolfson recently retired as a senior executive with Statistics Canada, the Canadian government's official statistical agency. For many years he was responsible for the government's health statistics program and conducted research on Canadians' health and health care. "Medically necessary" health care in Canada provided by doctors and hospitals has been free to Canadians since the 1970s.

La Jicarita News: There is so much misinformation in this country regarding what the Canadian plan really is, so to begin could you give us a general overview of what the plan entails.

Michael Wolfson: Canada does have universal health insurance. We don't have to pay a penny for things that are covered, which includes doctors, hospitals, emergency rooms, and some drugs. One of the things I and other Canadians find astonishing is why there isn't much more political action in the United States to ask for universal coverage. The only reason I can

**[ANNOUNCEMENTS](#)**

✳ [Editorial: Aamodt Continues to Raise Questions](#) By Kay Matthews

[Update on Energy Employees Occupational Illness Compensation Program Act of 2000](#) By Kay Matthews

[Proposed Taos Area Acequia Water Transfer is Denied and Appealed](#)

**ANNOUNCEMENTS**

- As La Jicarita News reported in the January issue, Carson National Forest has submitted an acquisition request to the Regional Office in Albuquerque for the Miranda Canyon watershed. The money for this purchase would come from the federal government's Land and Conservation Fund. Letters of support have already been submitted to the New Mexico congressional delegation from Picuris Pueblo Tribal Council, the Taos Valley Acequia Association, Amigos Bravos, the Llano Quemado Municipal Domestic Water District, and the El Valle de Los Ranchos Water and Sanitation District. Friends of Miranda Canyon ask that everyone else who supports this acquisition call 575 751-1812 to get a petition sent to you via e-

## **Editorial: Aamodt Continues to Raise Questions**

**By Kay Matthews**

The County of Santa Fe recently paid the Utton Center at the University of New Mexico Law School to hold a series of community meetings throughout the Pojoaque Valley "to discuss the Aamodt water rights settlement and what it means to Pojoaque Valley residents."

As we previously reported, in a recent survey 59 percent of Pojoaque Valley water rights owners said they have "negative feelings" regarding the settlement. Santa Fe County representatives responded with the spin that if these residents are unhappy with the settlement it must mean they don't understand it.

However, according to Melanie Stansbury of the Utton Center, who has been meeting with various parties in the Aamodt case for two years, people who continue to question the settlement "seem to have some legitimate concerns over how the settlement was reached and how they were or were not represented. There seems to have been a real disconnect between people doing the negotiations and trying to resolve problems, and the people who are raising questions."

*La Jicarita News* planned to attend the March 10 meeting at the Santa Fe County Pojoaque Satellite Office but got waylaid by snow. We spoke the next day with Darcy Bushnell of the Joe M. Stell Ombudsman Program at the Utton Center, who has been chairing the meetings, which have also been attended by Judge Michael Nelson and county attorney John Utton. According to Bushnell, the primary concern of many attendees is, "how will this settlement affect me?" In particular, their questions focus on whether or not they should give up their domestic wells and sign on to the water delivery system, what the water delivery rates will be, and if they will be protected against a priority call by the Pueblos. Although the meetings were primarily set up to provide information to non-Pueblo residents, some Pueblo members have also attended, saying they, too, are unclear exactly how the settlement will affect them. I asked Bushnell if some people were also expressing frustration about the settlement at these meetings, and she said people had complained that they felt it was dividing the Pueblo and non-Pueblo communities, a complaint that has come up numerous times at previous meetings during settlement negotiations. People also questioned where the water for the settlement is coming from, and if the settlement would impact native Rio Grande water supplies. Much of the information presented at the meetings is available on the Santa Fe County website, [www.saftafecounty.org](http://www.saftafecounty.org), under news. Bushnell also encouraged people to call or e-mail her with other questions or suggestions of additional information that should be posted on the website. Her toll free phone number at the law school is 877-775-8333 (leave a message); her e-mail is [bushnesll@law.unm.edu](mailto:bushnesll@law.unm.edu).

In the New Mexico Acequia Association's *Noticias de Las Acequias* January 2010 issue there is an article on the Aamodt and Taos Pueblo settlements, which had just passed in the U.S. House of Representatives. The article gives some background on the adjudications and then states, "Without action on these settlements, the people of the region would face ongoing litigation and uncertain water resources for years to come." It then lays out a long list of all those organizations that support the settlements.

NMAA's position on the Aamodt adjudication settlement has heightened some already brewing criticisms of the organization by various acequia advocates. In a letter sent to NMAA staff and widely disseminated throughout the acequia community, Placitas parciante Lynn Montgomery chided the organization for "refusing to actively and unequivocally support adjudication for all senior water rights," in particular its failure to take a position on the Lower Rio Grande adjudication involving Scott Boyd, an issue covered in the December 2009 and January 2010 *La Jicarita News* issues. He also objected to the *Noticias de Las Acequias* article in support of Aamodt: "This settlement sets an extremely dangerous precedent to senior rights, and even kept senior rights holders out of negotiations. Their rights are being treated as an afterthought . . . . When this settlement is finally consolidated with other Rio Grande adjudications, there is a good chance the water that it is depending on will be null and void."

The water the settlement depends upon, which we've discussed in numerous *La Jicarita* articles, is paper water that could be affected by any number of things, including a decision in the Lower Rio Grande adjudication that could impact all water rights in the Rio Grande basin. The following is an excerpt from an article in the March/April *Rio Grande Sierran* (web edition of *The Sierran* is <http://nmsierraclub.org/elephant-butte-dam-adjudication>), written by Sig Silber, who spent a considerable amount of time researching the LRG case and talking with Scott Boyd:

"A Court decision of a large quantity of senior water rights to the Boyd Family Estate and other farmers combined with other Rio Grande Project obligations might very well exceed the normal release from Elephant Butte. That of course perhaps explains the reluctance of the New Mexico State Engineer and the U.S. Department of Justice to move forward with the Court's request.

Suffice it to say that the matter is so complex that it is not possible to project how this may work out. The extreme results could include one or more of the following:

- Dramatic changes in the priority dates and thus priority of water rights all up and down the Rio Grande Rivert that could impact the priority rights of water acquired by municipalities.
- The Nathan Boyd Estate could be awarded a large number of water rights. Obviously Scott Boyd could not possibly put these water rights to beneficial use so the water probably would end up back in the hands of the current users with the Boyd Family receiving compensation for these rights, which could be monetary or as Scott suggests, simply an agreement to manage this water in a different way than it is currently managed.
- The sequence of events which led to the creation of EBID [Elephant Butte Irrigation District] could be called into question which might have an impact on how EBID is organized and how it relates to the farmers owning water rights who receive services from EBID. This is perhaps more speculative than the first two points in this list."

## Exhibit C - Audience Questions

### 1. General Questions

- a. What does the Settlement settle?
- b. What is the effective date of the Settlement? What does that mean?
- c. Does the Settlement mean that I cannot divide my land among children and expect that they can develop a well on each piece?
- d. What is a fair market value for water rights in this basin?
- e. Can I sell the water right attached to my domestic well?
- f. Currently water rights are not appraised and included in the value of land. Will the Settlement affect that?
- g. What happens if the State Engineer does not have accurate water right information on file?

### 2. Water Use

- a. How much water is being used in the Basin?
- b. How much water are the non-Pueblos using?
- c. How much water are the Pueblos using?
- d. How much water does a household use each year?
- e. When will the basin be closed?

### 3. Water System

- a. Generally
  - i. Do I have to hook up to the water system?
  - ii. What are the advantages to joining this system?
  - iii. Are there penalties for not hooking up?
  - iv. What is the average usage per month by households in the county?
  - v. If I make a choice about signing up, can I change my mind?
  - vi. If I join the Settlement, will I have to surrender my well rights to the county?
  - vii. Will I have to give up all of my water right or just that part for indoor use?
  - viii. Will the county then be able to sell these water rights?
- b. Cost to Water System Customers
  - i. When will we know more details about how much service will cost?
  - ii. How much will each month cost; the cost per thousand gallons; the base fee?
  - iii. How much is the hook-up fee?
  - iv. Will there be a subsidy to help people hook up to the system?
  - v. What happens to a potential customer's domestic water right?
  - vi. What happens if a potential customer does not own a domestic water right?
  - vii. Will the monthly costs depend on how many people sign up?
- c. Design of the Water System
  - i. Is the entire system going to be built all at once?
  - ii. How will the water system be sized?
  - iii. Why not make it a Pueblo-only system?
  - iv. How many people have sign up for the system to make it viable?

- v. How far will it be extended?
  - vi. If the current system does not serve our area, how can we get it to come our way?
  - vii. Where will it take out of the Rio Grande?
  - viii. Will the water be treated?
  - ix. How will the deep wells work?
  - x. How does the December 2009 Bureau of Reclamation report affect the Settlement?
  - xi. Does that Report say that the project is fraught with problems & cannot be built?
  - xii. When will the studies be complete? Will those details be known before we are asking to sign the Settlement?
  - xiii. Will a sewer system be installed at the same time?
- d. Funding the Water System Construction
- i. How will the water system be funded?
  - ii. Where is the money coming from?
  - iii. Have the governmental entities funding the project committed to the monies?
  - iv. Will our taxes go up to cover the costs of construction or operations and maintenance of the system?
  - v. Will we have to shoulder the costs in some other way?
  - vi. When will we know more details about how much the system will cost?
  - vii. How much will it cost for the pipeline to go from the road to a house?
- e. Construction of the Water System
- i. Who will build the system?
  - ii. How long will it take?
  - iii. How will the easements be handled?
  - iv. Where are the pipes to be installed?
- f. Water Availability
- i. What are the sources for the imported water?
  - ii. If the Rio Grande and Colorado River are over-appropriated, how can you commit more water from them.
  - iii. Do we have enough water in the Rio Grande to supply all the current demands and the proposed pipeline?
  - iv. What if the State Engineer does not approve the Top of the World transfer?
  - v. What happens when there is a drought? Or other reason for a shortage on the Rio Grande or Colorado?
  - vi. What kind of backup is there?
  - vii. Will the imported water be used outside of the basin?
- g. Operation and Management of the Water System
- i. Who will run the system?
  - ii. How will it be managed?
  - iii. How will the water authority be constituted?
  - iv. How autonomous will that body be?
  - v. How will the members of the regional authority be selected?

- vi. How will the peoples' voice be heard in the management decisions?
  - vii. What is the oversight for the governing system? Is the Public Regulation Commission involved?
  - viii. Could the system be privatized?
  - ix. How will this system be operated to avoid issues other utilities have experienced with the Pueblos?
- h. Operation Costs of the Water System
    - i. Who pays for the operation for the system?
    - ii. How much do the Pueblos have to pay?
    - iii. Will the County have to subsidize the system?
    - iv. If the county is going to subsidize the system, where will the money come from?

#### 4. Well Questions

- a. Does the Settlement affect domestic wells?
- b. How many wells are there?
- c. What happens to my water right if I sign on to the water system?
- d. Will my well have to be capped if I join the water system?
- e. What is historic beneficial use (HBU)?
- f. How will HBU be measured?
- g. If someone with a well joins the Settlement and selects an option that requires a reduction of use, what portion of the use will have to be reduced? The HBU or the amount used after .5 acre feet per year (a/f/y)?
- h. If I sign up for the water system, will I still be able to use my well for outside uses?
- i. If the basin is closed, will I be allowed to drill a replacement well?
- j. If the basin is closed when the Settlement is adopted by the Court, and the water system will not be built for 10 years, how will the water needs of new construction be met?
- k. If I have a vacant lot and want to drill a new well to develop that lot, how will the Settlement affect my choices?
- l. If I drill a well between enactment and the arrival of the water system, do I have to cap & hook up to the system?
- m. Once the system is built, will we be able to drill a well and move a surface water right into it? Can I transfer my ditch water rights into my well?
- n. Will the wells have to be metered?
- o. Who is going to pay for metering the wells?
- p. How will the wells be monitored? Who will do the monitoring?
- q. Can we change our minds after we have made a domestic well choice?
- r. How does the 1999 post-moratorium Settlement work with the Pueblo water rights Settlement?
- s. What if we agree to reduce use, and the system does not come through, are we still held to the reduction in use?
- t. Is there any difference based on depth of the wells?
- u. Where there is a multi-household well, can one household join the Settlement without committing the other households to the same choice
- v. How will irrigation wells be handled?

5. Surface Water Questions
  - a. How does the Settlement affect the Acequias?
  - b. Will an acequia member, who joins the Settlement, have to cut back water use? How does the Settlement affect water banking?
  - c. Is it possible to sell a surface water right and continue using water from a domestic well to water outside the house?
  
6. Pueblo Questions
  - a. Does practicably irrigable acreage (PIA) apply?
  - b. What is the basis for the 3660 a/f/a?
  - c. What is the basis for the Pueblo Settlement amounts?
  - d. Can the Pueblos satisfy their rights from both ground and surface water? What is the source of water for their future uses?
  - e. What happens if a Pueblo decides to leave the Settlement after it is implemented?
  - f. Why can the Pueblos do anything on their lands that they want to?
  
7. Enforcement Questions
  - a. Who will handle enforcement?
  - b. How will the policing be done?
  - c. Who will monitor and notify if people are over using?
  - d. How can State authority be asserted against Pueblo sovereignty?
  - e. How will the water master know how much water is being used?
  - f. Why should we be expected to rely on the Federal court to enforce the Settlement if it won't take enforcement actions against the Pueblos now?
  - g. Can the Pueblos refuse to carry out their part of the agreement? Does Indian Sovereignty shield them if they decide not to carry out their part of the bargain?
  - h. Who is going to pay for any litigation? How can the financial & representational playing field be level if the Pueblos have more resources than non-Pueblos? Can it be leveled?
  - i. Why can't we all follow the same rules?
  
8. Priority Call Protection Questions
  - a. When does a priority of call happen?
  - b. If you lose priority do you lose your water right?
  - c. What if the Pueblos go back on their agreement to forbear on a priority call?
  - d. If an irrigator does not use water for 5 years, is the water right lost?
  - e. Will there be any notice before forbearance is lost?
  - f. If the forbearance is lost, can it be regained?
  - g. Does the 5 year non-use rule apply to domestic wells?
  - h. What does the .5 a/f/y for domestic wells mean in terms of forbearance?
  
9. Court Procedure and Prior Decisions
  - a. How many of the water rights have been adjudicated?
  - b. How do I know if my water rights have been adjudicated?

- c. Why are we involved in ditch priority adjudication?
- d. Are there any more wells to be adjudicated?
- e. How does *inter se* work?
- f. Will there still have to be an *inter se* proceeding?
- g. Can you join the Settlement for a surface water right, but not for a well?
- h. Is the Settlement directed to each water right, not to an individual?
- i. What will the forms look like?
- j. At what point in the process will the Court deal with “errors and omissions” from the adjudication?
- k. The Court is planning to issue Orders to Show Cause. What does “show cause” mean?
- l. If someone picks the option to not settle, is that considered an objection?
- m. When will we have to sign up for the Settlement?
- n. What is involved with an objection?
- o. Will I have to get a lawyer and go to court if I choose not to join the Settlement?
- p. What happened to the Treaty of Guadalupe Hidalgo?
- q. Can any of the court rulings be changed?
- r. Can we appeal the Court’s decisions and when?

#### **10. Climate Change, Hydrology and Environmental questions.**

- a. Is there enough water in the Rio Grande to supply the system now?
- b. How can this system take water out of a system that is already over-allocated?
- c. What happens to the system when there is no water in the Rio Grande and/or the Colorado? Will there be enough water in the Rio Grande?
- d. What will the environmental impact of the system be; what studies will need to be done, what will be the effect of those studies?
- e. How does the hydrology of the system work?
- f. What studies were done to determine how to meet the needs of the system?
- g. How will shortages be handled?
- h. Does the Settlement affect the Rio Grande Compact?
- i. Do you have to know how much water there is in the basin before you can do a priority call?
- j. How do well-owners find out if their wells are contaminated or at risk of contamination?
- k. Will the large wells mine the aquifer to cover surface water shortages?

#### **11. Water Rights 101**

- a. What is a water right?
- b. Is a well the same as a water right?
- c. Why don’t we get 3 acre feet per year in our wells?
- d. How do water transfers work?

## **EXHIBIT D - Attendee Exit Survey Results**

There were thirty-nine (39) surveys turned in; that is, about 23% of attendees filled out surveys. Most responders answered only some of the questions, thus there are variations in the number of responses.

### **1. Why did you come to these meetings?**

- To find out about Aamodt/the Settlement.
- Education.
- To get more information and clarity.
- Treasurer on the Acequia de la Cominidad.
- I wanted to know more having downloaded these excellent materials and having read them. I had minor clarifications that I needed.
- Saw it in the paper wanted to see if there was anything new.
- I represent a defendant.
- Concern about how this will affect me and my family.
- My father-in-law said it would be wise to see what is happening with our water.
- To obtain a better understanding of the settlement and options. To hear and listen to the concerns of all involved.
- To get current status of settlement and answers to some questions.
- To gather insight about the issues, so as to be able to pass on information to interested members of the Espanola Basin Regional Issues Forum (EBRIF).
- To hear the general view of what is going on – to hear people’s questions – to get general information.
- I believe our home owners association may be impacted by this settlement.
- To find out status and get refreshed and updated.
- To inform myself of the options available to me; to better understand the settlement and to understand the next steps.
- I am new to the area. We have a 1960’s well and acequia rights; none of this made sense to me and now it does.
- To understand how to handle our upcoming water decisions. To refresh my understandings.
- Interested observers – do not own property in the area, live in SF County outside of city.
- The housing trust owns a land trust in Jacona.
- To find out about water agreement and history.
- For more explanation of what is planned for the future.
- To learn about the settlement and my options.
- To be informed of the settlement terms
- To find out status.
- To hear the general view of what is going on; to hear people’s questions; to get general

information.

- To find out my options in reference to the water settlement.

## **2. Were your questions answered?**

- Yes (12)
- No (1)
- Mostly (3)
- Somewhat/More or Less. (4)
- Some; I would like to talk about lots.
- Not all; want a call back later. Want to know about the distribution of entire system & the Rio Grande.
- Not really, please call me or meet one-on-one.
- Yes, definitely. Excellent. Maps help the questions being answered.
- Yes; but I am thinking that not everything got covered, so I will come again.
- Yes for now, after studying the hand out I may have more & will call the Ombudsman Program.
- Yes, but will come again to hear more.
- Yes. There might be more, not sure at this time.
- I was participating as a listener.
- Yes, generally.
- Many of my questions were answered.
- Yes mostly, I will probably think of more later.
- Yes, very best meeting in sometime; answered every question.
- Somewhat, I do not have a water right & not sure how this will affect me.
- No specific questions.
- Yes, very well.

## **3. What was your most important question?**

- I did not ask it.
- What is the final settlement?
- What areas are affected; only those within a Pueblo or those adjoining a Pueblo or Santa Fe County generally?
- What are the Pros and Cons?
- What is the time period and the cost to me if I select the different options?
- What if our neighbors on the same well don't agree with our position on whether to join the settlement?
- What are my particular options?
- How the settlement applies to our particular situation.
- How will this affect the use of acequias?

- Questions about reducing the well water rights.
- Since my well is after 1982, does that mean that I'm out of luck?
- How can I use my well now and in future?
- What happens to the water rights?
- If I have no well, where do I stand?
- What is the nature of the system?
- Who will ultimately run the water and sewer facility?
- What is the cost of hook-up?
- When the pipeline is to be installed, will the sewer line be done also?
- Priority relevance & practical administration. The questions are first how to settle the Pueblos' water rights, how priority works, and the feasibility of the pipeline.

#### **4. How did you find out about the meetings?**

- Newspapers (17)
- Family/Friends/Word of Mouth (10)
- County of Santa Fe Media (6)
- Email (County not designated as source) (6)

#### **5. What could have been done to make the meeting better? What did you like?**

- Have more time (2)
- More discussion and less questions or more time. There is so much to this that it should be presented in groups, not individually.
- Allow more time for questions, but I realize that time is limited.
- More time; I will come to another meeting.
- Meet with Acequia groups first.
- Have the presenters up front so they do not need to come forward. (4)
- People answering questions in the back need to stand up and speak louder.
- Almost at the end, people were talking in the back which made it hard to hear.
- You could have spread the word a little better. I don't get a newspaper so I usually rely on the emails from Renee at the local office of the County for my Valley news and events.
- Post questions and answers.
- Nelson's chart was good, but more discussion needed. More people need to listen in on and be at these meetings. Need an even more detailed handbook. Darcy's is a good start.
- Better/bigger charts, use black marker.
- Have a map showing geographic areas impacted by the settlement.
- Nothing. It was the best organized and most informative meeting of the 12+ meetings I have attended. The booklet is wonderful.
- Handouts perfect.
- This was a very professional meeting with great handouts.

- The handout is excellent.
- Very impressed by meetings.
- It was well done.
- Since this was my first experience with the Settlement, I felt it was very informative.
- It was pretty well organized.
- The Program was very well organized.
- Excellent.
- Meeting was very informative. Good job.
- Nothing.
- I think this meeting and the materials have been excellent and have made the complicated material very clear.
- Thank you to all the presenters.
- It was a good meeting.
- The whole settlement seems very good. I don't understand what all the fussing was about a few years ago.
- It was good. I just understand & take in information in a different way I would like a call back.
- Thank you so much, best meeting in sometime, terrific information and most appreciated.
- Learned a good amount; you and other speakers did an excellent job – very good.
- Thank you.

**6. Would you tell family, friends, & neighbors about these meetings?**

- Yes. (14)
- Yes, I have scheduled another meeting for my acequia.

**7. Name and number if you would like a callback from the Ombudsman Program. (7)**

## Exhibit E – Settlement Parties’ Comments

<p><b>EXIT SURVEY</b></p>	<p><b>Participants:</b>                  Judge Nelson                    *<b>Doug Sayre</b>                  David Ortiz                        *<b>Ted Bagley</b>                        +<b>Frank Demolli</b>                  John Utton                           *<b>Melanie Stansbury</b>                +<b>William Cassel</b>                  Larry White                         *<b>John Gutting</b>                  Mark Sheridan                  Harry Montoya                  Peter Chestnut</p> <p>* Participated by phone                  + Written responses</p>
<p><b>1. Success in Goals and Objectives Met?</b></p>	
<p>a. In your mind, what were the primary objectives/goals of holding these community meetings?</p>	<p><b>FD:</b> The goal of the community meetings was to educate and inform the public of the specifics of the Aamodt Settlement.</p> <p><b>WC:</b> Yes. I think each meeting potentially had different goals and objectives, but the participants were flexible enough to adjust to the demands of each group. Disseminate information to the residents of the NPT area so that they were exposed to accurate, up to date information about the nature, status and operation of the Settlement agreement as well as providing them with information to help them decide what role they wanted to play in the agreement.</p> <p><b>DS:</b> To inform the public how the Settlement affects them, especially regarding the domestic wells and the water system.</p> <p><b>TB:</b> Informational meetings without advocacy.</p> <p><b>JG:</b> Education about the Settlement.</p>
<p>b. Do you feel like the meetings succeeded in achieving those objectives/goals?</p>	<p><b>FD:</b> Yes. I measured the success by the numbers and types of questions that were asked, whether the participant was affected by the Settlement and the sufficiency of the answer. By this measure, the community meetings were a huge success. The questions ranged from rudimentary to sophisticated. The wide range of expertise was equal to any question that was asked.</p> <p>Most importantly, all meetings broadcast that a well owner could keep their well and approve the Settlement and that the Settlement represented the last chance to bring “new” water to the Valley.</p> <p><b>WC:</b> Yes.</p> <p><b>TB:</b> Very successful.</p>

## Exhibit E – Settlement Parties’ Comments

<p><b>2. What Worked?</b></p> <p>a. Overall, what did you feel succeeded in the meetings?</p> <p>b. What about the format and setting worked?</p> <p>c. What is a positive experience?</p>	<p><b>FD:</b> Almost everything. Ms. Bushnell adapted well and the introductory presentation by Judge Nelson and herself became more polished with time. Especially well done was cutting off the dialogue when it became too sophisticated or diverged from the Settlement. The fact that each and every questioner had an opportunity to ask their question was extremely important.</p> <p>The presence and knowledge of all the panel of experts with major kudos to Judge Nelson, Darcy S Bushnell, Mark Sheridan, John Utton and Peter Chestnut. The kudos are not meant to denigrate the presence and answers of the other experts.</p> <p>This was a sober and focused topic. The format and setting reflected the topic. I would have suggested that more bottled water be offered during the meetings.</p> <p><b>WC:</b> I think the whole process worked well. The ½ hour introduction set up the issues and established some of the facts so that the people had a framework within which to ask questions. Ms. Bushnell was effective in moderating the process and keeping it on track.</p> <p>I think the Q&amp;A sections were of particular value. It was apparent that different groups had different concerns as well as many of the groups having common concerns. The opportunity to address the individual questions was very important.</p> <p>Keeping the lawyers in the back and making them come forward to speak was a good move. If the introduction could have been shortened a bit, perhaps by having a recorded intro that was developed to be informative and short, then leaving more time for Q&amp;A, it could have been better.</p> <p><b>DS:</b> Good job of consolidating information so the audience could look at their options. It was a good approach to have ten meeting, a small audience size and people there who could answer questions.</p> <p><b>TB:</b> One focused moderator kept everyone on track and on time. The venues were good. It was a very successful experience.</p> <p><b>JG:</b> One focused moderator kept everyone on track and on time. The handout is great. People we asked now feel like they are getting solid answers. The visual aids got better over time and were great.</p> <p>I was surprised that many of the more vocal types did not show up. I was also surprised by the number of people who showed up more than once.</p>
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## Exhibit E – Settlement Parties’ Comments

<p><b>3. What did not Work?</b></p> <p>a. If you were to do this whole process again, what would you do differently?</p>	<p><b>FD:</b> The presentation was a work in progress. I would have divided the presentation into four parts: Introduction by Darcy (15 minutes). Background/history by the Judge (15 minutes). Optional break (10 minutes). Questions and answers (90 minutes).</p> <p>The presentation materials. I would have provided a sheet with phone numbers to the County employees who could answer questions after the presentation ended. I would have made them somewhat simpler, but that is a minor comment. The materials will always be there for review.</p> <p>I would have provided a dated mock simple handout for voting purposes that listed the four options on the Settlement. The simple handout would have been more basic than the chart contained in the presentation materials. The simple handout could be taken home so that it could be reviewed by the well owner.</p> <p>While a break was offered, I believe a break would have given the participants a chance to speak among themselves so that they could have their questions answered by the panel of experts rather than speaking among themselves after the presentation had ended.</p> <p>Questions and/or answers by persons who were not well owners or who were not from the panel of experts did not work well.</p> <p><b>WC:</b> I recommend formally structuring the introduction in a video. I think that more individuals’ questions could have been addressed if there was a brief “break-out” period where the experts would go to corners of the room and would be available to respond to a specific area of inquiry. Then people could go from group to group and deal with the issues that they were really interested in. Having one person ask a question that everyone then has to listen to the answer to, even if they already know the answer, could be frustrating and not as useful as creating the break out groups.</p> <p><b>DS:</b> Ran out of coffee, chairs and handouts. I would recommend using power points with a laser. Would have helped with maps, especially the water system map.</p> <p><b>TB:</b> It would be nice to reach more people.</p> <p><b>JG:</b> Power points are good.</p> <p><b>MS:</b> In the community meetings I conducted the audience liked charts and a power point.</p>
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## Exhibit E – Settlement Parties’ Comments

<p><b>4. What did you Learn?</b></p>	
<p>a. What did you learn through this process.</p> <p>b. Did this process change how you understand or look at the issues in any way?</p> <p>c. Did it change your perceptions of people in the community?</p>	<p><b>FD:</b> Historical amnesia, historical misstatements, confusion and legal myths. Much of the Aamodt proceedings are based on statements now in disrepute. The existing Aamodt decisions are final. The Pueblos already can make a call on non-Indian water. Every well owner has a 3 acre foot water right. Supporting the Settlement will necessarily mean that my well will be shut down.</p> <p>I was actually pleased that my conception of the Valley people was as accurate as I thought. While, perhaps, 10 percent of the opposition is radical and opposed to any Settlement, the majority of the participants asked thoughtful questions and the participants justifiably wanted to protect their self-interests and know how the Settlement would affect their wells and water rights. There is a fear about the Settlement that stems from miscommunication (this was allayed by the chart of options) and fear (karmic, or otherwise, that the Pueblos’ interests and the non-Indian interests are adversarial). In my opinion, the answers were well-received and appreciated.</p> <p><b>WC:</b> How much the non-Pueblo interests distrust the Pueblos.</p> <p><b>DS:</b> Options and how to present in a more concise fashion. Learned a lot from the brochure. To use a style that is geared more toward questions and answers with a short introduction. I later got calls from people who attended to get more information.</p> <p>I was glad to see new comers and the participation of the community.</p> <p><b>TB:</b> The meeting size and meeting model was important and lead to a better dynamic. It was a good refresher for me on the settlement and public meetings.</p> <p><b>JG:</b> Smaller meetings were good. All the questions got answered and the presenters did a much better job in the smaller meeting.</p> <p>My understanding has changed because the answers were more clear. But I have not modified my thinking about the Settlement.</p>
<p><b>5. Useful Process to be Used Elsewhere?</b></p>	
<p>a. Do you think this was a useful and worthwhile process? Why/why not?</p>	<p><b>FD:</b> Ben Ray was right. The community needed information and education. Congress needed to know that the community was involved and informed.</p> <p><b>WC:</b> I think it is always useful to try to build consensus and this is one way to do it. Yes, useful and worthwhile. I think this was the first time the residents had an opportunity to be exposed to the real facts related to the structure of the Settlement and to ask questions and understand the process and procedure of the</p>

## Exhibit E – Settlement Parties’ Comments

	Settlement. In this way they can make an informed decision when the time comes. Assuming they understand it.
b. Do you think it is a process that could be used/replicated in other basins and Settlements?	<p><b>FD:</b> Absolutely.</p> <p><b>WC:</b> Clearly, yes. If there is enough time and the settling parties are motivated to do it.</p> <p><b>DS:</b> Yes.</p> <p><b>TB:</b> Yes.</p>
c. If so, what would your primary advise to others undertaking such a process?	<p><b>FD:</b> Answer everyone’s questions. Make some of the handouts extremely simple. Provide water for everyone.</p> <p><b>WC:</b> Take your time setting it up. Run through some “dry runs” to determine what pitfalls may be present and make the actual presentation as informative as you can without “overdosing” the residents.</p> <p><b>JG:</b> Preparation and working with Valley residents is necessary; Visual aids are important. As timelines can be developed, they should be presented. Hope that there can be more meetings once Congress is done and Court has made some decisions.</p>

## **Exhibit F - Santa Fe County Website**

### **Aamodt Public Outreach Meetings**

Aamodt public outreach meetings are scheduled to begin today. The meetings will discuss the Aamodt case, settlement and proposed Regional Water System.

Community members are invited to attend one of the 10 scheduled meetings to provide input.

“The outreach meetings should be a remarkable communication outlet for all parties to openly converse the settlement and outcome, as well as obtain information,” said Commissioner Harry Montoya.

The Joe M Stell Ombudsman Program of the Utton Center at the UNM School of Law will host the Aamodt public outreach meetings. Darcy Bushnell, of the Ombudsman Program will be conducting the sessions. Judge Michael Nelson and several of the settlement parties will also attend.

All meetings will be from 6 pm to 8 pm. Refreshments served, hosted by the Stell Ombudsman Program. Space is limited. To sign up call (505) 277-0551 or (877) 775-8333.

Wednesday 2/24 Santa Fe County Pojoaque Satellite Office  
Thursday 2/25 Nambe Head Start  
Tuesday 3/02 Pojoaque Parrish Hall  
Wednesday 3/03 El Rancho Community Center  
Tuesday 3/09 Pojoaque Parrish Hall  
Wednesday 3/10 Santa Fe County Pojoaque Satellite Office  
Tuesday 3/16 Nambe Head Start  
Wednesday 3/17 Santa Fe County Pojoaque Satellite Office  
Tuesday 3/23 El Rancho Community Center  
Wednesday 3/24 Santa Fe County Pojoaque Satellite Office

The Settlement Agreement is available for review on the Office of the State Engineer website at [www.ose.state.nm.us](http://www.ose.state.nm.us) under “Hot Topics.”

The Aamodt adjudication is the longest-running lawsuit in the federal court system and will determine the quantity and priority date of all water rights in the Nambe-Tesuque-Pojoaque basin.

For more information contact, Darcy Bushnell, Joe M Stell Ombudsman Program (505) 277-0551 or toll-free (877) 775-8333.

Aamodt Information/ Handouts (PDF)  
Pojoaque Regional Water System Engineering Report (PDF)  
Pojoaque Basin Regional Water System December Report (PDF)  
Comments on Design, Estimating and Construction (DEC) Review Draft Report (PDF)  
Total Dissolved Solids (PDF)  
Sulfate (PDF)  
Nitrate (PDF)  
Manganese (PDF)  
Iron (PDF)  
Fluoride (PDF)  
Arsenic (PDF)  
Uranium (PDF)



## EXHIBIT F - OMBUDSMAN WEBSITE

### Nambe/Pojoaque/Tesuque River Basin Adjudication (NPT or Aamodt)

The Joe M Stell Water Ombudsman Program is a New Mexico state-wide program within the Utton Center at the University of New Mexico, School of Law. The Ombudsman Program assists unrepresented water right claimants in navigating the New Mexico adjudication process. Adjudication activities for non-Pueblo water rights include surface water right priorities and post-1982 domestic wells. The Program provides a toll-free help line, mailings and public presentations.

Toll Free Help Line: 1-877-775-8333 for Aamodt questions  
Ombudsman's direct line: 505-277-0551 Darcy S. Bushnell, Director

The links below contain important information about the Aamodt Settlement:

- **Court Order re Approval of Settlement**
- **Community meetings handout and dates**
- **Proposed Settlement Agreement**
- **Pojoaque Valley Contamination Maps:**
  - **Uranium**
  - **Arsenic**
  - **Fluoride**
  - **Iron**
  - **Manganese**
  - **Nitrate**
  - **Sulfate**
  - **Total Dissolved Solids**

Tesuque Area Contamination Maps:

- **Uranium**
- **Arsenic**
- **Fluoride**
- **Iron**
- **Manganese**
- **Nitrate**
- **Sulfate**
- **Total Dissolved Solids**

Engineering Reports :

- **HKM Engineering Report Sept 2009**
- **2009 Omnibus Act**
- **Reclamations Design, Estimating & Construction Review (DEC) Final Draft 11-24-2009**
- **HKM Review of DEC Draft Report 12-21-2009**

For more information about the adjudication, the case & the settlement:

- OSE: Access to water right records  
<http://nmwrrs.ose.state.nm.us/nmwrrs/disclaimer.html>
- OSE: Adjudication information and court filings  
[http://www.ose.state.nm.us/legal\\_aamodt\\_adjudication.html](http://www.ose.state.nm.us/legal_aamodt_adjudication.html)
- OSE: Settlement information & proposed Agreement  
[http://www.ose.state.nm.us/legal\\_ose\\_aamodt\\_info.html](http://www.ose.state.nm.us/legal_ose_aamodt_info.html)
- Ombudsman: NM Adjudication process  
<http://uttoncenter.unm.edu/ombudsman.html>
- County of Santa Fe: Outreach information; Outreach Handbook:  
[http://www.santafecounty.org/news\\_detail/1156](http://www.santafecounty.org/news_detail/1156)

For information on the New Mexico adjudication process, click below to view the Ombudsman Program's step-by-step video guide.

### **Video - The Water Rights Adjudication Process in New Mexico**

Para ver el vídeo en español:

- Haga clic en el lazo de sitio web debajo
- Seleccione el título en español debajo de la pantalla

### **Video - El Proceso de Juicio de Derechos de Agua en Nuevo Mexico**