



# *Estancia Basin Water Planning Committee Regular Meeting*

## ***DRAFT AGENDA***

### **Date and Time**

Thursday  
County Courthouse  
August 18, 2022  
9:30 AM

### **Location**

By Teleconference Only

### **Approval of Agenda**

### **Membership Issues / Appointments:**

Current Filled Positions: 7/13 Quorum: 4

#### Vacant Positions:

Santa Fe Governmental Rep  
East Torrance SWCD  
Torrance County – Agriculture  
Torrance County – Governmental

#### Expired Terms

Rhonda King – Torrance County Municipal July 2022  
Bill Larson – Torrance County Agriculture July 2022  
Diedre Tarr – Claunch-Pinto SWCD July 2022  
Ric Thompson – Santa Fe County Ag Rep August 2022  
(replaced)

*The sponsoring agencies have been notified of the existing and upcoming vacant positions by e-mail as of June 15, 2022. Per EBWPC Rules of Conduct, expired terms may be extended voluntarily and with approval of the committee :*

Section 3:B For purposes of the committee, a previously appointed voting member who's term has expired, may at their own discretion and with approval of the committee, continue as a voting member of the committee until such time as the member agency appoints or reappoints a replacement or until the member agency declares the position vacant. Such a continuation of term of service should be voted upon and approved by a quorum of the Committee.

**Motion to Accept Appointment of new Santa Fe County Agricultural Rep: Cole Daeschel**

**Motion to Accept Appointment of new Torrance County Governmental Rep: Donald Goen**

**Motion to Accept Reappointment of Rhonda King and Bill Larson for additional term.**

**Motion to Accept Voluntary Extension of Term for Diedre Tarr with Claunch Pinto SWCD**

Having been appointed/reappointed, the vacant positions remain for Santa Fe Governmental Rep, 2<sup>nd</sup> Torrance County Rep, and East Torrance SWCD rep. Filled membership is at 10, placing the quorum at 6

**Nomination of Officers:**

*The EBWPC Rules of Conduct call for election of officers at the August Meeting. Ric Thompson, current chair, is no longer on the Committee. Dan McGregor current Secretary/Treasurer has served in that capacity since 2017 and is stepping down to be able to focus on technical support to the EBWPC.*

Section 4.A. Each August, an election will be held within the Committee for electing a Chair, Vice Chair, and a Secretary/Treasurer. This election shall occur only after all members agencies have been advised of existing and upcoming vacancies.

**Motion to Approve New Officers:**

**Approval of Minutes of Previous Meetings:** Approval of Minutes of Regular Meeting of June 16 2022

**Financial Matters:** Financial Report of August 5, 2022

Santa Fe County funding MOU for FY23. – waiting Santa Fe County Action – PJ Greigo 4/5/2022

Invoicing letters have been sent to Estancia, Moriarty, and Town of Edgewood (7/8/2022 - no response to date)

**Approval of Financial Report/ Invoices:** Motion for Approval of Financial Report.

**Correspondence:** Incoming: Santa Fe County – Request for Board Member Participation  
Outgoing: Town of Edgewood – Comments on Proposed Amendments to the Campbell Ranch Master Plan

**Guests/Public Comments:** None

**Contractor/Subcommittee Reports:** Groundwater monitoring program update – JSAI status (McGregor/Mellis) – Transducer Request /Ordering by Bernalillo County is in progress (\$27,000 in kind lend/lease is proposed). Proposed budget from JSAI is attached.

**Motion to approved proposed additional expenditure for transducer replacement and installation**

Deep Exploratory Well subcommittee – Thompson, Bonfantine, McGregor – No additional action

**Meetings Attended:** McGregor – American Groundwater Trust – Statewide Water Level Program

**Unfinished Business:** Response to Town of Edgewood on Campbell Ranch Amendment Requirements – Letter was signed and sent to Town of Edgewood on 7/8/2022 No Response to Date. No further activity on Amendments by Town of Edgewood to date.

Dunbar presentation from MRCOG

<https://www.mrcog-nm.gov/390/Water-Resources-Board>

<https://drive.google.com/file/d/1RNvS0UjTMZ0yDSHayB04d0p5O1ZUejsy/view>

**New Business:**

Designation/appointment of member to serve on Santa Fe County committee. *Per Rules of Conduct, such ad hoc appointments may be made by the Committee.*

**Discussion Only Items : None**

**Announcements:**

**Next Meeting**

**Date:**

**Thursday, September 08, 2022 9:30 AM**

**Location:**

Torrance County Administrative Offices, 205 Ninth Street, Estancia NM  
Plus Zoom hybrid

**Adjourn**

# Appointment of Cole Daeschel Santa Fe County Agricultural Representative

Cole Daeschel and EBWPC



Rik Thompson <rik@bluelynxresources.com>

To Dan McGregor

Cc Cole Daeschel

Reply

Reply All

Forward



Thu 6/16/2022 3:01 PM

You replied to this message on 6/16/2022 4:09 PM.

**CAUTION: This email originated from outside of Bernalillo County. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Dan,  
Could you add Cole Daeschel to our email list? He will be my replacement as SFC Ag rep on the EBWPC. He is cc'd on this email.

Thanks,

Rik

Rik Thompson  
Partner  
Land and Cattle  
Blue Lynx Resources, LLC  
37 Madole Road  
Edgewood, NM  
(505)350-3598  
[rik@bluelynxresources.com](mailto:rik@bluelynxresources.com)

# Minutes of 06/16/ 2022 For Approval



## ESTANCIA BASIN WATER PLANNING COMMITTEE

Regular Committee Meeting Minutes (Draft)  
June 16, 2022

### Members and Staff

<i>Member</i>	<i>Position</i>	<i>Term Expiration</i>	<i>Present</i>	<i>Absent</i>
Rik Thompson – Chair	Santa Fe Co.- Agriculture	March 2022	X	
Manny Encinias - Vice Chair	At Large	December 2022	X (Phone)	
Daniel McGregor – Secretary/Treasurer	Bernalillo Co. – Government	March 2022	X (Remote)	
Krista Bonfantine	Bernalillo Co – Municipal	December 2022	X (Remote)	
Dierdre Tarr	Claunch-Pinto SWCD	July 2024	X (Remote)	
Brenda Smythe	Edgewood SWCD	December 2023	X (Phone)	
VACANT	East Torrance SWCD	March 2022		
Sherry Abraham	Santa Fe Co. – Municipal	December 2023		X
VACANT	Santa Fe Co. – Government	Unfilled		
Rhonda King	Torrance Co. – Municipal	July 2022	X (Phone)	
VACANT	Torrance Co. – Government	July 2022		
VACANT	Torrance Co. – Agriculture	May 2023		
William (Bill) Larson	Torrance Co. – Agriculture	July 2022		X

### Others/ Guests:

<i>Mark Mohl, San Pedro Creek Homeowners Association</i>	<i>Don Goen, Torrance County</i>
<i>Erwin Mellis, John Shomaker and Associates (Contractor)</i>	

**Call to Order:**      **Held at:** Hybrid Zoom Meeting per Notice hosted at

Torrance County Administrative Offices, 205 Ninth Street, Estancia  
NM 87106

**Called to Order at:** 6/16/2022 9:45 AM **By:** Rik Thompson, Chair

**As:** Quorum currently stands at 5. Met as Committee with Quorum

**Notations:** *Manny Encinias exited the meeting at approximately 11:00 AM, but quorum maintained throughout.*

**Approval of Agenda:**

**Review of Agenda for** Thursday, June 16, 2022

**Motion:** Approve the Agenda as presented.

**Motion Made:** Dee Tarr **Motion Seconded:** Rhonda King

**Notations/Amendments:** None

**Motion Vote:** Roll Call Vote: Unanimous

**Membership Issues:**

Santa Fe County Governmental Rep remains vacant

Rik Thompson informed the committee that his term has expired but will serve through August. His position has been filled. He also listed the currently vacant positions and indicated he would reach out to Torrance County.

Rhonda King also indicated that she would reach out to Torrance County to address her expiring term.

Dee Tarr indicated that she had been reappointed for a two-year term and appointment letter would be forthcoming,

**Approval of Minutes:**

**Review of Minutes of** Regular meeting of April 14, 2022 and May 12, 2022

**Motion:** Approval of the Minutes of April and May meetings as presented

**Motion Made:** Brenda Smythe **Motion Seconded:** Krista Bonfantine

**Notations /Amendments:** Rick Thomson abstained from vote for May 12, 2022 meeting, and Dee Tarr recused from vote on April 14, 2022 meeting as they were not present or recused from those meeting at those meetings)/

**Motion Vote:** Roll Call Vote: Unanimous with abstentions/recusals as noted above.

**Financial Matters:**

D. McGregor reports that the existing available balance stands at slightly over \$17,000 as previously submitted in April, and that budget funding letters had been sent to Estancia, Moriarty, and Edgewood for next fiscal year. There is also an invoice for \$1,320 (approximate) from Hydroresolutions that was submitted for payment this past week. Bernalillo County funding for next fiscal year is in place, but the additional amendment for Santa Fe County was still pending Santa Fe County action.

Rik Thompson indicated that Estancia had approved the request (Dan McGregor to confirm), and that Moriarty had also approved the request for next fiscal year. Status with Edgewood is uncertain.

**Financial Report:** **Review of Report of:** Wednesday, June 15, 2022  
**Motion:** Approval of the Financial Report as presented and approval of pending invoices.  
**Motion Made:** Dee Tarr **Motion Seconded:** Rhonda King  
**Notations /Amendments:** None  
**Motion Vote:** Roll Call Vote: Unanimous

**Correspondence:** None

**Public Comments:** Mark Mohl spoke briefly to voice his support of the draft of the EBWPC response letter to the Town of Edgewood.

**Contractor/Subcommittee Reports:** Groundwater monitoring. Erwin Mellis with JSAI provided a brief summary of stats and work to date. The transition with Hydroresolutions is largely completed, but data clean up and reworking was a bit more extensive than expected. There are few questions remaining regarding whether/how data corrections were addressed by Hydroresolutions. Two monitoring rounds have been conducted to date and the report is forthcoming. The existing transducer fleet is down to only three working transducers and is dated and one of the transducers is showing wide amount of instrument drift. Discussion ensued about Bernalillo County procuring and lending new transducers to the EBWPC to address the issue. JSAI is to provide a request specification list to Bernalillo County. Mellis further discussed the need to establish a written measurement/program protocol to avoid future issues regarding data adjustments between transducers and manual measurements and frequency of automated measurements (daily vs every few minutes as data protocols and history are critical to understanding of the data. Data quality issues are to be resolved prior to submitting the EBWPC data to NMBMMR. By committee consensus, the program needs to focus on establishing appropriate protocols over conducting additional water level rounds if budget is an issue. The water level monitoring report is in progress and will be distributed to members when provided.

Deep Exploratory Well / Scoping Effort and Constraints – Krista Bonfantine - subcommittee met to discuss current status. The potential areas of focus are on understanding the saline/fresh water interface particularly for those wanting to drill for deeper replacement supplies, for better understanding the deeper aquifer interrelationships. The subcommittee will reach out to Talin and Stacey with NMBMMR to identify areas of mutual interest and possible related costs.

**Meetings Attended:** Dan McGregor – MRCOG Planning Commissioner Education regarding water rights and cannabis production  
Rik Thompson – City of Moriarty Council meeting related to budge request.

**Unfinished Business:** Response to Town of Edgewood on Campbell Ranch Master Plan – (Rik Thompson recused; Manny Encinias left the meeting during this discussion).

The draft document provided in support of the agenda was acknowledged. Dan McGregor had continued work on that document in concurrence with comments offered at the May 12, 2022 meeting and electronically shared the most current version of the document. The new document was read verbatim, discussed, and additional edits were made by the committee (comments are not individually attributed as the edits were suggested in the open meeting format) and with all parties (including Mark Moll as guest) participating in the discussion.

Motion for: Approval of the document as edited during the meeting subject to final proofread and minor edits to be performed by Dan McGregor, for signature by the Vice Chair, and for submittal to the Town of Edgewood

Motioned: Krista Bonfantine Seconded: Brenda Smythe

Roll Call Vote: Unanimous (Rik Thompson recused, Manny Encinias was earlier excused from the meeting, quorum was present).

*A final version of the document as submitted for signature by the Vice Chair is attached to the minutes*

**New Business:** None

**Discussion Only Items** For next meeting, an update to the website needs to be discussed. Short discussion and approved by consensus to push the August meeting to August 18 (third week, rather than second week).

**Announcements:** None

**Summary of Action Items: (Summarized post meeting)**

Dan McGregor to: 1) verify Estancia budget approval 2) final the Town of Edgewood letter for signature by Vice Chair and submit to the Town of Edgewood, and 3) from last meeting discussion, provide information on the Dunbar presentation for committee review 4) continue to push financial amendments with County of Santa Fe

Rik Thompson – 1) notify Torrance County of upcoming term expirations 2) provide information on designated position replacement.

**Next Regular Scheduled Meeting** Date: Thursday, August 18, 2022 9:30 AM  
Location: Torrance County Administrative Offices, 205 Ninth Street, Estancia NM  
In Person Plus Zoom (hybrid) Date moved one week by request of Rik Thompson and agreed by consensus of the committee.

**Adjourn:** With no further business,

**Meeting Adjourned:** 6/16/2022 11:50 AM

*Respectfully submitted,*  
*Dan McGregor EBWPC Secretary Treasurer*

*Reviewed and approved by:* \_\_\_\_\_

**Torrance County**

**Santa Fe County**

**Bernalillo County**

*"Coordinated water resource planning for the Estancia Underground Water Basin"*

\_\_\_\_\_

---

Attachment  
Final Draft of Town of Edgewood Letter

June 16, 2022  
Mr. Brad Hill  
Planning and Zoning Manager  
Town of Edgewood, NM  
PO Box 3610  
Edgewood, NM 87015

Re: Proposed Amendments to Campbell Ranch Master Plan

Mr. Hill

On December 17, 2021, Mr. Tim Dvorak with the Town of Edgewood (Town) Planning and Zoning Department provided a reply to a previous inquiry from the Estancia Basin Water Planning Committee (EBWPC) regarding our concerns with the Town Planning and Zoning Commission (P&Z) approved amendments to the Campbell Ranch Master Plan (Master Plan) of Sept 28-29, 2001. The inquiry was initiated by the EBWPC in response to a request from Bernalillo County Commissioner Charlene Pyskoty (District 5). Copies of the referenced correspondence are attached.

An appeal by others of the prior P&Z's decision on the Master Plan was filed with the Town Council prior to the Town transitioning to a commission governance structure effective January 1, 2022. The P&Z membership was also replaced subsequent to the governance structure change. The appeals were placed on the Town Board of Commissioner's (Commission) agenda for the April 12, 2022 commission meeting. An extensive public comment period was provided at that meeting, and the Commission then voted to remand the case back to the P&Z due to open meetings requirement concerns. The directions in the remand were to rehear the case in its entirety. The Commission issued the remand without hearing the details or defense of the appeals to the initial P&Z approval. As of June 16, 2022, there is no currently scheduled date for the remand hearing with the P&Z.

Preparatory to the remand hearing, the EBWPC is requesting that the entirety of this correspondence package be included in the record of the Master Plan amendments as the EBWPC's initial public comments on the remanded case to ensure that there is a complete record of EBWPC concerns available to the new P&Z and presumptively for Commission review in due order.

Though we fully understand that Mr. Dvorak's information of December 17, 2021 is in no way binding on the Town staff, the new P&Z or the Commission, the EBWPC is assuming that the information provided by Mr. Dvorak will likely be viewed as a recommended approach forward for the P&Z. This is of concern to the EBWPC, as Mr. Dvorak's suggested path forward may be at odds with the governing zoning and subdivision ordinances regarding provision of water and wastewater services and consideration of water and wastewater plans. The EBWPC is particularly concerned that the amendments will allow the future use of individual domestic wells and potential individual septic systems. Those directions also neglect the need for a written and enforceable water conservation plan. It is the EBWPC's opinion that if Mr. Dvorak's direction is maintained by the current commission, the outcomes will likely be detrimental to long range planning for water resources for the Estancia and Sandia groundwater basins.

**For the reasons outlined below, the extensive use of a centralized water and wastewater system with water supplied from existing permitted water rights as alluded to in the original Master Plan is preferred over the proposed allowed and unevaluated unrestricted use of domestic wells that the Master Plan amendments will foster. This preference is coupled with provisions in the amendments that should both require and allow for Town enforcement of the water conservation requirements and concepts outlined in the approved Master Plan.**

#### **Detailed Analysis**

##### ***Requirement for Evaluation of Impact on the Surrounding Community***

The December 17, 2021 letter, Item 3 (see attached), indicates that the 1999 Zoning Ordinance (1999-Q) governs the Campbell Ranch Master Plan until the amendments are finalized and following hearing and resolution of any subsequent appeals. The 1999 Zoning Ordinance addresses master plan zoning requirements as pertains to water and wastewater in Section 12.E.4 and requires submittal of

4. **A written statement regarding the anticipated impact of the Master Plan Zone on the surrounding community with respect to transportation, sources for water supply, disposal of solid and liquid waste, stormwater runoff, and population growth with specific reference to schools.**

Section 12.E.4 clearly requires that there be a written statement regarding the anticipated impact of the Master Plan zone on the surrounding community with respect to water supply and disposal of solid and liquid waste.

The proposed Master Plan amendments as written, would shift the water supply and wastewater disposal from centralized water and wastewater systems to a reliance or at least significantly increased reliance on domestic wells and individual septic systems. Doing so without addressing this critical and required impact analysis and to defer any type of consideration until the subdivision process is at best problematic. The 1999-Q ordinance clearly indicates that the impact study requirement is to be addressed at the master plan zoning stage and does not appear to allow deferring the issue to the subdivision process as suggested by Mr. Dvorak in Item 6 of his response.

#### *Problems with Fulfilling the Proposed Water Budget and Lack of Required and Current Impact Analysis*

The water supply plan and wastewater plan previously provided and approved as part of the Master plan (as indicated in the Appendices list of the Master Plan) anticipated only a very limited use of domestic wells and septic systems in the further reaches of the Master Plan area. As shown in District Court hearings addressing a new water rights appropriation request for the project, the Master Plan's water budget (as it currently exists) is heavily premised on use of an extensive centralized water supply and wastewater collection, treatment, and reuse system to meet its projected water needs – a concept that the Master Plan amendments appears to be abandoning. The amendment submittals do so without reevaluating whether the water budget could even marginally function with reliance on domestic wells or without inclusion of Village 1 contributions of wastewater to the water reuse system, and all without evaluating the potential impact to the surrounding community.

A change in approach from centralized water and wastewater systems to expanded use of domestic wells and individual wastewater systems, as alluded to by Mr. Dvorak in Items 1 and 4, is a significant change from the approved Master Plan and needs to be intentionally considered and thoroughly evaluated as is required by ordinance. Such a drastic change in approach for the water supply likely necessitates a wholesale revision and reapproval of the Master Plan and supporting water and wastewater plans.

#### *Evaluating the Potential Impact to the Surrounding Community*

Regarding the anticipated impact to the surrounding community, the EBWPC respectfully reminds the P&Z that the recent District Court ruling (under appeal) in the Aquifer Science case denied a request for a new water rights appropriation for a centralized water system with wells located within Campbell Ranch, and clearly indicated that the impact to the surrounding community was potentially significant based on existing OSE standards and requirements. During the hearing, Bernalillo County and various private parties (i.e. the surrounding community) brought into evidence multi-year water level monitoring data and clearly demonstrated multi-year declines in water levels in the surrounding community. Based on that data, the Office of the State Engineer (OSE) has since closed the Sandia Basin to new appropriations (March 12, 2021). Although new domestic wells are still allowed to be permitted, this is because by state law the OSE has no choice and MUST issue such permits, not because reliance on domestic wells was vetted to somehow show a lesser impact on the surrounding community than a centralized system.

**The existing Town ordinance referenced above requires that an impact assessment be provided for the whole of the proposed water supply for the Master Plan (and presumptively the Master Plan amendments) as**

**proposed including the use of domestic wells. No such analysis exists, and no such analysis has been performed or submitted in support of the Master Plan or the Master Plan amendments.**

The Town has also shown its intent to remove the OSE 70-year availability requirement for the Master Plan by amendment. The EBWPC understands the need for removing such a requirement in that: there is no mechanism for the OSE to perform such a review or impose such a requirement, the OSE does not review municipal subdivision applications, nor does the Town have a codified requirement on which the OSE can perform such a review.

Given the removal of the OSE review requirement for a 70-year supply, the outcome of the District Court hearing, the recent OSE actions in closing the Sandia basin, and the long standing requirements in the Town ordinance for a water supply impact assessment, it would be highly presumptive and irresponsible from a regional water planning perspective for the Town to now amend the Master Plan, such that the Town presumptively assumes that the OSE issuance of domestic well permits is somehow an ordinance-compliant determination of anticipated impact on the surrounding community as is suggested in Item 1 of the December 17, 2021 letter, or that well permit issuance is sufficient proof of an available water supply to support development in Villages 2, 3, and 4.

By removing the OSE review and the 70-year requirement it becomes the Town's prescribed duty and civic responsibility as stated in Section 12.E.4 of Ordinance 1999-Q to then establish a process to determine water availability and impacts.

#### *Suggested Process for the Required Impact Analysis*

The EBWPC is of the opinion, and its best advice to the Town, is that the Town require that the applicant provide an impact study that addresses the existing water level decline conditions and quantify the anticipated additional water decline and related impact throughout the surrounding community by anticipated use of the combined water sources or the range of possible water sources including dependence on domestic wells to supply the Master Plan area. This study needs to be performed by a qualified hydrogeologist and needs to be provided as part of the supporting documentation from the applicant as part of remanded amendment request.

Such a study should then be thoroughly reviewed by an independent hydrogeologist directly under contract to the Town, with the results and impact then duly considered by the P&Z. In performing that review, the EBWPC also recommends that the adequacy of such a supply and acceptability of impacts be determined by the Town based on allowable increased drawdowns as provided in the OSE's Estancia Basin Management Guidelines, which would be then consistent with the approach taken by the District Court in its ruling on the Aquifer Science matter (and under appeal) regarding new appropriations, as well as the threshold used by the OSE in closing the Sandia Basin to new appropriations (March 12, 2021).

The EBWPC would strongly advise that the responsibility to undertake the required impact analysis and determination lies with the Town in this situation. If the OSE review requirement is removed, it begs the question of what process the Town intends to implement to ensure the impacts are evaluated. Not addressing this issue at this time would be ill advised and would only serve to allow the Master Plan to further avoid considering the long-term and regional impacts of the approved Master Plan. This is particularly so when the Town has the authority to impose such reasonable conditions on the Master Plan as is provided in the existing Town ordinances.

#### *Domestic Wells and Proof of Adequate Water and Sewer Service under Ordinance 1999-R*

The current subdivision ordinance (1999-R) governing the Master Plan does not specifically address the use of individual wells or wastewater systems. Rather, the issues of water and wastewater systems is only peripherally addressed in Section 14.C wherein the required improvements include water and sewer mains, and if such services cannot be provided, the subdivider is required to present evidence that adequate water and sewer service will be provided in compliance with the New Mexico Environment Department.

More importantly, in Section 9.C.6, the subdivision ordinance indicates that the subdivision "shall not be in conflict with any provision of these Regulations, or the Master Plan, or Zoning ordinance of the Town". The allowance for extensive use of domestic wells by way of the proposed amendments beyond that already allowed by the Master Plan without fully revising and reapproving the Master Plan based on increased domestic well or individual

wastewater system use, or at least providing the required impact study, would appear to be in direct conflict with the Master Plan as previously approved as well with the existing governing zoning ordinance requiring such an impact study.

Also, as previously stated above, assuming that the OSE issuance of domestic well permits is sufficient proof that adequate water will be provided to support development in Villages 2, 3, and 4 is highly problematic as issuing such permits is a mandatory requirement placed on the OSE.

Additionally, the provision in the amendments for use of individual domestic wastewater systems within the Master Plan area and subsequent subdivisions may also ultimately conflict with New Mexico Environment Department requirements for wastewater systems due to proposed density and lot size requirements. The high density development areas resulting in average lot sizes less than 3/4 acres need to be fully vetted by the P&Z to ensure that minimum lot sizes will allow for use of appropriate types of individual wastewater systems and appropriate set back requirements from domestic wells and adjacent wastewater system disposal fields. Such considerations are also of concern to the EBWPC as potential contamination from wastewater systems is within the area of concerns identified in the regional water plan.

*Transition to Current Ordinances Following Amendment Approvals and Evaluation of Requirements under the Current Ordinances*

In Item 4 of the December 17, 2021 letter, Mr. Dvorak indicates that if the proposed amendments were to be approved, then the 2019-03 Zoning Ordinance and presumably the 2019-04 Subdivision Ordinance would then govern the Master Plan. It is unclear whether that applies only to Campbell Ranch as the master developer and/or to subdividing developers.

The 2019-03 Zoning Ordinance addresses Master Plan requirements for a water supply plan and liquid waste disposal plan in Section 24.E. 2. The requirements include:

2. A preliminary water supply plan and liquid waste disposal plan. This analysis will identify one or more sources of water to supply the proposed development, i.e. County or other utility, wells, water rights transfers, point of diversion, etc. The analysis will also include estimated water budget (demand) by phase, total demand at full build-out, including commercial uses, if applicable, and a water conservation plan.

The EBWPC would like further clarification on the administration of the 1999 and 2019 ordinances. Will Campbell Ranch, as the master developer, be held to compliance with the 1999 ordinance, while the subsequent subdividers be held to the 2019 ordinances, and/or will Campbell Ranch also be required to demonstrate compliance with the 2019 Ordinances? If not, that would be problematic in ensuring that the subsequent subdivisions are in conformance to the original approved Master Plan and that the master developer remains involved and ensures consistent compliance in the subdivision development.

*Existing Water Plan Appendix to the Master Plan is Outdated and Water Supply Plan is Not Deferable to Subdivision*

The existing water supply plan was prepared in early 2000, is outdated given more recent District Court rulings (under appeal) and remains vague with respect to identifying the sources of water, water rights transfers, and specific points of diversion. This is particularly true considering the District Court rulings regarding the denial of a new water rights appropriation for Campbell Ranch that is an integral part of the projected water budget for the development and water supply plan. Defaulting to use of individual wells by amendment does not address the existing deficiencies and is previously addressed in this letter.

Regardless, the water supply plan is required at the Master Plan level and does not appear to be deferable to consideration at the subdivision level by either of the zoning ordinances, as seems to be suggest by Mr. Dvorak in Items 1 and 4 of the December 17, 2021 letter.

***Reliance on Domestic Wells and Septic Systems May Not Be Allowable.***

Section F.2 of the District Standards of the 2019-03 Zoning Ordinance clearly indicates that:

2. All development within the Master Plan Zone must be served by water and wastewater facilities/utilities.

The terms "facilities"/ "utilities" are undefined in the ordinance and should be defined by the P&Z as regards to its intent in Master Planned zoning. The phrase "water and wastewater facilities/utilities" is only used in one other zoning ordinance section (Section 18.F.2 pertaining to Rural Residential Zone). The EBWPC's opinion is that in context, and given past approval of the Master plan as precedent, it would seem to imply an intent to depend and rely on centralized systems of facilities and utilities for master plan areas rather than individual well and wastewater systems aside from those limited areas where domestic wells and individual wastewater systems are specifically annotated in the Master Plan on a limited basis.

***Viability of the Existing Water Budget to Serve the Planned Area is Questionable***

The existing approved Master Plan provides an estimated water budget, as is required per the 2019 zoning ordinance. Because of the scope of the development and long-range build out, this estimated water budget becomes a regional water planning concern. However, the water budget for the Master Plan is heavily dependent on the use of reclaimed wastewater to provide the anticipated water needs of the Master Plan. The use of individual domestic wells and wastewater systems is likely antithetical to the existing water budget provided to the Town.

The EBWPC also notes that the water budget is heavily dependent on contribution of reclaimed wastewater from ALL of the various villages and that failure of any singular Village or any combination of the Villages to supply such wastewater would be significantly detrimental to the water budget and will result in significant use of additional freshwater supplies for irrigation needs and increase the overall total demand. The amendments to allow the use of individual domestic wells and wastewater systems shoul, then, trigger revision of the Master Plan to address potential exclusion of Village 1 demands and reuse resources accordingly, as well as decreased return wastewater flows overall as they will be diverted via septic system disposal.

***Requirement for Submittal of an Enforceable Water Conservation Plan, None Has Been Submitted***

The 2019-03 Zoning Ordinance in Section 24.E.2 calls for an analysis that includes a water conservation plan.

2. A preliminary water supply plan and liquid waste disposal plan. This analysis will identify one or more sources of water to supply the proposed development, i.e. County or other utility, wells, water rights transfers, point of diversion, etc. The analysis will also include estimated water budget (demand) by phase, total demand at full build-out, including commercial uses, if applicable, and a water conservation plan.

Mr. Dvorak in Item 6 of the December 17, 2021 letter incorrectly asserts that the water conservation plan is only required, "if applicable". However, a correct reading of the text above links "applicability" to including commercial uses, rather than to the requirement for a water conservation plan. The water phrase "and a water conservation plan" stands as an independent clause and, consequently, a water conservation plan is a requirement for a Master Plan zoning approval under the 2019-03 Ordinance.

**The current approved Campbell Ranch Master Plan does not have a water conservation plan.** It does provide conceptual conservation items with which the EBWPC agrees, and on which the provided estimated water budget also heavily depends. However, it is not a water conservation plan and it is not enforceable under existing Town ordinance and regulations. This lack of enforceability was also noted by the District Court in its ruling on the Aquifer Science case.

EBWPC would recommend that as a condition of the amendments, Campbell Ranch be required to provide a written water conservation plan and that the amendments allow for enforceability of the plan by Edgewood regardless of the source of water ultimately provided for the Master Plan area. Again, the EBWPC wants to reemphasize that the use of individual domestic wells and particularly individual wastewater systems drastically undermines the water budget and water conservation planning on which the Master Plan is premised.

#### *Conformance of the Amendments to Adopted Land Use Plans is Problematic*

The 2019-04 Subdivision Ordinance in Section 5.A.5, will also presumptively govern once the amendments are approved, as based on Mr. Dvorak's comments, and indicates that

- MINIMUM REQUIREMENTS, AS SET FORTH BY THE COMPREHENSIVE PLAN, WHEREVER POSSIBLE OR FEASIBLE.
- 5. Conformance of Proposal to the Comprehensive Plan and other Land Use Plans.** Any subdivision or replat proposal which does not conform with goals, policies or other provisions of the Master Plan or other officially adopted land use plans shall not be approved.

This is particularly problematic for the Town when deferring items to later subdivision determinations.

The existing approved Campbell Ranch Master Plan is an officially adopted land use plan and currently indicates an extensive centralized water supply and wastewater system. Furthermore, Section 7.C.6.f.8 of the subdivision ordinance will require the applicant to identify the location of planned water wells, and Section 7.C.6.i, will require a letter of commitment from the water company that will provide service to the subdivision.

While Section 9.N of the subdivision ordinance addresses the minimum requirements for use of private wells and septic systems, such use must still be in conformance with the prevailing Master Plan. The existing Master Plan, however, is fully predicated on an extensive centralized water and wastewater system rather than use of domestic well and wastewater systems except in limited specified areas.

#### Summary of EBWPC Comments

Overall, the EBWPC is of the opinion that use of a centralized water supply and wastewater system as originally indicated in the Campbell Ranch Master Plan and supplied through existing water right allocations is preferable to the widespread use of domestic wells and individual wastewater system with regard to providing for long range regional water supply planning. A centralized water supply system (rather than use of domestic wells for subdivisions as is currently being considered as part of the proposed amendments and alluded to by Mr. Dvorak) will utilize existing or transferred water rights at points of diversion outside the Sandia Basin.

That approach will minimize impacts to the immediately surrounding community which is a current consideration under the 1999-Q zoning ordinance, as well as to the communities surrounding the points of diversion in as much as: the utilization of such water rights is fully monitored by the OSE, impacts of the use of such rights is fully governed and administered under the prevailing OSE guidelines for the points of diversion, and determination of the impacts and level of acceptable impacts has also already been determined through the water rights allocation process. Using this approach, it appears to the EBWPC that the Town would have appropriately addressed the 1999 and 2019 ordinance requirements that address impacts of the water supply to the surrounding communities.

A requirement for centralized systems for the Master Plan also allows for better monitoring and reporting of total water use, provides for increased opportunities for water reuse and reclamation, can promote water conservation through a controlled pricing structure, allows the water system operator to further impose water conservation requirements, and minimizes water contamination risk from poorly maintained individual wastewater systems or migration of contaminants through poorly-sealed private wells.

It is the EBWPC's opinion that only by taking this approach, and by the Town exercising its responsibility to require and properly evaluate anticipated water supply and wastewater system impacts, will the Town meet its own regulatory and ordinance standards as well as its regional water supply responsibilities.

Respectfully submitted

Manny Encinias, PhD  
Vice-Chairman, Estancia Basin Water Planning Committee  
(Chairman Rik Thompson having been recused)

**Financial Report as of 6 August 2022**

## Request from Santa Fe County Water Policy Advisory Committee for Estancia Representation

Re: WPAC Estancia Area Member



Carl Dickens <cedickens2@yahoo.com>  
To Dan McGregor

Reply Reply All Forward

Tue 8/9/2022 3:25 PM

You replied to this message on 8/9/2022 3:50 PM.

You don't often get email from [cedickens2@yahoo.com](mailto:cedickens2@yahoo.com). [Learn why this is important](#)

**CAUTION: This email originated from outside of Bernalillo County. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Dear Dan,

Thank you for agreeing to present the Water Policy Advisory Committee's (WPAC) membership request at the next Estancia Basin Water Planning Committee (EBWPC) on August 11.

The WPAC was established to: make recommendations on water issues to the Board of County Commissioners, assist Santa Fe County in addressing proposed aquifer storage and recharge activities and projects, explore the concept of a regional water authority, make recommendations on drought management and recommend updates to the County's ordinances, policies and plans related to water issues.

The membership includes a representative from the Estancia Planning Area. Given the water challenges of Santa Fe County the WPAC feels it is essential we work together to address these challenges. We understand water issues are different throughout the County which makes it that much more important to work collaboratively. We encourage the EBWPC to select someone to serve on the WPAC. We feel it would be mutually beneficial and an opportunity to remind everyone that Santa Fe County isn't just "Santa Fe".

The WPAC feels it has a lot to learn from the EBWPC. We are especially interested in the tri-county MOU that formed the EBWPC. We feel it might be a model for a regional water authority. At the same time the WPAC can offer its support and expertise to water issues faced by the communities in southern Santa Fe County.

Again thank you for your assistance. Please let us know if you need additional information/

Shann Springer, Chair

Santa Fe County Water Policy Advisory Committee

## Correspondence Regarding Campbell Ranch Master Plan

---



### *Estancia Basin Water Planning Committee*

*P.O. Box 58  
Estancia, NM 87016*

June 16, 2022

Mr. Brad Hill  
Planning and Zoning Manager  
Town of Edgewood, NM  
PO Box 3610  
Edgewood, NM 87015

Re: Proposed Amendments to Campbell Ranch Master Plan

Mr. Hill

On December 17, 2021, Mr. Tim Dvorak with the Town of Edgewood (Town) Planning and Zoning Department provided a reply to a previous inquiry from the Estancia Basin Water Planning Committee (EBWPC) regarding our concerns with the Town Planning and Zoning Commission (P&Z) approved amendments to the Campbell Ranch Master Plan (Master Plan) of Sept 28-29, 2001. The inquiry was initiated by the EBWPC in response to a request from Bernalillo County Commissioner Charlene Pyskoty (District 5). Copies of the referenced correspondence are attached.

An appeal by others of the prior P&Z's decision on the Master Plan was filed with the Town Council prior to the Town transitioning to a commission governance structure effective January 1, 2022. The P&Z membership was also replaced subsequent to the governance structure change. The appeals were placed on the Town Board of Commissioner's (Commission) agenda for the April 12, 2022 commission meeting. An extensive public comment period was provided at that meeting, and the Commission then voted to remand the case back to the P&Z due to open meetings requirement concerns. The directions in the remand were to rehear the case in its entirety. The Commission issued the remand without hearing the details or defense of the appeals to the initial P&Z approval. As of June 16, 2022, there is no currently scheduled date for the remand hearing with the P&Z.

Preparatory to the remand hearing, the EBWPC is requesting that the entirety of this correspondence package be included in the record of the Master Plan amendments as the EBWPC's initial public comments on the remanded case to ensure that there is a complete record of EBWPC concerns available to the new P&Z and presumptively for Commission review in due order.

Though we fully understand that Mr. Dvorak's information of December 17, 2021 is in no way binding on the Town staff, the new P&Z or the Commission, the EBWPC is assuming that the information provided by Mr. Dvorak will likely be viewed as a recommended approach forward for the P&Z. This is of concern to the EBWPC, as Mr. Dvorak's suggested path forward may be at odds with the governing zoning and subdivision ordinances regarding provision of water and wastewater services and consideration of water and wastewater plans. The EBWPC is particularly concerned that the amendments will allow the future

use of individual domestic wells and potential individual septic systems. Those directions also neglect the need for a written and enforceable water conservation plan. It is the EBWPC's opinion that if Mr. Dvorak's direction is maintained by the current commission, the outcomes will likely be detrimental to long range planning for water resources for the Estancia and Sandia groundwater basins.

For the reasons outlined below, the extensive use of a centralized water and wastewater system with water supplied from existing permitted water rights as alluded to in the original Master Plan is preferred over the proposed allowed and unevaluated unrestricted use of domestic wells that the Master Plan amendments will foster. This preference is coupled with provisions in the amendments that should both require and allow for Town enforcement of the water conservation requirements and concepts outlined in the approved Master Plan.

#### Detailed Analysis

##### *Requirement for Evaluation of Impact on the Surrounding Community*

The December 17, 2021 letter, Item 3 (see attached), indicates that the 1999 Zoning Ordinance (1999-Q) governs the Campbell Ranch Master Plan until the amendments are finalized and following hearing and resolution of any subsequent appeals. The 1999 Zoning Ordinance addresses master plan zoning requirements as pertains to water and wastewater in Section 12.E.4 and requires submittal of

4. **A written statement regarding the anticipated impact of the Master Plan Zone on the surrounding community with respect to transportation, sources for water supply, disposal of solid and liquid waste, stormwater runoff, and population growth with specific reference to schools.**

Section 12.E .4 clearly requires that there be a written statement regarding the anticipated impact of the Master Plan zone on the surrounding community with respect to water supply and disposal of solid and liquid waste.

The proposed Master Plan amendments as written, would shift the water supply and wastewater disposal from centralized water and wastewater systems to a reliance or at least significantly increased reliance on domestic wells and individual septic systems. Doing so without addressing this critical and required impact analysis and to defer any type of consideration until the subdivision process is at best problematic. The 1999-Q ordinance clearly indicates that the impact study requirement is to be addressed at the master plan zoning stage and does not appear to allow deferring the issue to the subdivision process as suggested by Mr. Dvorak in Item 6 of his response.

##### *Problems with Fulfilling the Proposed Water Budget and Lack of Required and Current Impact Analysis*

The water supply plan and wastewater plan previously provided and approved as part of the Master plan (as indicated in the Appendices list of the Master Plan) anticipated only a very limited use of domestic wells and septic systems in the further reaches of the Master Plan area. As shown in District Court hearings addressing a new water rights appropriation request for the project, the Master Plan's water budget (as it currently exists) is heavily premised on use of an extensive centralized water supply

and wastewater collection, treatment, and reuse system to meet its projected water needs – a concept that the Master Plan amendments appears to be abandoning. The amendment submittals do so without reevaluating whether the water budget could even marginally function with reliance on domestic wells or without inclusion of Village 1 contributions of wastewater to the water reuse system, and all without evaluating the potential impact to the surrounding community.

A change in approach from centralized water and wastewater systems to expanded use of domestic wells and individual wastewater systems, as alluded to by Mr. Dvorak in Items 1 and 4, is a significant change from the approved Master Plan and needs to be intentionally considered and thoroughly evaluated as is required by ordinance. Such a drastic change in approach for the water supply likely necessitates a wholesale revision and reapproval of the Master Plan and supporting water and wastewater plans.

#### *Evaluating the Potential Impact to the Surrounding Community*

Regarding the anticipated impact to the surrounding community, the EBWPC respectfully reminds the P&Z that the recent District Court ruling (under appeal) in the Aquifer Science case denied a request for a new water rights appropriation for a centralized water system with wells located within Campbell Ranch, and clearly indicated that the impact to the surrounding community was potentially significant based on existing OSE standards and requirements. During the hearing, Bernalillo County and various private parties (i.e. the surrounding community) brought into evidence multi-year water level monitoring data and clearly demonstrated multi-year declines in water levels in the surrounding community. Based on that data, the Office of the State Engineer (OSE) has since closed the Sandia Basin to new appropriations (March 12, 2021). Although new domestic wells are still allowed to be permitted, this is because by state law the OSE has no choice and MUST issue such permits, not because reliance on domestic wells was vetted to somehow show a lesser impact on the surrounding community than a centralized system.

The existing Town ordinance referenced above requires that an impact assessment be provided for the whole of the proposed water supply for the Master Plan (and presumptively the Master Plan amendments) as proposed including the use of domestic wells. No such analysis exists, and no such analysis has been performed or submitted in support of the Master Plan or the Master Plan amendments.

The Town has also shown its intent to remove the OSE 70-year availability requirement for the Master Plan by amendment. The EBWPC understands the need for removing such a requirement in that: there is no mechanism for the OSE to perform such a review or impose such a requirement, the OSE does not review municipal subdivision applications, nor does the Town have a codified requirement on which the OSE can perform such a review.

Given the removal of the OSE review requirement for a 70-year supply, the outcome of the District Court hearing, the recent OSE actions in closing the Sandia basin, and the long standing requirements in the Town ordinance for a water supply impact assessment, it would be highly presumptive and irresponsible from a regional water planning perspective for the Town to now amend the Master Plan,

such that the Town presumptively assumes that the OSE issuance of domestic well permits is somehow an ordinance-compliant determination of anticipated impact on the surrounding community as is suggested in Item 1 of the December 17, 2021 letter, or that well permit issuance is sufficient proof of an available water supply to support development in Villages 2, 3, and 4.

By removing the OSE review and the 70-year requirement it becomes the Town's prescribed duty and civic responsibility as stated in Section 12.E.4 of Ordinance 1999-Q to then establish a process to determine water availability and impacts.

#### *Suggested Process for the Required Impact Analysis*

The EBWPC is of the opinion, and its best advice to the Town, is that the Town require that the applicant provide an impact study that addresses the existing water level decline conditions and quantify the anticipated additional water decline and related impact throughout the surrounding community by anticipated use of the combined water sources or the range of possible water sources including dependence on domestic wells to supply the Master Plan area. This study needs to be performed by a qualified hydrogeologist and needs to be provided as part of the supporting documentation from the applicant as part of remanded amendment request.

Such a study should then be thoroughly reviewed by an independent hydrogeologist directly under contract to the Town, with the results and impact then duly considered by the P&Z. In performing that review, the EBWPC also recommends that the adequacy of such a supply and acceptability of impacts be determined by the Town based on allowable increased drawdowns as provided in the OSE's Estancia Basin Management Guidelines, which would be then consistent with the approach taken by the District Court in its ruling on the Aquifer Science matter (and under appeal) regarding new appropriations, as well as the threshold used by the OSE in closing the Sandia Basin to new appropriations (March 12, 2021).

The EBWPC would strongly advise that the responsibility to undertake the required impact analysis and determination lies with the Town in this situation. If the OSE review requirement is removed, it begs the question of what process the Town intends to implement to ensure the impacts are evaluated. Not addressing this issue at this time would be ill advised and would only serve to allow the Master Plan to further avoid considering the long-term and regional impacts of the approved Master Plan. This is particularly so when the Town has the authority to impose such reasonable conditions on the Master Plan as is provided in the existing Town ordinances.

#### *Domestic Wells and Proof of Adequate Water and Sewer Service under Ordinance 1999-R*

The current subdivision ordinance (1999-R) governing the Master Plan does not specifically address the use of individual wells or wastewater systems. Rather, the issues of water and wastewater systems is only peripherally addressed in Section 14.C wherein the required improvements include water and sewer mains, and if such services cannot be provided, the subdivider is required to present evidence that adequate water and sewer service will be provided in compliance with the New Mexico Environment Department.

More importantly, in Section 9.C.6, the subdivision ordinance indicates that the subdivision “shall not be in conflict with any provision of these Regulations, or the Master Plan, or Zoning ordinance of the Town”. The allowance for extensive use of domestic wells by way of the proposed amendments beyond that already allowed by the Master Plan without fully revising and reapproving the Master Plan based on increased domestic well or individual wastewater system use, or at least providing the required impact study, would appear to be in direct conflict with the Master Plan as previously approved as well with the existing governing zoning ordinance requiring such an impact study.

Also, as previously stated above, assuming that the OSE issuance of domestic well permits is sufficient proof that adequate water will be provided to support development in Villages 2, 3, and 4 is highly problematic as issuing such permits is a mandatory requirement placed on the OSE.

Additionally, the provision in the amendments for use of individual domestic wastewater systems within the Master Plan area and subsequent subdivisions may also ultimately conflict with New Mexico Environment Department requirements for wastewater systems due to proposed density and lot size requirements. The high density development areas resulting in average lot sizes less than 3/4 acres need to be fully vetted by the P&Z to ensure that minimum lot sizes will allow for use of appropriate types of individual wastewater systems and appropriate set back requirements from domestic wells and adjacent wastewater system disposal fields. Such considerations are also of concern to the EBWPC as potential contamination from wastewater systems is within the area of concerns identified in the regional water plan.

*Transition to Current Ordinances Following Amendment Approvals and Evaluation of Requirements under the Current Ordinances*

In Item 4 of the December 17, 2021 letter, Mr. Dvorak indicates that if the proposed amendments were to be approved, then the 2019-03 Zoning Ordinance and presumably the 2019-04 Subdivision Ordinance would then govern the Master Plan. It is unclear whether that applies only to Campbell Ranch as the master developer and/or to subdividing developers.

The 2019-03 Zoning Ordinance addresses Master Plan requirements for a water supply plan and liquid waste disposal plan in Section 24.E. 2. The requirements include:

2. A preliminary water supply plan and liquid waste disposal plan. This analysis will identify one or more sources of water to supply the proposed development, i.e. County or other utility, wells, water rights transfers, point of diversion, etc. The analysis will also include estimated water budget (demand) by phase, total demand at full build-out, including commercial uses, if applicable, and a water conservation plan.

The EBWPC would like further clarification on the administration of the 1999 and 2019 ordinances. Will Campbell Ranch, as the master developer, be held to compliance with the 1999 ordinance, while the subsequent subdividers be held to the 2019 ordinances, and/or will Campbell Ranch also be required to demonstrate compliance with the 2019 Ordinances? If not, that would be problematic in ensuring that the subsequent subdivisions are in conformance to the original approved Master Plan and that the master developer remains involved and ensures consistent compliance in the subdivision development.

***Existing Water Plan Appendix to the Master Plan is Outdated and Water Supply Plan is Not Deferable to Subdivision***

The existing water supply plan was prepared in early 2000, is outdated given more recent District Court rulings (under appeal), and remains vague with respect to identifying the sources of water, water rights transfers, and specific points of diversion. This is particularly true considering the District Court rulings regarding the denial of a new water rights appropriation for Campbell Ranch that is an integral part of the projected water budget for the development and water supply plan. Defaulting to use of individual wells by amendment does not address the existing deficiencies and is previously addressed in this letter.

Regardless, the water supply plan is required at the Master Plan level and does not appear to be deferrable to consideration at the subdivision level by either of the zoning ordinances, as seems to be suggest by Mr. Dvorak in Items 1 and 4 of the December 17, 2021 letter.

***Reliance on Domestic Wells and Septic Systems May Not Be Allowable.***

Section F.2 of the District Standards of the 2019-03 Zoning Ordinance clearly indicates that:

- 2. All development within the Master Plan Zone must be served by water and wastewater facilities/utilities.**

The terms "facilities"/ "utilities" are undefined in the ordinance and should be defined by the P&Z as regards to its intent in Master Planned zoning. The phrase "water and wastewater facilities/utilities" is only used in one other zoning ordinance section (Section 18.F.2 pertaining to Rural Residential Zone). The EBWPC's opinion is that in context, and given past approval of the Master plan as precedent, it would seem to imply an intent to depend and rely on centralized systems of facilities and utilities for master plan areas rather than individual well and wastewater systems aside from those limited areas where domestic wells and individual wastewater systems are specifically annotated in the Master Plan on a limited basis.

***Viability of the Existing Water Budget to Serve the Planned Area is Questionable***

The existing approved Master Plan provides an estimated water budget, as is required per the 2019 zoning ordinance. Because of the scope of the development and long-range build out, this estimated water budget becomes a regional water planning concern. However, the water budget for the Master Plan is heavily dependent on the use of reclaimed wastewater to provide the anticipated water needs of

the Master Plan. The use of individual domestic wells and wastewater systems is likely antithetical to the existing water budget provided to the Town.

The EBWPC also notes that the water budget is heavily dependent on contribution of reclaimed wastewater from ALL of the various villages and that failure of any singular Village or any combination of the Villages to supply such wastewater would be significantly detrimental to the water budget and will result in significant use of additional freshwater supplies for irrigation needs and increase the overall total demand. The amendments to allow the use of individual domestic wells and wastewater systems should, then, trigger revision of the Master Plan to address potential exclusion of Village 1 demands and reuse resources accordingly, as well as decreased return wastewater flows overall as they will be diverted via septic system disposal.

***Requirement for Submittal of an Enforceable Water Conservation Plan, None Has Been Submitted***

The 2019-03 Zoning Ordinance in Section 24.E.2 calls for an analysis that includes a water conservation plan.

2. A preliminary water supply plan and liquid waste disposal plan. This analysis will identify one or more sources of water to supply the proposed development, i.e. County or other utility, wells, water rights transfers, point of diversion, etc. The analysis will also include estimated water budget (demand) by phase, total demand at full build-out, including commercial uses, if applicable, and a water conservation plan.

Mr. Dvorak in Item 6 of the December 17, 2021 letter incorrectly asserts that the water conservation plan is only required, "if applicable". However, a correct reading of the text above links "applicability" to including commercial uses, rather than to the requirement for a water conservation plan. The water phrase "and a water conservation plan" stands as an independent clause and, consequently, a water conservation plan is a requirement for a Master Plan zoning approval under the 2019-03 Ordinance.

The current approved Campbell Ranch Master Plan does not have a water conservation plan. It does provide conceptual conservation items with which the EBWPC agrees, and on which the provided estimated water budget also heavily depends. However, it is not a water conservation plan and it is not enforceable under existing Town ordinance and regulations. This lack of enforceability was also noted by the District Court in its ruling on the Aquifer Science case.

EBWPC would recommend that as a condition of the amendments, Campbell Ranch be required to provide a written water conservation plan and that the amendments allow for enforceability of the plan by Edgewood regardless of the source of water ultimately provided for the Master Plan area. Again, the EBWPC wants to reemphasize that the use of individual domestic wells and particularly individual wastewater systems drastically undermines the water budget and water conservation planning on which the Master Plan is premised.

### *Conformance of the Amendments to Adopted Land Use Plans is Problematic*

The 2019-04 Subdivision Ordinance in Section 5.A.5, will also presumptively govern once the amendments are approved, as based on Mr. Dvorak's comments, and indicates that

- UNOFFICIALLY EDITED FOR THE BOARD OF SUPERVISORS, AS REQUIRED BY THE CALIFORNIA GOVERNANCE ACT, WHEREVER APPLICABLE TO THE BOARD.
- 5. Conformance of Proposal to the Comprehensive Plan and other Land Use Plans.** Any subdivision or replat proposal which does not conform with goals, policies or other provisions of the Master Plan or other officially adopted land use plans shall not be approved.

This is particularly problematic for the Town when deferring items to later subdivision determinations.

The existing approved Campbell Ranch Master Plan is an officially adopted land use plan and currently indicates an extensive centralized water supply and wastewater system. Furthermore, Section 7.C.6.f.8 of the subdivision ordinance will require the applicant to identify the location of planned water wells, and Section 7.C.6.i, will require a letter of commitment from the water company that will provide service to the subdivision.

While Section 9.N of the subdivision ordinance addresses the minimum requirements for use of private wells and septic systems, such use must still be in conformance with the prevailing Master Plan. The existing Master Plan, however, is fully predicated on an extensive centralized water and wastewater system rather than use of domestic well and wastewater systems except in limited specified areas.

### Summary of EBWPC Comments

Overall, the EBWPC is of the opinion that use of a centralized water supply and wastewater system as originally indicated in the Campbell Ranch Master Plan and supplied through existing water right allocations is preferable to the widespread use of domestic wells and individual wastewater system with regard to providing for long range regional water supply planning. A centralized water supply system (rather than use of domestic wells for subdivisions as is currently being considered as part of the proposed amendments and alluded to by Mr. Dvorak) will utilize existing or transferred water rights at points of diversion outside the Sandia Basin.

That approach will minimize impacts to the immediately surrounding community which is a current consideration under the 1999-Q zoning ordinance, as well as to the communities surrounding the points of diversion in as much as: the utilization of such water rights is fully monitored by the OSE, impacts of the use of such rights is fully governed and administered under the prevailing OSE guidelines for the points of diversion, and determination of the impacts and level of acceptable impacts has also already been determined through the water rights allocation process. Using this approach, it appears to the EBWPC that the Town would have appropriately addressed the 1999 and 2019 ordinance requirements that address impacts of the water supply to the surrounding communities.

A requirement for centralized systems for the Master Plan also allows for better monitoring and reporting of total water use, provides for increased opportunities for water reuse and reclamation, can promote water conservation through a controlled pricing structure, allows the water system operator to further impose water conservation requirements, and minimizes water contamination risk from poorly

maintained individual wastewater systems or migration of contaminants through poorly-sealed private wells.

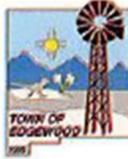
It is the EBWPCs opinion that only by taking this approach, and by the Town exercising its responsibility to require and properly evaluate anticipated water supply and wastewater system impacts, will the Town meet its own regulatory and ordinance standards as well as its regional water supply responsibilities.

Respectfully submitted



Manny Encinas, PhD

Vice-Chairman, Estancia Basin Water Planning Committee  
(Chairman Rik Thompson having been recused)



## TOWN OF EDGEWOOD

*Where the Mountains Meet the Plains*

PLANNING & ZONING DEPARTMENT

171 A, NM 344  
P.O. Box 3610  
Edgewood, NM 87015  
Phone: (505) 286-4518 Fax: (505) 926-9061  
[www.edgewood-nm.gov](http://www.edgewood-nm.gov)

December 17, 2021

Manny Encinias, PhD  
Vice Chairman, Estancia Basin Water Planning Committee  
P.O. Box 58  
Estancia, NM 87016

Good morning, Mr. Encinias. Below is the Town of Edgewood's compiled responses to the Estancia Basin Water Planning Committee's questions. We have broken them up to directly correspond to the numbered questions in your letter.

1. No, the Town cannot provide a specific answer as to prospective water providers; as long as water availability is proven, be it by a water utility such as Entranosa, private wells, or a combination thereof, this will satisfy the water requirement. If any wells are utilized, they will have to be duly permitted by the Office of the State Engineer, which proof of authorization must be provided to the Town.
2. The approved items for the Campbell Ranch Master Plan Amendment include Attachments 1 and 2, along with the tables from Attachment 3 as presented in the September 28, 2021 packet. The final version of Attachment 3 with the approved track changes made during the recess of the September 28, 2021 meeting can be found under the Campbell Ranch section of "Other Publications."
3. Yes, the 1999 Zoning Ordinance governs the Campbell Ranch Master Plan until the amendment approved on September 28, 2021 is finalized. There have been two appeals made to this application, so the approved changes have not yet taken effect.

While the development agreement primarily references the 1999 ordinances as being the governing documents for the Campbell Ranch Master Plan, it recognizes that regulations will change and only references regulations which would "conflict with," "be more restrictive," or would "delay the implementation of the Campbell Ranch Master Plan" as regulations that should not be applied.

John Abrams  
*Mayor Pro Tem*

Sherry Abraham  
Linda Helbo  
Audrey Jaramilla  
*Town Councilors*

Wm. H. White  
*Municipal Judge*

Monet Chavez  
*Interim Deputy Clerk*

Tim Dvorak  
*Interim Planning & Zoning Administrator*

With this in mind, both Town Staff and the previous Planning Commission agree that it would be beneficial and much more legally sound to have the development agreement updated; however, this would be discretionary to both Campbell Farming Corp. and the Governing Body of Edgewood if they wish to undertake this.

4. If the Master Plan Amendment request is ultimately approved after the appeal hearing takes place, all applicable current ordinances, the 2019-03 Zoning Ordinance included, would govern the master plan. At the time of subdivision application, a written water supply plan and liquid waste disposal plan will need to be submitted, along with either a letter of commitment from the applicable water provider or well permit authorization from the Office of the State Engineer.

The adequacy of the water provision requirements is demonstrated by the water will-serve letter by a water provider and/or permits through the Office of the State Engineer. The water and liquid waste disposal plans would have to be updated to current standards and be resubmitted at the time of preliminary plat application; they would be reviewed by a contracted engineering firm for the Town of Edgewood. If there are problems or deficiencies with either or both of the plans, Campbell Ranch will have to fix those elements and additionally construct all infrastructure before a final plat would be able to be approved by the Planning Commission.

5. Campbell Ranch can recognize the recent Sandia Basin closure in their documents; however, what is required by the Town is proof of a water will-serve letter and/or permits through the Office of the State Engineer. Their water source(s) do not need to come from the Sandia Basin in order for the Town's water requirements to be satisfied. The burden is on Campbell Ranch and their subsequent development partners to come up with water sources that will adequately serve and sustain their development.

The Town has always recognized that Village 1 is not part of the Town of Edgewood Municipal Boundaries; however, it is still part of the Campbell Ranch Master Plan. Village 1 would still be a part of the Campbell Ranch Master Plan if the recent Amendment is fully approved, so provisions for infrastructure in this area must still be provided. The Town of Edgewood recognizes that it has no authority in any shape or form to grant development rights to any portion of Village 1.

Because the infrastructure and resource impact of Village 1 must still be accounted for and demonstrated in subsequent infrastructure documents, this will keep the entire scope of impact in mind should the Villages under the Town of Edgewood's jurisdiction be able to proceed.

6. No, a water conservation plan was not originally submitted with the Campbell Ranch Master Plan. This documentation, along with the water supply plan and liquid waste disposal plan would be addressed during preliminary subdivision. I will additionally note that the water conservation plan is deemed as "if applicable" by S.24E.2 of the 2019-03 Zoning Ordinance.

The Town of Edgewood understands that this is a very important issue of great impact. We appreciate the input and guidance of the Estancia Basin Water Planning Committee as we proceed further with land use matters regarding Campbell Ranch. We understand that this is a complex and ongoing situation, and we aim to be as transparent and egalitarian as possible in all Campbell Ranch proceedings. If there is anything else that we can provide, please do not hesitate to reach out to us. I thank you very much for your patience in allowing us additional time to compile this response, and I hope you all have a wonderful holiday season.

Respectfully,



Tim Dvorak  
Interim Planning & Zoning Administrator  
Town of Edgewood  
171A NM 344, Edgewood, NM 87015  
(505) 286-4518

*cc. Jessica Nixon, Robles, Rael, & Anaya  
John Abrams, Mayor Pro Tem  
Monet Chavez, Interim Deputy Clerk*

---



## *Estancia Basin Water Planning Committee*

*P.O. Box 58  
Estancia, NM 87016*

November 8, 2021

Mr. John Abrams (Mayor Pro Tem)  
Town of Edgewood Council  
PO Box 3610  
Edgewood, NM 87105

Re: Request of Bernalillo County Commissioner Charlene Pyskoty to the Estancia Basin Water Planning Committee (EBWPC) to review and comment on recent Town of Edgewood amendments to the Campbell Ranch Master Plan with regards to potential impact on the water resources of the Estancia Basin.

Mayor Pro Tem Abrams and Council;

The Estancia Basin Water Planning Committee (EBWPC) was formed by a tri-county Memorandum of Understanding between Bernalillo County, Torrance County, and Santa Fe County. The EBWPC was established as a special-purpose, advisory planning committee to provide for the coordination of water planning activities affecting the Estancia Basin.

The EBWPC's assigned responsibilities include to "review and comment on major development proposals impacting water resources as appropriate and by request from any government agency with jurisdiction in the Estancia Basin." Commissioner Charlene Pyskoty (Bernalillo County District 5, Commission Chair, letter attached) has requested that the EBWPC review and comment on recent amendments to the Campbell Ranch Master Plan approved by the Town of Edgewood Planning and Zoning Commission on Sept 28-29, 2021.

The EBWPC is in possession or has access to a number of supporting documents including the Town of Edgewood Planning and Zoning minutes for the Sept 28-29, 2021 and the October 26, 2021 meeting packets (which include the adopted amendments), copies of the 1999 and 2019 Subdivision and Zoning Ordinances, and a copy of the initial Development Agreement from 2001 between the Town of Edgewood and Campbell Ranch. The EBWPC also has a copy of Entranosa's current expansion policies, though Campbell Ranch has not cited an intended provider and deferred that identification due to a reported non-disclosure agreement.

Germane to the EBWPC, the amendments included the removal of a requirement stated as:

*Note that prior to subdivision platting, the State Engineer must issue a favorable opinion showing a 70-year supply of water for each subdivision*

The statement was revised, at hearing and read into the record, to read as:

*Note that prior to subdivision platting, the applicant must provide evidence of water availability consistent with the Town of Edgewood Planning and Zoning Ordinances in effect at the time of the time of subdivision approval.*

To properly review and advise on the potential impact of that amendment on the water resources of the Estancia Basin, the EBWPC would appreciate clarification on several items and processes related to the recent amendments.

1. Given the recent closure of the Sandia Basin to new appropriations based on significant water level declines, recent court decision (under appeal) denying a new appropriation to supply Campbell Ranch, that the Sandia Basin may provide limited recharge to the Estancia Basin and the long standing closure of the Estancia Basin, can you please provide information on the intended water source(s) for the Campbell Ranch Master Plan at this time – will it be by a local utility provider, by private wells, or a combination of those two sources (and in what proportions)?
2. Can you please clarify whether all the proposed amendments in the Sept 28-29, 2021 meeting packet were approved, with additional revisions as read into the record, or were only those items read into the record adopted?
3. Does the 1999 Zoning Ordinance or the 2019 Zoning Ordinance (particularly regarding master plan requirements for water planning) govern the Campbell Ranch at this time?

The 2001 development agreement indicates that the ordinances in place at time of adoption (1999 Ordinance) would govern and there is no mention in the approved amendments indicating that the 2019 ordinances are to govern prior to subdivision application. Yet, statements in the meeting minutes indicated that the intent was to hold Campbell Ranch to the 2019 Ordinances, but final actions changed the language to read *"Town of Edgewood Planning and Zoning Ordinances in effect at the time of the time of subdivision approval."*

4. It is unclear to the EBWPC which ordinances are now applicable and at what point various ordinances apply in the approval process. Can you please clarify:
  - a. At time of subdivision application, which of the water planning standards will be the required standard:
    - a written water supply plan and liquid waste disposal plan (per the 2019 Zoning ordinance) and/or;
    - a letter of commitment from the water provider (from the 2019 Subdivision ordinance)

- b. What criteria will the Town of Edgewood use to determine the adequacy of the proposed water and/or liquid waste disposal plan, or availability letter if an existing utility supplier is intended?
- c. What criteria will the Town of Edgewood use to determine the adequacy of the proposed water and/or liquid waste disposal plan if private wells and or septic systems is intended?
- d. At what point in the amended process will an updated written plan for water supply and liquid waste disposal be required and at what scale (master plan or subdivision)?

The 1999 Zoning Ordinance for Master Plan areas requires only a "written statement regarding the impact of the Master Plan Zone on the surrounding community with respect to transportation, sources for water supply, disposal of solid and liquid waste ...".

By contrast the 2019 Zoning Ordinance for Master Plan zoning requires "A written water supply plan and liquid waste disposal plan. This analysis will identify one or more sources of water to supply the proposed development, i.e., County or other utility, wells, water right transfers, point of diversion, etc. The analysis will also include estimated water budget (demand) by phase, total demand at full build out, including commercial uses, if applicable, and a water conservation plan."

The current requirement for a final plat for a subdivision is only "a letter of commitment from: The water company that will provide service to the subdivision" and "The Town of Edgewood regarding possible offsite sewer availability". There is no description of the requirements if private wells or on-site wastewater systems (septic tanks) are to be utilized.

The recently amended plan now reads as "Town of Edgewood Planning and Zoning Ordinances in effect at the time of the time of subdivision approval."

The specified ordinances (zoning, subdivision, or combination thereof) is unclear.

- 5. If the answers to the questions above are dependent on the Water and Wastewater Plans provided as appendices to the Master Plan in 2000 and accepted by the Town of Edgewood at that time:
  - a. What is the Town of Edgewood's intent or mechanism regarding having those plans updated to recognize the recent basin closure and court decisions?
  - b. What is the Town of Edgewood's intent to have the plans updated given the recent recognition by the Town of Edgewood Planning and Zoning Commission that the Town of Edgewood does not have jurisdiction of Village 1?

- c. In the opinion of the Town of Edgewood, how does the lack of an approved master plan by the authority having jurisdiction for Village 1 (Bernalillo County) affect the phasing, total project water use, and total project reuse water available and water budgets used to support master plan and subdivision requests for Villages 2, 3, and 4 as required by the 2019 Zoning Ordinance?
- 6. The EBWPC was unable to locate a written and documented water conservation plan for the Campbell Ranch master plan for review, and the current subdivision ordinance does not have a requirement to provide such a plan at the time of subdivision application.
  - a. Can the Town of Edgewood locate and provide a copy of such plan to the EBWPC?
  - b. If no such plan exists, does the Town of Edgewood intend to require a written conservation plan, (as would seem to be required by the 2019 Zoning Ordinance for Master Plan zoned areas), and what process would the Town of Edgewood use to approve such a plan?

The EBWPC would appreciate, and respectfully requests, a response to the above questions and request for information so that we can properly review and advise the Town of Edgewood regarding potential impacts on the water resources of the Estancia Basin.

Sincerely



Manny Encinas, PhD

Vice Chairman, Estancia Basin Water Planning Committee

Attachment: Letter from Commissioner Charlene Pyskoty, Bernalillo County

Cc: Bernalillo County Board of County Commissioners, Charlene Pyskoty, Chair  
Torrance County Board of County Commissioners, Ryan Schwebach, Chair  
Santa Fe County Board of County Commissioner, Henry Roybal, Chair  
Tim Dvorak, Town of Edgewood, Code Enforcement Officer/Planning Assistant



October 12, 2021

Mr. Rick Thompson  
Chair, Estancia Basin Water Planning Committee  
P.O. Box 48  
205 S. Ninth Street  
Estancia, NM 87016

Re: Town of Edgewood, Amendments to Master Plan and Waiver of Ordinances

Mr. Thompson:

Under the provisions of the Estancia Basin Planning Committee (EBWPC) Memorandum of Understanding (Section 3, paragraph 2, Item E) between Bernalillo County, Santa Fe County, and Torrance County, the Committee's responsibilities include the following:

*E. Review and comment on major development proposals impacting water resources as appropriate and by request from any government agency with jurisdiction in the Estancia Basin.*

Bernalillo County is a signatory member to the MOU and has jurisdiction within Bernalillo County for areas either within or dependent on the water resources of the Estancia Basin.

Accordingly, I am requesting on behalf of Bernalillo County that the EBWPC review and comment on recent amendments to the Campbell Ranch Master Plan and waivers to the Town of Edgewood ordinances granted by the Town of Edgewood Planning and Zoning Commission in as much as such amendments and changes have the potential to impact the water resources of the Estancia Basin.

It is my understanding from reviewing the MOU that the goals of the EBWPC MOU are stated in Section 1 of the MOU. I am requesting that the board evaluate the Town of Edgewood amendments and waivers against the goals listed in Section 1, Items, B, C., D., F., G., and H. of the MOU as provided immediately below.

The general goal for the water planning process is to protect the quality and quantity of water resources of the Escondido Basin for future generations. Various objectives for achieving this goal include but are not limited to the following:

- A. Develop a hydrogeologic model of the Basin to determine ground-water flow and to calculate the basin's groundwater supply;
- B. Maintain a computerized inventory of water users in the Basin and continuously forecast the conceptual demands on Basin ground water;
- C. Establish a ground-water monitoring system for collecting data on water table changes, water levels, and concentrations in Basin selected areas;
- D. Develop and utilize techniques of land-use management for reducing threats to water resources, especially in vulnerable areas;
- E. Initiate and conduct a water markets information and education program designed to increase public knowledge of water laws and regulations, water conservation techniques, and the need to develop conservation programs; promote water conservation and conservation management policies for consideration by the various governments with jurisdiction in the Escondido Basin;
- F. Prepare a description of long-term water development plans from all municipalities, counties, and public utilities operating water supply systems within the Escondido Basin; and
- G. Assess the future availability of usable water resources to maintain and create existing regulatory and institutional uses.

In doing so, I am respectfully requesting that the board also review and act on its responsibilities as it best sees fit as laid out in Section 3. Committee Responsibilities, particularly with regards to Items C., D., E., F.

- C. Collect and compile all available data and information on the water resources of the Escondido Basin. Such data and information will be placed in a water resources library at the TORRANCE County Courthouse;
- D. Maintain communications with the respective Planning Commissions of the Counties of BERNALILLO, SANTA FE, and TORRANCE;
- E. Review and comment on major development proposals impacting water resources as appropriate and by request from any government agency with jurisdiction in the Escondido Basin;
- F. Investigate and recommend water resource management policies and strategies for consideration by the various governments with jurisdiction in the Escondido Basin;

While respectful of Town of Edgewood jurisdictional authorities over its annexed areas, Bernalillo County is concerned in as much as the Town of Edgewood is the sole arbiter of the use of regional water resources to supply the Master Plan area. Bernalillo County believes that because of its charge to perform regional water planning, the EBWPC is in the best position to advise the Town of Edgewood regarding water resources concerns that should be considered in its decision making.

Accordingly, Bernalillo County respectfully requests that the EBWPC evaluate and advise the respective Counties and the Town of Edgewood as the EBWPC determines appropriate and within the scope of its objectives and responsibilities.

Respectfully Requested,



Charlene E. Pyskory  
Chair, County of Bernalillo Board of Commissioners  
Bernalillo County Commissioner, District 5

## Cost Proposal from JSAI for Transducer Installations



July 12, 2022

Dan McGregor  
Natural Resource Services Section Manager  
Bernalillo County Public Works  
415 Silver Avenue SW  
Albuquerque, NM 87102

dmcgregor@bernco.gov

**Re: Proposal for Estancia Basin Water Planning Committee transducer install**

Dear Dan:

Thank you for allowing John Shomaker & Associates, Inc. (JSAI) to propose on the installation of Bernalillo County-provided transducers under a loan program to the Estancia Basin Water Planning Committee (EBWPC). Per our partial email correspondence, the following tasks are envisioned to install a variety of InSitu water-level transducers in the 14 monitored wells:

1. Pick-up Bernalillo County equipment (including vented LevelTrolls, AquaTrolls, and various length cables) and match equipment with existing wells and monitoring needs. Contact all EBWPC well owners and request permission for installation and modification of their wells (with documentation).
2. Purchase carabiners, bolts and 14 desiccant pods (\$125 each) for each EBWPC well, to make installation possible in the steel and PVC wells monitored. The desiccant pods will allow installation of the vented transducers and prevent moisture from entering the vents in (en)closed wells.
3. Coordinate with InSitu for wireless upgrades to level loggers, and perform software/firmware upgrades where possible.
4. Install all the equipment (2-day field installation including documentation of installation, start of logging at 12-hour intervals, bringing tools for installation and modifying well heads to accept docks and fasteners).

Our deliverable would be photo-documentation of the install and a table with manual water-levels corresponding to the install time. Our estimated cost for the project is \$9,936.80 plus applicable NM gross-receipts tax. If you have any questions, please let me know.

Sincerely,

JOHN SHOMAKER & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Erwin A. Melis".

Erwin A. Melis, PhD, PG (CA 8870)  
Senior Hydrogeologist

EAM:eam

RE: Transducers for Estancia Basin

Erwin Melis <emelis@shomaker.com>  
To: Dan McGregor  
Cc: Noah J. Sedillo <nsedillo@tcnm.us>; jtorres@tcnm.us; rik <rik@bluevixresources.com>; manny@cattlemangementsservices.com

Reply Reply All Forward

Tue 7/12/2022 4:00 PM

**CAUTION: This email originated from outside of Bernalillo County. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Thanks,

We will do that. Thanks a bunch.

Erwin

From: Dan McGregor <dmcgregor@berncgo.gov>  
Sent: Tuesday, July 12, 2022 3:29 PM  
To: Erwin Melis <emelis@shomaker.com>  
Cc: Noah J. Sedillo <nsedillo@tcnm.us>; jtorres@tcnm.us; rik <rik@bluevixresources.com>; manny@cattlemangementsservices.com  
Subject: RE: Transducers for Estancia Basin

Erwin

Go ahead and bill out the transition costs as a separate invoice. We should be able to cover it as we had a PO in place for Hydroresolutions and only a portion of that was utilized and should just about zero each other out.

Dan McGregor  
505-848-1578

From: Erwin Melis <emelis@shomaker.com>  
Sent: Tuesday, July 12, 2022 2:59 PM  
To: Dan McGregor <dmcgregor@berncgo.gov>  
Cc: Steve Finch <sfinch@shomaker.com>; dgarcia@shomaker.com  
Subject: RE: Transducers for Estancia Basin

**CAUTION: This email originated from outside of Bernalillo County. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Dan,

Yes, with the calling of well owners, and installing the transducers at the same time as the regular water-level reads will save about \$3,000, which with the savings from Bernalillo County buying the desiccant will save \$4,750 and bring you to about \$5,000 (I get \$5,187 for a total cost).

One more item. I spent about 21 hours (\$2,520) during the last quarter on data management and data review when Hydro Resolutions emailed the data in packets. I am not billing for it now, knowing that you have a fixed budget. But I wanted to ask me what you wanted me to do with that? For now I left it on the bill, but it is to me clearly a separate item.

Erwin

From: Dan McGregor <dmcgregor@berncgo.gov>  
Sent: Tuesday, July 12, 2022 10:42 AM  
To: Erwin Melis <emelis@shomaker.com>  
Subject: RE: Transducers for Estancia Basin

Erwin

Thanks. Still working on the cable and transducer inventory on my end. I will go ahead and add the initial desiccant cartridges to my shopping list.

Given our limited budget, we will need to address/get approval for the field work – next meeting is in August – we'd be spending about \$3,000 to \$5,000 for a water level round anyway, so essentially adding \$4,500 to add in the transducer install for all 14 wells (if possible)? Am I understanding that correctly?

Thanks

Dan McGregor  
505-848-1578

From: Erwin Melis <emelis@shomaker.com>  
Sent: Tuesday, July 12, 2022 9:44 AM  
To: Dan McGregor <dmcgregor@berncgo.gov>  
Cc: Steve Finch <sfinch@shomaker.com>; dgarcia@shomaker.com  
Subject: RE: Transducers for Estancia Basin

**CAUTION: This email originated from outside of Bernalillo County. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Dan,

After talking to Zach in our office, and since you have vented transducers the desiccant needs to be included in the deployment. They are \$125 from InSitu and we have found a way to refill them inexpensively, once the desiccant has been spent. I included the cost of 14 x \$125 of desiccant pods from InSitu as I didn't want the county's instruments damaged by water. If you have the desiccant we can refill from bags we get at hobby stores or florists and I can take of the \$1750 I added for this feature/requirement in wet well casings off the attached proposal.

I also added some time to contact well owners for permission to add this instrumentation, and this may be time-consuming as I don't have phone numbers for well owners.

Erwin

From: Dan McGregor <dmcgregor@berncgo.gov>  
Sent: Thursday, July 7, 2022 6:43 PM  
To: Erwin Melis <emelis@shomaker.com>  
Subject: Re: Transducers for Estancia Basin

County will inventory and track and provide to you to deploy

[Get Outlook for iOS](#)

From: Erwin Melis <emelis@shomaker.com>  
Sent: Thursday, July 7, 2022 5:48:37 PM  
To: Dan McGregor <dmcgregor@berncgo.gov>  
Subject: RE: Transducers for Estancia Basin

**CAUTION: This email originated from outside of Bernalillo County. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Dan,

Sorry more questions, will you or the county inventory or will I have to add hours to do that? Assuming we want to make sure Bernalillo County has the equipment needed to cover the EBWPC wells, and assuming you'd want to keep some transducers behind for your own programs or emergencies.

Erwin

From: Dan McGregor <dmcgregor@berncgo.gov>  
Sent: Thursday, July 7, 2022 11:41 AM  
To: Erwin Melis <emelis@shomaker.com>  
Subject: RE: Transducers for Estancia Basin

Erwin

1. We utilize IN-Situ exclusively. I haven't inventoried the stock recently, but typically 15 or 30psi vented level troll 500s and may have one or two aqua trolls. Some of these may be a bit dated and all will require physical connection for reading (rather than wireless/ blue tooth), but still "in the box" so battery life should be good. Open to looking at wireless upgrades if needed.
2. Separate lengths of vented in-situ cables, most will be 100 foot to 300 foot lengths – again, will need to get it inventoried
3. The cables have the wire loop for hanging, but not the well docks, so fashioning some type of anchor then to carabiner will be needed.

Dan McGregor  
505-848-1578

From: Erwin Melis <emelis@shomaker.com>  
Sent: Thursday, July 7, 2022 10:29 AM  
To: Dan McGregor <dmcgregor@berncog.gov>  
Cc: 'Steve Finch' <sfinch@shomaker.com>  
Subject: RE: Transducers for Estancia Basin

**CAUTION: This email originated from outside of Bernalillo County. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Dan,

A few quick questions:

1. How many transducer and what type of In-situ transducer?
2. How much cable? Is it on one roll, or in separate lengths? Do you have direct read cable, or just stainless steel coated wire for hanging?
3. Do you have hangers or well docks for the cable? If so how many, or do we need to fashion hangers?

I think we can install in two days depending how many transducers you have. If they are Bluetooth enabled the programming with InSitu is a cinch. I will get the proposal finalized once I get answers and understand what other equipment should be on my list of consumables for this project.

Erwin

From: Dan McGregor <dmcgregor@berncog.gov>  
Sent: Friday, July 1, 2022 12:02 PM  
To: emelis@shomaker.com  
Subject: Transducers for Estancia Basin

Erwin

The budget increase that I requested this year for the hydrogeology program came in, and being without a hydrogeologist, is going to be a bit tough to implement.

So now would be the time to get the transducer request in. I've got a handful of transducers on the shelf and a fair amount of decent cable (all InSitu) – none of it is doing anyone any good setting in the shed at this point, and no one to deploy it otherwise, so please get the request to me and I will see what we can do to pull the materials together.



The mission of Natural Resource Services is to steward Bernalillo County's natural resources. We do this by educating the public about protection and conservation of these resources.

## Link to MRCOG Presentation

RE: Water Resources Board

**Bianca Borg** <bborg@mrcog-nm.gov>  
To: Dan McGregor

Reply Reply All Forward

Tue 6/28/2022 11:00 AM

You replied to this message on 6/28/2022 12:37 PM.

**CAUTION: This email originated from outside of Bernalillo County. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Dan,  
Noted.

Here is the link to the recordings on our website: <https://www.mrcog-nm.gov/390/Water-Resources-Board>

Thanks!

**Bianca**

-----Original Appointment-----

From: Dan McGregor <dmcgregor@berncog.gov>

Sent: Tuesday, June 28, 2022 10:56 AM

To: **Bianca Borg**

Subject: Tentative: Water Resources Board

When: Wednesday, July 13, 2022 10:00 AM-12:00 PM (UTC-07:00) Mountain Time (US & Canada).

Where: MRCOG Boardroom & Zoom

**Bianca**

Just to be clear

- 1.) I am the designated alternate, while I believe Co, O'Malley is the appointed member
- 2.) I am not kept in the loop from the Commissioner's office on her attendance or not
- 3.) Keep me on the distribution none the less
- 4.) I have a standing meeting with my manager on Wednesday mornings from 9:30 to 10:30, so will be joining late.

Also – did you or could you send me the link to the presentation from the last Water Resources Board regarding the “state of water in new Mexico” – I'd like to share it over to the Estancia Basin folks.

Thanks

**QUOTE FROM IN-SITU FOR TRANSDUCERS AND CABLING**  
 (included additional items for Bernalillo County Inventory, EBWPC Inventory provided in following initial e-mail)



In-Situ, Inc.  
 221 E. Lincoln Avenue  
 Fort Collins, CO 80524  
 U.S.A.  
 Tel: (970) 495-1488  
 Fax: (970) 495-1598  
 Email: sales@in-situ.com  
 Web: www.in-situ.com

**Quote - Q-93360**

Issued By: Tony Walker  
 Date: August 8, 2022  
 Quote Valid for 30 days

Sales Manager Stephane Mary	Customer ID 009991	Payment Terms CREDIT CARD	Shipping Method FedEx Ground	INCO Terms	Final Destination United States New Mexico
--------------------------------	-----------------------	------------------------------	---------------------------------	------------	---

**Quote To:**  
 Bernalillo County  
 ACCOUNTS PAYABLE OFFICE ONE CIVIC PLAZA  
 Albuquerque, New Mexico 87102  
 United States  
**Attn:**  
 Dan McGregor  
 dmcmgregor@bemco.gov  
 505 848-1578

**Ship To:**  
 Bernalillo County  
 2400 Broadway SE Building N  
 Albuquerque, New Mexico 87102  
 United States  
**Comments:**

**Equipment**

Line	Product Description	Part Number	Unit of Sale	Qty.	Unit List Price	Total List Price	Disc.	Customer Total Price
1.	Aqua TROLL 200 Level Sensor Range - 21M, 60 ft (30 psig)	0056020	Each	6	\$1,995.00	\$11,970.00	40.10%	\$7,170.00
2.	Aqua TROLL 200 Level Sensor Range - 70M, 251 ft (100 psig)	0056030	Each	7	\$1,995.00	\$13,965.00	40.10%	\$8,365.00
3.	Wireless TROLL Com for iOS, Android, and PC (Twist Lock/Cable Connect Version)	0031240	Each	2	\$595.00	\$1,190.00	8.24%	\$1,091.98
4.	Rugged Twist-Lock Cable, Vented, TPU, SM Spool, Twist-Lock, None	0052000-01-02-07-00	100 ft	2	\$537.00	\$1,074.00	8.24%	\$985.52
5.	Rugged Twist-Lock Cable, Vented, TPU, SM Spool, Twist-Lock, None	0052000-01-02-07-00	200 ft	3	\$912.00	\$2,736.00	8.24%	\$2,510.61
6.	Rugged Twist-Lock Cable, Vented, TPU, SM Spool, Twist-Lock, None	0052000-01-02-07-00	250 ft	2	\$1,099.50	\$2,199.00	8.24%	\$2,017.86
7.	Rugged Twist-Lock Cable, Vented, TPU, LG Plastic Spool, Twist-Lock, None	0052000-01-03-07-00	500 ft	1	\$2,042.00	\$2,042.00	8.24%	\$1,873.80
8.	Large Desiccant (Titanium Connector)	0051810	Each	18	\$125.00	\$2,250.00	8.24%	\$2,064.60
9.	5% surcharge associated with global supply chain disruptions	SURCHA RGE		1	\$1,303.97	\$1,303.97	0.00%	\$1,303.97
							<b>Subtotal:</b>	<b>\$27,383.34</b>

**Quote Total**

Tax is not normally quoted due to State & local variability. If you need to have Tax included in this quotation, please contact us.  
 If your organization is a tax-exempt entity, please email or fax a copy of your tax-exempt certificate to taxcerts@in-situ.com or fax to (970) 495-1595.  
 Tax rates will be based on delivery address of the order.

For further information regarding the Warranty or Terms and Conditions, please refer to our website at <http://in-situ.com/terms-conditions/>  
 All quoted product & service prices are in U.S. Dollars unless specifically noted otherwise.

Sales Tax: \$0.00  
 Shipping: \$438.13



In-Situ, Inc.  
 221 E. Lincoln Avenue  
 Fort Collins, CO 80524  
 U.S.A.  
 Tel: (970) 495-1488  
 Fax: (970) 495-1598  
 Email: sales@in-situ.com  
 Web: www.in-situ.com

**Quote - Q-93360**

Issued By: Tony Walker  
 Date: August 8, 2022  
 Quote Valid for 30 days

**Total Amount (Excludes Optional Items): USD \$27,821.47**

Discard Pop Out

Send

To Erwin Melis <emelis@shomaker.com>

Cc

Bcc

Subject RE: **Insitu** Transducer and Cable Inventory Needed

Erwin

Circling back to this. In agreement with need as you summarized

*I came up with 1 x 100 ft, 3 x 200ft, and 1 x 250ft cables. And 5 x 30psi transducers, 3 x 50 psi transducers, and 2 x 100 psi transducers.*

I will go ahead and get the costing moving and also will add in the 14 dessicants (large pack).

Dan McGregor  
505-848-1578