

MUNICIPAL WORKSHOP REPORT

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Thank you, Mr. Reynolds. My name is Steve Hubert. I am an attorney here in town. We represent Elephant Butte Irrigation District. It is an honor to be on the same side of the stage with the most litigious man in the state. We concentrated in the municipal workshop on the finite amount of water that is available according to whether it's being used at the maximum level now and how best to use it. The city official that was our moderator was Ken Needham, the Director of Utilities of Las Cruces. He expressed concern over how we are going to get more water for future growth. The city proposes to retire certain Elephant Butte water rights and use those to obtain drilling rights to underground basin waters here in the valley. Under this system the State Engineer will set up a schedule, as Mr. Needham said yesterday, for the retirement of the surface rights, and allow the city to drill new wells when an appropriate amount of these surface rights have been retired. But a large part of our discussion centered on better uses of the water that we have available for us now.

One of the principal areas of discussion was the better use of the effluent discharged in the city. Today our effluent in the city of Las Cruces is being dumped into the river, as it is in many cities in New Mexico. The State Engineer gets certain credits for this effluent, but the suggestions were made that better use be made of this effluent for municipal purposes such as parks and golf courses and even in the long

run for irrigated agriculture as a trade-off for the exchange of these water rights. The city would still get credit from the State Engineer for recharging some of the groundwater, but this would be a better conservation use. We understand that Silver City is using this now and they are also proposing to use this in the copper mine. So we spent a large part of our time discussing the effluent and the possible uses of it.

Because we had the city planner from the City of El Paso in our group, we had a rather lively discussion. The question arose whether or not the City of El Paso had considered recycling their effluent for use in their domestic water system. The city planner said that studies had been made, but it would cost about -- I believe he said -- \$2.00 per 1,000 gallons versus 20¢ for drilling in New Mexico. So they rejected that idea. They thought it was cheaper to come get our water.

Another area that we discussed was the facilities and technologies which would limit the use of water and help us to conserve water. The discussion here centered around the fact that water seems to be in plentiful supply, or at least the public perceives that it is in plentiful supply. New technologies that our group suggested would include drip irrigation and laser leveling in agriculture for better use of agricultural water, as well as uses around the home, such as new forms of showerheads and toilets that would help us to conserve the use of the water that we have now. Another suggestion in the municipal group was a proposal for an escalated rate structure in the cities. That is, the more water you use, the more it is going to cost you. The first 1,000

gallons might cost you \$10.00, but the next 1,000 gallons would cost you \$20.00. This is usually not a very politically popular scheme. People seem to think that the water supply is inexhaustible, and consequently most municipalities tend to base their rate structures on the cost of production, maintenance, and delivery. This is usually a very effective method since people tend to conserve when it hits them where it really hurts, and that is in the pocketbook.

The next area that we discussed was the zoning question: whether or not a city could zone and set aside certain lands by zoning for agriculture and set aside other lands for drilling purposes. Municipalities are planning for growth and some discussion centered around whether or not it is time to start restricting growth and restricting the number of people that come in based on how much water we have. An example that was given was by Mr. Hilton Dixon of Silver City where they were forced into this situation. They are out of water, and they did research their growth because of a lack of water. The town just can't grow any more. The question was asked if it was feasible or practical to limit the growth of our cities and I don't think we ever reached any conclusion on that. Some people seem to think it would lead to stagnation of the cities and the economy. Other people thought that our valley is fine the way it is and perhaps the city and county ought to get together and make some zoning changes to protect what we do have now.

The next discussion that we had centered around the feasibility of importing water from another state or from northern New Mexico to the southern part. It didn't last very long because almost everyone agreed

that this is an extremely costly measure, bringing water in, and that this type of thing didn't happen until we were completely out of water -- as is happening in Arizona right now with the central Arizona project.

Perhaps the most important thing that everybody agreed upon was that the public within a municipality needs to be educated towards using the water that we have more efficiently and more practically in a more conservative way. But the problems that we have are: "How are we going to educate the people?" and "Whose responsibility is it to educate?" There was one good comment that was made at the end of the discussion group and that was, "We're here today because we're concerned about water. How do we get the general public and the general population concerned about water? Whose responsibility is it to go out and educate the public?"

The agricultural committee discussed certain things that we covered also, and our discussion group was in agreement that the farmers and the agricultural folks both have already made efficient use of their water and that they have done it from an economic standpoint. They use laser leveling which promotes better irrigation, higher yield. The farmers, because they have to pay for the water, realize that it's not economic to waste water. Municipalities, on the other hand, we concluded, were setting relatively bad examples. As I walked into this building today, I noticed that New Mexico State was watering part of the street and part of the sidewalk. As we drive around our town and around Albuquerque, we can see that a lot of the water is being wasted. I think we generally agreed that the municipalities have some burden to go forward and set a good

example for the general public in conserving water and perhaps in taking a more active role in educating the public towards conservation.

In conclusion (and as a lawyer it's probably one of the first times in my life that I've been brief), we decided that conservation and education from the municipal point of view have to take the forefront and, hopefully, when people become better educated they will react to the conservation measures. Thank you.