

Interview with Jim Dunlap

Colorado River Water Users Association

Intro . . . Colorado River Water Users Association, it is Friday, July 26, 2006 and if you would introduce yourself.

A. I'm Jim Dunlap. I'm a resident of San Juan County and have been since 1956. I've enjoyed living here.

Q. Tell me when and where you were born.

A. Fort Sumner, New Mexico. 1932.

Q. How did you end up in Farmington or in San Juan County?

A. I got a master's degree in vocational agriculture. I was teaching school my first three years over on the east side of the state, two years actually on the east side of the state. The guy that was the ag teacher here in Farmington got killed by lightning on July 4th and the state supervisor called me and said we need you to go to Farmington and pick up that program. While I really didn't want to do that you know but when the state supervisor tells you to do something, you better do it. So I moved to Farmington. Didn't know much about it, Broadway was a dirt street. I wasn't too impressed with anything. It was dealing with orchids and things that I never fooled with before. So I got to Farmington, New Mexico right away and I taught in Farmington High School for three years before I moved out in the valley to teach there the rest of my career.

Q. Did it eventually get to be a little bit more impressed with it?

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A. Oh yeah, you know the irrigation practices that they used then in San Juan County were very old and antiquated as far as the way they did thing. We didn't do little row marking like they do here even still in the southern part of the state where I grew up.

Q. How did they do that? Tell us about that and how they . . .

A. Well, the predominant fields in this area are too small to level so they would water on a slope but they would make their contours or their little furloughs that would be just little scratches in the ground is what I thought when I first saw them, you know. And that was just to guide water and they didn't want them to be big because they carried too much water down the slope. So they didn't do much land leveling at all in this county. Still don't as far as that goes.

Q. Let's go back and talk about your education, where did you get all your education and what were you studying?

A. I grew up in Tatum, New Mexico and my dad told me early on that he was going to give me two things. One was a college education and his name and the rest was up to me. So in 1950 he kicked me out of the nest and said go to New Mexico State and learn to be something. And I had a very good ag teacher in Tatum High School and I decided that I wanted to be a vocational ag teacher. And so I went over and spent four years getting a bachelor's degree and that's how I got started in vocational ag.

Q. So basically you've been involved in water issues forever.

A. Oh yeah, we started . . . my dad had a farm and I grew up on . . . in fact, we had the first irrigation water in our area because he believed that there was artesian water farther east from than the Pecos River than what anybody else had ever had it. Back in the days in the late thirties, we had doodlebug rigs come through that did a lot of seismographic work for the oil companies. And they would drill holes and before that our water wells would be a hundred and sixty, eighty feet deep and we'd hit a cap rock that we couldn't go through with those old well drilling rigs. You know old hammer cable tools. And my dad felt like that there was pressure under that cap rock if he could get through it. And so he hired a well driller to sit there and not drill by the foot but by the day on that cap rock and it took about like, it seemed way over two weeks to get through about ten or eleven foot of that. And when he did, the water shot out of the ground about twenty feet in the air. So we had artesian water and he had cased that water with a steel casing right down to the top cap rock so there was none of that lost. But soon as others could found out that they could do that then they broke through and they didn't cap the strata very well and then the artesian water got up into the upper zones. And when we sold the ranch in '61 I believe it was, we had thirty, forty feet of pipe in the ground and that was all we needed to have water well because that artesian water had been turned loose.

Q. Did you have water issues back then? I mean just speaking in general.

A. We knew then that over in that country, which is the east side, that Texas was pumping our water out of the OolagahOgallala Basin and using it discriminately and they still do. We have requirements in New Mexico that you have to do before you drill another well and Texas doesn't have anything like that. So we knew that that was a problem. My dad, when I was a little boy, went to the State Engineer's Office and told them that the salt seeders-cedars on the Pecos River was going to dry the river up someday if they didn't start containing the salt seeders which now, has proved to be factual thing. Other than that, where I

grew up before we hit the artesian water; we didn't have enough water in our windmill at the house. We could water our milk cow and the saddle horses and a few chickens and the family and that was it. But then after they got through that cap rock and turned that artesian water loose, why it just filled the whole strata down there and where everyone had plenty of water but a bad thing to do.

Q. When you came to Farmington, were there different kinds of water issues or were they just basically water issues . . .

A. Well, we never had surface water to irrigate with. I hadn't you know. I didn't understand all this water going down the river out there, I thought my gosh we've got more water than we could ever use. It took a few years before I realized that that water was going somewhere else to be used and it wasn't our water. If you look at the facts, I believe it's about 5/8 of the water in New Mexico goes down to the San Juan River. But very little of it's ours, only eleven and a quarter percent. And the other thing that I learned as soon as I bought a home was that the groundwater wasn't hardly usable for drinking water. You could do other things with it if you got very much of it which was kind of unusual, you know. Fifteen gallons a minute was a good well.

Q. What was wrong with it?

A. Has sulfur and gas and oil. I irrigated a place down in Kirtland years ago that gas bubbles would come up when you irrigated and you could light a match and the bubbles would light and I'm sure that still occurs.

Q. What were some of the challenges? As you got involved with water, what were some of the challenges that were facing in New Mexico back then?

A. Well New Mexico was, always been, an arid state and I see . . . what little I knew about state water rights and what have you was pretty limited back in the early days as when I first came to Farmington. I knew you had to have a water right to do something but they weren't closed basins. The basins, all you had to do was get a permit from a state engineer and if you had a source of water why then you could just start using that water with beneficial use. And so, I think that was really the source of the water problems that we have in this state. We didn't realize how much water we had a long time ago and we allowed too much of it to be started to put to beneficial use.

Q. And now is it going to last forever? Is there more water now or less water now?

A. No, I don't know if there is any more or less. I just think that we have a lot more straws in the system now that are going to take . . . it's going to take a lot of effort to get some of them out. I serve as a chairman of the Interstate Streams Commission and we're embarked on a program over in the Pecos River which is not much different than in this county. We are having to buy out farms and retire the water so we have water in the river to meet our demands and flows to Texas. We don't want that to happen in the San Juan Basin.

Q. Would you have thought when you first moved to San Juan that those would be issues that you'd be dealing with?

A. Never. Never. I mean you know when you look out there in the river and you've got lots of water even now. I've never seen the San Juan go dry. I've seen Animas go dry. But the San Juan has always got water in it; it seemed like. And of course, it had a lot more water in it at times when the Navajo Dam, before it was built. I can remember the high flood stages that we had and they were

really devastating to this county. I've seen water from the Bloomfield Farmington Highway come across the bluffs on the south side which is nearly a mile wide through there. You couldn't cross the bridge or anything at that time.

Q. It's just such a weird concept that you got water and its here. The river is right here and everything else but it's not yours.

A. That's right. I think that's one of the hardest things that the general public has to deal with is that we have a water shortage and you see a lot of water going by. You don't realize that we only have eleven and a quarter percent of that water out there for us.

Q. When you talk about the Colorado River more is allocated then there actually is and so far it just hasn't been so horrible that everybody is demanding it at the same time. Is the San Juan the same way where more water goes to different people then maybe there really is that much water?

A. You know I don't think so. I worked on the Navajo Water Rights Settlement from an Interstate Streams Commission standpoint and one of the things that we were concerned with was that we didn't want to lose any of the existing water rights in the county. And we tried everything we could do to protect those because . . . you always hear from the Navajo standpoint that all the water was theirs. Technically, we all knew that it wasn't but we didn't want to get into a long court fight and fight it through because court battles . . . I think they filed their judications, their rights in '75 and we hadn't settled anything until this last year. And so, you get into the courts and it could last another twenty, thirty, or forty years and nobody knows what they have. So working on that settlement and then trying to get consensus with what we had, what the water amount is, we

had arrived at a conclusion that there is enough water to meet the judicated rights that we were going to have on the river.

Q. I want to get into that Navajo Water Rights Settlement thing in a little bit. What was your first job after you got your degree and everything else? Was it just being the teacher?

A. Oh yeah, I just taught vocational ag for the first . . . I didn't really get involved in too much water until about 1964 or '65, '66. It was kind of a unique way to do it and I have to tell you, it was kind of interesting. Vocational ag programs have program work committees and you assign through your officers, you assign somebody, every member you have will be on one of those committees. This particular '65 year, we had a program work committee that was called Community Development I believe it was. This committee decided that my Kirtland area needed a cemetery cleaned up, you know, it really needed fixed up. It was not in too good of shape. They needed a sanitary land fill and they needed a natural gas supply for the lower part of the area down in there for their homes because they didn't have any. Then the whole area needed a water supply. And so we met with some of the fathers of these boys and, I think there were nine that showed up. We parceled up those jobs and made committees. I took the water and we, January of 1966, decided to build a water system. And they told us it would take three or four years to get it all done and what have you. And I lived on a place that had quite a bit of water but it was so hard that the joke was if you turned the faucet on, it would break the glass. It was just really hard water. Anyway, we set a goal to turn the water on that year which was kind of unrealistic but I had some really working people and we got the community behind it. There was probably less than three hundred homes at the time. The big, big push was to get federal farmers home funds to build it and I had found out that according to the wages and the average salaries and so forth in that area, they would grant you so much money. So we got an engineering report

going and it said that we needed I believe four hundred and eighty thousand dollars to build a system. They were going to grant us something over fifty percent of that. And my first Board of Directors were all very independent farmers and said we don't want any dam government give away so we're not going to do that. It didn't make any difference how; I'd tell them well you're sending taxes to Washington. You might as well get them back. Nope, we don't want any hand outs. We can pay our own way. So okay. We borrowed a little over four hundred thousand, four hundred and twenty thousand I think. And we got into a kind of funny thing with the sparse area down in there; you had to go through what we called then it was an A95 review and all the government agencies had to check off on your project to say okay we agree with it. It's a good thing. And Housing and Urban Development was one of the agencies it had to go through and for some reason; they decided that we were too thickly populated that they ought to be the ones to fund it rather than farmers home. And so, we couldn't get them to turn it loose. They just wouldn't turn it loose. I called my dad who had been a little bit in politics over the years and I asked him I said you know we could move this thing on if we could get HUD out of the way. I said our density is just way under the requirement. So he said call Tom Morris who was the State Representative in Washington then. He was down in Tucumcari. He wasn't even our representative up here but I called him and I told him my dad told me to call him. He didn't know me. He knew my dad but any rate. That was on about a Thursday or Friday and Monday I got a call from HUD, Housing and Urban Development, that they were turning it loose. So we started construction and we turned the water on in November of that year. Those kids did most of the work and they're outstanding citizens of the county now, those kids that were on that committee.

Q. I got to tell you, my career was in television and news and I first started at KOB in Albuquerque in the mid-60's and I used to travel around with Tom Morris from time to time.

A. Oh did yeah.

Q. He was quite a character. He was quite a guy.

A. Well, he knew how to get things done because I couldn't get anybody else. My attorney and I, who was Byron Caten who's a district judge, I don't know maybe Byron's retired now, but he was my legal advisor starting this thing. We had gone down and taken pictures of the horses and the wagons stacked up in front of the trading post down there and sent them to Housing and Urban Development and said this doesn't look like an urban area. It looks like a rural area. I don't know we counted all the trading posts and we had a number of them down there then. They wouldn't turn it loose until he got a hold of them but he made them turn it loose real quick.

Q. It's all in who you know.

A. I found that out in life.

Q. Was this the beginning of the Rural Water Association or was this a separate thing?

A. There was no rural water organization then. About the same time, we got the other people out in the Hammond area that were interested in getting one so they started work on their Lee Acres I guessed what they called it. It was formed and started pretty close to the same time. But in 1975, I was elected to the county commission and I could see the need for a rural water organization to cope with the Safe Drinking Water Act that had been passed in 1974. So I got

the county people together that were involved in rural water. We went down and had it called a state meeting and got some other associations. There was water associations scattered over the state then, earlier than what we were back quite a bit. We got that organization started from San Juan County and they're still pretty much the back bone of it.

Q. Why did you need that? Weren't the rural areas being taken care of?

A. Well, the water needs . . . like my water system out in the valley; we were serving the public but then when the Safe Drinking Water Act was passed in '74, the first thing they said you've got to start testing for Bactee. Well, now everybody thinks you've always tested for Bactee. Well, you haven't. And we had to start doing those tests in '75 or '76. I can remember going to a meeting and learning how to take Bactee tests and what have you. And dealing with the federal government on . . . we knew that 85 new contaminants had to be put in every ten years with the federal government that's the way the law was stated. And we didn't know how to cope with those and we didn't know whether they were in our water. We didn't know how to remove them if they were. We didn't know what they were going to be. So we organized, our state rural water organization, there were nine other states that had organizations at that time. I think we were the eleventh one to join the national organization and now of course, every state is covered.

Q. Talk about some of the major water issues in New Mexico back then and have they changed and are they just still the same problems.

A. Well for me to say what the major water issues are might get me in trouble but I think the difficulty that we've always had in containing water during the time that we had water so that it would be stored for, balanced out, used during the year.

If we hadn't built what dams and storages that we have, we wouldn't populate New Mexico. I mean it's like the other day here in this county, you see it going on all over, you don't see gentle rains that last three or four days. You see rains that come real hard and violent and then you get floods. You might not get much water if you measured it in inches. But when it floods, it causes a lot of damage. Well, the water goes right on down the river and it's gone. And so if you don't store that water . . . and I think that's probably, in my opinion, the biggest problem we have right now, had then, and we're always going to have living in the arid Southwest.

The other thing that I think is a major problem to the Southwest is we've allowed some of our water sheds not to be . . . you know we could've managed them better. And these floods that we are going to have, we could have done a lot more flood control and held that water up so it didn't cause that much damage. I was told by a fellow from Los Alamos there data showed that if we could save one more inch of water over the state of New Mexico, we could double our domestic water supply. One inch, you know, our water sheds are the way to do that by putting them in the ground and taking them out when you need them instead of letting them run off.

Q. By not taking care of the water shed problem, what's that going to do to the future or do you think all the sudden, go oh yeah we got to do this?

A. Those of us who are involved in water now are working real hard and we've got state senators that agree that water shed management is very important. Our governor agrees that it's important. You finally build a political climate where it's important and then you'll begin to see something happen. We've got to do it. I mean it's just a matter of fact because if we don't there's no . . . you continue to deplete your storage ability and you're in trouble.

Q. You also got a lot of opposition to that too. I mean anything you do . . . one of the ways you do that is by water storage. There's just a lot of opposition to water storage from some corners. Do you think that's reasonable?

A. Well, I think they're unreasonable. I think we build a better habitat for everything by having storage then we do if we don't store our water. You can go to these reservoirs and look at the habitat around them and they're wonderful compared to you just take that water out of there and they'd be gone. I don't know, the environmentalists that like to call themselves environmentalists I think as a farmer and an agriculturist, I was one of the first environmentalists instead of somebody that hates to use the word environmental. But the environmentalists want to blame population on every problem that we have and while they create problems, they are also the solution to the problem. And if you can't combine the two, you'll never be able to solve your problems anyway.

Q. You've got to have water.

A. That's right and you know, I think there's a lot of ways to conserve water but we've got to get to the point of saying gee we really got to conserve water. You take the City of Farmington, the City of Albuquerque, and any major metropolitan area that says we're going to put in a conservation program and we're going to save twenty percent the first year. That's all well and good because they've said we don't have anymore water. We just can't continue to grow so we've got to save that water. So we've saved twenty percent this year. I think Albuquerque is up to saving per capita something like thirty-four percent. Well, it's all well and good but up until then that was their bank of water, the water that they are still using. They still don't have anymore water then they did but they've saved that. Now what are they going to do? Do you think they can save the thirty-four

percent? No. They can't. So there's got to be other ways to do it. We've got to work on it.

Q. Over the years, does it get a little frustrating for you sometimes?

A. Yeah, the most frustrating thing that I get into is you have to, and I mentioned this awhile ago, you've got to have the political world to do something and the politicians change and water people that accomplish something can't change. And so every time you get a new group of politicians, you got to get them in and really get them to understand what the problem is and so many times by about the time you get them to understand it, they're gone. So that is a frustrating process.

Q. What do you see as some of the state's biggest challenges? Is it going to be this conserving water?

A. Yeah, I think the state's population and the conversion of . . . the only source of water right now is agricultural water. I think there's a figure that says that the state uses seventy-six percent of its water in agricultural and nine percent in domestic water. So we can convert eight or nine percent and double our population but what's that going to do to agricultural? So we have to make sure that agricultural can be more and allowing help to them to be more efficient in their using of the water. And I think probably, you know, the first time I ever heard of drip irrigation for instance was thirty, forty years ago. Sounds like a wonderful thing they're doing in other countries but they were doing hand labor, a lot of stuff. Well, we don't do hand labor. I'm a John Deere tractor dealer and I know now that John Deere and others have developed GPS systems on their tractors that they can plow the same field exactly like they plowed it last year. They can cultivate it exactly like they did last year and the operator doesn't do

anything. And if you put a drip irrigation line in, you can get within a couple of inches of it every year. You're not going to plow it under like you do if didn't have that ability. So drip irrigation is something that I think will move forward now because of that technical advancement.

Q. Is there still technical advancement that you see in the future coming in that's going to be really nifty?

A. I think one of the major things that we'll and I don't know what it is, I wish I did. I probably wouldn't be sitting here talking to anybody. One of the major things that we've got to do is slow down the evaporation on our storage ponds. Elephant Butte Lake loses probably three hundred thousand gallons or three hundred thousand acre feet of water a year just from evaporation. This area loses about nine percent, fifteen to nine to ten to fifteen percent. Colorado loses nine percent or less across the state line because of climate. If we're using nine percent of the water in the state for domestic purposes, we could solve the evaporative problem. We'd have enough to double our supply right there.

Q. Do you see that happening though?

A. I do and don't ask me how. I mean like I said, I think when you get a combination of recreation and evaporation because when you have recreation, you have more evaporation because you're splashing water all the way. There's going to have to be a curtailment in smaller lakes or something. We're going to have to have lakes that are going to be controlled of evaporation. Anyway . . .

Q. Let's discuss the Animas-La Plata Water Project. Were you involved with that or are you involved with that?

A. A little bit.

Q. First of all what is it? What is it supposed to do?

A. Well what it does and what it started out to do is completely two different things. It started out to be a pretty major agricultural supply of water and the minor supply was domestic water. And we developed . . . looked into twenty-nine different plans of how to do that with the water that was available. And the twenty-ninth plan was the one we presently own I believe or something like that. We're not going to have any ag water in it all. It's strictly domestic water. There are a lot of reasons why, pros and cons, and I assume not get into all of those because it would take three days to talk about all of them.

This project really is . . . my interest in it was basically was the domestic water supply because I could see the time that this county needed more domestic water supply, more than they did the agricultural water supply. The agricultural supply that was going to be in there was basically for Colorado. There was some New Mexico but the basic use for ag would've been in Colorado. So they didn't get their ag water but the domestic water is something that we have to have a storage. We've been criticized for saying we're storing New Mexico water up in Colorado but the evaporation up there is a whole lot less than it is down here. And we've got a river to convey it and the supply will be measured when we divert it out of the river, not up there. We'll get the water that we take out of the lake.

Q. That's a project that's had a lot of delays, a lot of increases, costs.

A. I started on it in 1966. I went to my first meeting in City Hall of Farmington. I can remember that the mayor and the city manager were there and they weren't too interested in any of the domestic water out of it. And I had realized that the lower valley had to have water rights in order to have their water system put in. So I told them I'd take all the water they didn't want you know and it was about five thousand acre feet at the time which it turned out to be a lot more than that. At any rate, I told the guys from the federal government that were talking about it, that we'd take all of the water that they'd let us have. Of course, we couldn't help that we couldn't use the five thousand acre feet right now if we had it but we're approaching that pretty fast.

I started then and in 1974 I ran for county commissioner and continued to push the project. And in '75, '76 all the way through my three terms as county commissioner, I caused a lot of things to happen to make things . . . you know tried to educate people as to why we needed the project. It was very, very difficult all the way through.

Q. What were some of the things you did?

A. It seemed like I lived in Washington for awhile. We had meetings with the public and the Bureau of Reclamation and the State Engineer's office and tried to educate people. And there was of course those that are against anything you go to do one way or another. It doesn't make a difference if it's a valid against or not. They had a lot of good talking points and they were very persuasive.

We finally began to overcome that and then we got the endangered fish that came along which I kind of always thought was nothing but a convenient way to get out of building anything. When we finally realized that we had to cope with that while then we began to make more progress. It took awhile for us to say well, you know, the Colorado Pike Minnow then was called a Squaw Fish which

really wasn't . . . it's an interesting story. It was really started out to be the Squawk Fish instead of the Squaw Fish and people that didn't know just latched that name on to it which was a misnomer really. And then we changed, when we talked about it to the Colorado Pike Minnow but along about 1962, the federal government poisoned all of the river to kill all of the trash fish which the Colorado Pike Minnow happened to one of those that got killed out so that they would have a blue ribbon Trout Fish right below Navajo Dam. That was quite successful, in fact, I believe the contract was fifty-five thousand dollars to New Mexico Game and Fish to do that and their report showed that they were very successful in eliminating all the fish below the Navajo Dam and all the way down into the head waters of Lake Powell. We have done everything we can to recover those and it hasn't been anything to do with the flow of the river or our building of the dam that caused those fish to go away. It was the poisoning of the water. I probably shouldn't say things like that.

Q. But you still have to fight that fight, right?

A. That's right and I was in Washington when Secretary Thomas of the U.S. Fish and Wildlife announced that they were changing from a non-jeopardy opinion to a jeopardy opinion and we were going to have to recover the fish. They hadn't found any fish and finally said they found three I believe that year or two of those Colorado Pike Minnows. So that meant that there was some kind of surviving population somewhere they said. So we had to recover them and we are.

Q. Do you think the Animas-La Plata is ever going to get finished?

A. Oh yes.

Q. They said that it's really needed as far as . . .

A. It's about thirty-four or thirty-five percent today. I'm amazed at the way they're doing it. They're really working on it. There's a lot of effort going on and you know we don't have the opposition to it anymore. I think the people finally realized that we've got to have drinking water.

Q. It's important for the future of New Mexico or for . . .

A. It has to do with the San Juan Basin primarily but it's still directly related to the economy of New Mexico. We've got to have water in all of the areas.

Q. What is the Upper La Plata Water Users Association? Are you involved with that? Did you start that?

A. No I didn't. No I didn't. I helped start it in 1978, but I was with the Lower Valley Water Users at the time down in the lower valley. By the way, that little association started with two hundred and seventy meters and I think it's got twenty six or twenty seven hundred down there now and that's the lower valley. In 1985, I moved up on La Plata River and they were having a lot of water shortages and just couldn't seem to operate like they should. I was asked to go to the board meeting and help them work it out because I had been involved with the other one. I've been on the board ever since. I serve as the president at this time. We have six hundred and seventy five meters and have a very, very dependable water supply that's good and we're continually making changes. We now have a water line all the way to the state line so perhaps we can put water up on that dry area that those folks up there don't have drinking water. They haul all their water up there.

Q. They're still hauling water?

A. They do. They haul their water.

Q. What are some of the biggest obstacles that you've faced here, in your career, in your life dealing with water issues?

A. You know the unknown I think is the biggest obstacles and the unknown to me that came in was . . . of course the unknown about the Safe Water Drinking Act and we didn't know how to cope with it. So that was one of them. I've sat on the National Board since 1976 as a New Mexico Director and that's no longer a major obstacle because we understand. And we've even helped reauthorize the law and make changes to it. So that kind of went away. We still cope with it everyday.

The major obstacle that we didn't understand was the Endangered Species Act. You know, I speak now and do quite frequently at different places in the state and there's one thing I tell them, you need to quit fighting and begin to make it work because you can if you will. The success we've had here in the San Juan Basin on recovery programs is quite impressive in my mind. I think you have to do that where ever you go and you just can't fight the existing Endangered Species Act.

I made a speech last week in the southern part of the state and I heard many people say we just got to do away with that thing. They're not going to do away with it and to change it is even very difficult. So learn to cope with it and that's one of the most difficult things is when you get problems like that lots of times you can't do away with them. You just got to learn to work your way around and follow the rules and get it done.

Q. Of course a lot a time it's the interpretation of what it actually is that causes some of the problems isn't it?

A. Right. I've been quoted to say that kind of a totem pole and the Smithsonian in Washington that stands up quite tall has a man up there right at the tippy top of it about, I don't know, eight, ten inches to the top and everything below that's extinct and it went extinct before we got here and it's going to go extinct whether we're here or not.

Q. Tell that to the Sierra Club.

A. I have. I have.

Q. How much does New Mexico rely on the Colorado River Basin?

A. Well, the Colorado River Basin is extremely important to the Albuquerque and Rio Grande area after the San Juan Chama. See seventeen percent of the Colorado water that we're allocated goes to the Albuquerque area. It goes down the Chama River. We only retain sixteen percent in this area off reservation. The rest of it is somewhere else. It's extremely important. Can you imagine what Albuquerque would be doing if it hadn't been for the San Juan Chama Diversion effort? Frankly, I would have opposed this as strong as I could of if I'd been at all knowledgeable when they did that or had any political stroke or anything else. I mean to take that water out of this basin was a sin. It's probably an extremely good thing for the rest of New Mexico, but it curtails our development here.

Q. Have you kind of changed your thinking though?

A. I think for the welfare of the state, it's the best thing that could've happened.

Q. What happens if this area suddenly explodes in population and stuff like that? You're giving away a lot of your water.

A. Well, there's water here. New Mexico generates three and a quarter percent, I believe or something, of the water that we get. Not that we get that we're allocated out of the eleven and quarter percent and the rest of it was allocated to us because of the large Native American population that we have. If you look at the figures, we have now allocated them most of the water that was allocated for them which I thought was fair. That water is going to be available, most of it's allocated to agricultural, and that water is going to be where we can lease it and what have you back for years to come. So I think, you know, water flows to money. And if the money is there, we at least have the water in this basin. And it's not like Albuquerque didn't have the water in their basin had they not been able to import that water. They just wouldn't have had any more water. I mean you could see that it would've restricted their growth immediately. The rest of the state is the same way. You're not going to see successful importation of water much anymore. We've got a lot of people that talk about it but when you go taking it out of a basin anymore, it's going to be a fight. That's just human nature to try and take care of what they've got.

Q. You say this area has water but is it always going to have water?

A. Well, we have . . . if you just took a scenario and said that the rest of New Mexico generates so much water and that's the only water they've got. We

generate in this basin at three and a quarter or three and a half percent, I forget which one, of our eleven and a quarter percent allocation. And we're actually getting water out of Colorado to meet that difference. So we're more fortunate than the other areas of the state, simply because we have that extra allocation even though it's not assigned to the off reservation. It's assigned to the reservation basically, but that water will be available because it's extra water that will be used wherever the money will pay for it. Water is going to get to be the thing you know but we do have water so if you have the money to pay for it, then you'll have water.

- Q. There have been several articles about the recent drought calling it the worst in five hundred years in the Colorado River Basin. There was supposed to be a plan drawn up last year where everybody was supposed to decide how they're going to use less consumption of the river. Was that successful or did they make a plan? Is that going to work?
- A. I think if you're talking about the shortage sharing agreement that was done in this county. It was done primarily to keep from having a priority call on the river. The big gain, the big pusher was the power plants that have to have a large amount of water because they don't own all of their water. They have to lease quite a bit of their water and if you put a priority call on, the water that they actually own is some of the most junior water on the basin. The big thing that we had to look for was we didn't want that power plant to go down for a small fraction of the cost of operation which was just the supplying of the water to it. We talked everybody to going to say we'll take less water, we'll divert less water. And we'll try to make do with what we have rather than putting a call because I don't know whether you've ever been around a priority call, but it makes the neighbors hate the neighbors. Because if there's a year difference in their priority date and one neighbor's raising a good crop and the other one doesn't have anything, they don't ever forget that. While it is the law, it's very difficult to

administer. That's the reason we got into it on the Pecos like we have. Most of the domestic water over there is junior to the agricultural water and if you had a priority call, you cut the City of Roswell off? I don't think so. It's political suicide to do something like that.

Q. Over the years, who have been your greatest allies?

A Do you mean within the basin?

Q. When you're dealing with any of the water issues that you've been involved in?

A. A fellow by the name of Phil Mutz, I think he's educated as much as anybody; Steve Reynolds who used to be the state water engineer; Sam Maynes probably is the shining light on all the water goings on in this area here. Sam's from Colorado and I'm from New Mexico but I respected his advice. I know that Sam was always straight and honest with me about everything. I conferred a lot with Charlie Keller and Quincy Cornelius. You probably can't interview him but Quincy . . . Quincy really got me, he came to this area with the four corners development or something of that sort, and they had a water division that he was head of. And when that dissolved and they started to move, I happened to be a county commissioner and I hired him to be a water specialist for the county which we had never had before which proved out to be a very valuable thing. Quincy did a lot of research for us and projected things. He educated me on water. I'd say Quincy and Sam Maynes probably as local people were very influential.

Q. You mentioned Phil Mutz what did he do?

A. Phil had the big picture of the Colorado River and what went on and why it was necessary to do things that I never dreamed of having anything to do or say about. He never did say things to make you feel good. He'd say things to make it straight you know. He dealt with the allocations and why they didn't want to do this or why they didn't do that between the upper basin states and the lower basin states. Phil is still an influence in that area. He doesn't actively go to the meeting anymore but nearly anybody that does talks to Phil before they go. And I know from Interstate Streams Commission, he's been very valuable to me.

Q. You talked about your greatest allies, who were your greatest opponents?

A. I don't want to give them any credit. I think the great opponents are those that you can't really figure out what they want besides just wanting to be against things. I don't want to put a name to any of them. People that have been convinced that this is going to be the worst thing that could ever happen but they've been convinced by people that gave them bad information and they're not smart enough to go get the good information.

When the ALP Project first started, I had a fellow that just . . . I don't know why he came to me but I was kind of rising in different things and he convinced me at the time, just right off that I should be against ALP. And that was the first information I got and boy for six or eight months, I just thought we can't have this. This is terrible. But I was at least smart enough to begin to investigate on my own and I did a pretty quick turnaround, but I actually really had serious questions whether it's something we should do or not. But those people that don't, that they're single motivated and they can't see a big picture and they don't look for the welfare of the whole. Those are . . . they're worthless as far as being citizens, productive citizens really. The people that opposed the Animas-La Plata Project if you could just take a pencil and a paper and figure out how many multi millions of dollars they have cost this community by the delays that

they put in for no basis for it really. When I started on that project, I think it was less than two hundred thousand and it had full agricultural components and everything. It's over five hundred million now and it just got drinking water in it you know. And those people should take the credit for causing us to have to pay all that money.

Q. It's not over yet.

A. It's not over.

Q. Let's talk about the Interstate Stream Commission. Could you explain a little bit about what that does? What that is? Your involvement?

A. The Interstate Streams Commission in New Mexico is I think they were put in place back in 1947 to administer the compacts of the state. That was their sole goal and it still is. They have to make sure that those compacts are lived with. Their area of impact is expanding simply because we begin to talk about water sheds. We begin to talk about we channel rivers now to get the flows down through them. We're dealing with the Endangered Species Act in all four corners. We're buying property in various areas to try and retire the water that was allocated to it. We're buying older rights so if there's a priority call, our rights will still be good valuable rights that we can take credit for. When you have to deliver water to Texas, to Colorado, that lower basin states, if you're doing anything within that state that will impact delivery then it falls under our jurisdiction. It's a little bit further reaching than what it used to be. We used to say we got so much water coming in and we got so much water going out and that will meet the needs. Now you find that even if you're getting the same amount in, you're using a whole lot more getting on down and going out of the

state. So there are things that impact that water delivery within your state and now you have to take care of.

Q. That's got a lot of challenges involved in that.

A. It's probably the biggest job I've ever had. I feel the weight of the decisions that I take part in on my shoulders a whole lot more than most anything that I've ever done.

Q. Have you had great success there or great failures?

A. Well I think when I took office three and a half years ago, my main goal was to motivate to get the adjudication going and get it moved. And I've done a lot of work trying to get the adjudication. You can't control and you can't implement or administer anything unless you know what it is. To quantify what we have in a particular basin has been very difficult. And we've just allowed hodge podge growth on those water rights and we need to know exactly who's got what and we need to know what their priority date is and we're moving forward to doing that.

Q. Let's talk about the Navajo Indian, the irrigation project. Are you involved in that?

A. Well not involved in it. I'm familiar with quite a bit of it.

Q. That's an important deal for water issues and stuff like that.

A. Oh it is. You know when Congress passed the authorization to do that we had, everybody said well we have plenty water and we can do that and that's all well and good. And that will abide by the Winters Doctrine which I'm sure you've heard about. As we got into it a little further along, some of the philosophy was that all the water should belong to the Navajo people and none of the water should not belong to them. People became basically scared as to what would happen to their water rights in this county. I served on a Governor's Blue Ribbon Task Force for seven years during his administration, prior to this administration. One of the things that I brought to the front of that was the need to settle the Navajo Indian Water Rights because that really infringed on the water that goes to Albuquerque, that seventeen percent. And if they said all the water is ours, well all of that seventeen percent was theirs and it would cease to go down there. Finally got some political attention by using that ploy and got people to realize that we needed to go ahead and settle those rights. It was nothing but fair to the Navajo people that they understood what they had and it's fair that we understood what we had. There were those that said well let them take us to court and we'll fight in court. Well, we decided that was the foolish was to go because you would spend all your money on courts and nothing on the settlements. It's much wiser to take the money that would've been spent, or wasted in my opinion, and build it for infrastructure. Working with the Navajo people, they agreed with that. So we developed a task force that sat down and became very progressive in trying to reach an agreement. They would meet several times a month you know rather than waiting once a year and forgetting what they were talking about.

They moved forward real quick as far as I was concerned. I interjected little things along the way to help people understand what was going on and make it more equitable for them. And I did everything I could to protect the existing rights within the basin regardless whether they were Navajo or non-Navajo. Once we had developed a mechanism to protect the water rights it had already been judicated within the county, things moved along pretty fast. I'm really proud

of the settlement as it's written today and I think if we can fund that pipeline and go down to Gallup and around with it. I think it's a crying shame that we have seven hundred thousand people, or homes, actually in the United States that don't have running water and there's probably a hundred and fifty of them right here in our backyard. Third world conditions exist right here and we're taking care of everybody else but we're not taking care of our people at home. I know a lot of Navajo families that continue to haul their water in whatever they can get to haul it and it can't be sanitary conditions that's necessary to prevent a lot of problems. I think the sooner we get it done the better off we'll be and they'll be.

Q. Now if I understood you correctly, at the beginning of the interview you said that it's been settled but it probably will be several years in courts.

A. There shouldn't be any court, shouldn't be any court. I guess I'll say that again. There shouldn't be any court but there's always a possibility of court. Where it is right now, the state signed off, the ISC signed off, the Navajo Nation signed off, and it's up to the federal government now to decide because it is ultimately their responsibility to provide for those water rights. They're the ones that agreed to provide them all the water they needed and to help them fund them. We have reached the agreements. We've all agreed that this is what we should do and now if we come up with the funding to do it and there is a timeline and if this timeline isn't met then either side of the thing can back out. While I don't know, it's a little bit like the Navajo Indian Irrigation Project. It had a hundred ten thousand plus acres of irrigated land. It seems like they only had twelve years or something to fund that and get it done. Well that's been twenty something years or longer ago, twenty-five years. They didn't back out of that because it's moving along. It may be slow but it still is moving along. I think this settlement will be the same way. I just think we have to do it as fast as we can according to the money that's available.

Q. Now what was the settlement? They started out saying we own all of the San Juan water?

A. They wound up with fifty-six percent of the total water supply that was available. You take the sixteen percent that's used off reservation and you take seventeen percent that goes to the San Juan Chama and there's evaporation we have to pay for in the Navajo Lake and Lake Powell. I'm trying to think of the other lake. That makes the pie complete when you put all of those evaporative uses in and the sixteen, and the seventeen, and the fifty-six. And that's a lot of water. Gosh, if I would've thought about it, I would've gotten the figures and given them to you exact. I'm not going to quote them because I'd be wrong.

Q. But that's what you were talking about before also that it is so much water that they can lease it back from the Navajos?

A. Well, that's a source of water that you could use. Maybe many, many, many years before they can put all of it to beneficial use but it can be leased back. And it could be used for domestic supply. You know the Navajo Nation realizes right now the population of the off reservation people is over forty percent. So it's their people that are going to need drinking water supplies and it's growing faster than any other segment of our population by just the movement from the reservation into the urban areas. Of course, there is a lot of leaders on the Navajo Nation that would like to see that stop, but the will of the people is going to be what carries and whether they want to live out there that's their choice or whether they want to live in here will be their choice.

Q. What accomplishments are you proudest of when we're talking about New Mexico water issues you personally?

A. I don't know. I never thought about it that way. Probably the ALP Project, I spent more time on that than anything. The settlement of the Navajo Water Rights is high up on that list. My work with New Mexico Rural Water is real high up on that list. I don't know. I'm just one of those people whose got water on the brain and I just kind of live that way I guess.

Q. Anything that you would've liked to changed?

A. I would've liked to have drawn a lot more attention to water a long time ago so we wouldn't have the problems. I think we, typical bureaucracy, ignored problems that could've been solved a whole lot easier than what they are now. Years ago over on the Pecos when I just passed through there and heard about the compact deliveries and what have you that my first reaction was why don't they have a priority call? Why don't they have a priority call and deliver that water? They could've done it back in those days. But they've grown for every year since they started just about. I don't know. It's focus. I've met with the governor on several occasions and talked to him about this upcoming year being the year of the water. Well, the governor wants to accomplish certain things. I don't know what those are going to be yet. I think it's at least focusing attention on something that really needs to be improved all the time.

Q. Let's talk about the San Juan Water Commission. Are you the current commissioner?

A. Yes.

Q. What do you see as their most important goal?

A. I was a county commission chairman that formed the San Juan Water Commission and was pretty vital in forming it. It was formed basically to provide a raw water supply for the citizens of San Juan County. The first effort was the ALP Project. The second effort will be to facilitate the movement of the raw water from wherever it is where it's leased from the Navajo Tribe some day or whether it's buying agricultural water rights and putting them into the domestic hands to make it available for that. Its biggest long range use looks to me like it will prevent so much competition against the big and the small and will allow for that fair market price to balance out a little bit better. You know in the Santa Fe area water rights cost forty thousand dollars an acre foot in some cases. I understand up in Denver, Colorado, if you're going to put a lot in Arvada out there, it's going to cost you some thirty thousand dollars just for the water that you're going to drink. While I want the cost and demand to be good, I don't water purveyors to take advantage of that situation. And I think a water commission can override all of that.

Q. So you're meeting the challenge and everything?

A. Yep.

Q. What problems related to the water resources of New Mexico do you think are most critical today?

A. The lack of supply is probably the first thing. The second thing we have to cope with in New Mexico and it doesn't really pertain to San Juan County is the meeting of the Safe Drinking Water Act. The arsenic, radon, and radio nuclei and little things that come along like that that we, right now, don't know about. Under the Safe Drinking Water Act which I don't agree with this necessarily but

they have to continue to investigate and add so many of those every so often. It's a little bit like . . . when I first got involved in the Safe Drinking Water Act, you could've taken a tanker truck of some kind of a contaminant and put it in Lake Michigan and they couldn't have detected it with the methods of testing in those days. Now they say if you throw a gallon to five gallons in Lake Michigan, they can detect it with their testing. And consequently, I think we're going to see more exotic chemicals, more exotic contaminants, I guess, that we'll have no idea that they're in the water and we have no idea if they're going to harm you or what. In coping with that, you know the regulation as I understand it from EPA and Safe Drinking Water is that if a contaminant will harm you, there maximum containment level is the same as if you drink all of your water for seventy years there and then there's one chance in a million that you'd get cancer out of it. Now that's a pretty high level of degree of perfection or something. I don't know, to me you've just about eliminated having anything in water. You can condense water and distill water. Have you ever drunk it? There's nothing to it. You can't get enough of it. So you got to have something in water to taste I guess. I hope you edit that out someday.

Q. What do you anticipate will be the state's future challenges?

A. Supply and probably . . . you know I believe we've got sixteen different regions working on a state water plan and they all pretty well have one now. When you pick up those plans and you begin to read through them, I've looked through way too many of them. You see the necessary competition developing between one region and another region for a water supply. And so many of them think they can import water. And my first question is from where? You have to take care and use the water within your region because I don't know where you are going to import it.

I was in North Dakota recently when they were flooding on the Red River, going through Fargo, and water was extremely high. When you get twenty, twenty-one foot above flood stage and they've built dikes all along with dirt, and they can do that in about two or three days when they really have to. So I thought this is a prime time, I just thought I would approach this subject with some of them. So I said if we put a pipeline in here and take that water to New Mexico, we could alleviate some of this problem. And the first answer was over my dead body. You can't hardly depend on importing water. I would like to see some importation of water but I don't know if it could ever happen or not. For environmental concerns, we've got court cases in Florida where they've imported water and moved it from one basin into another and because it didn't exactly fit the same chemical composition, they've just about outlawed it. I know the tribal government that sued won on it.

Those are big challenges the amount of water and the source that's going to be it.

Q. Any advice for the people who are operating New Mexico's water resources today?

A. Face your problems and take care of them as soon as you can simply that. You know I've known state engineers for years and it seems to me like politically it's a lot easier to say we're working on it, we're working on it. Well, I'm an impatient man and I just believe that you have to face your challenges and get on with it. And you have to bring them to the public and let them understand it. Once you've educated the public, then you can do it. It takes a lot of time and a lot of effort to do it.

Q. There's a lot of complicated stuff out there. It's got to be tough to understand, for the general public to understand a lot of it.

A. And they . . . if there's water in their faucet at night when they go home and turn the faucet on or take a shower or wash their dishes, they're not really concerned about anything else. So if you get to talking about it and say well in two years you may not have water in that faucet, they're not going to believe you until two years when they turn the faucet on and there's nothing there. And if you really want to solve your problem, you got to do it before two years. You can't wait until it happens. That's a major thing to do with the population is to try and teach them what you're trying to do and why you're trying to do it.

- - - End of Interview - - -