

Water trial expected to end today

BY RUTH HEIDE

Proponents have last word

ALAMOSA — Proponents of state water rules will have the last word on the final day of testimony today before District Judge O. John Kuenhold.

A six-week trial is scheduled to conclude Wednesday morning with the return to the witness stand of Allen Davey, a registered professional engineer with Davis Engineering who also serves as consulting engineer for the Rio Grande Water Conservation District.

Protesters to the state's proposed rules governing new withdrawals from the confined aquifer in the San Luis Valley concluded their testimony this week with former Colorado Division of Water Resources State Engineer Dr. Jeris Danielson.

The proponents of the rules then brought witnesses to the stand to rebut the objectors' testimony. Those included the return of Dr. Willem Schreüder who developed the Rio Grande Decision Support System and hydro-geology expert Eric Harmon who will resume testimony today.

Although testimony in the trial is expected to conclude today, closing arguments are not scheduled until March 24.

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to whack"

Schreüder responded to testimony his computer model was unreliable and inaccurate. He said when the model is operated appropriately it works properly. He said he believes the model is reliable for the purposes it was intended "to predict general trends in the San Luis Valley aquifer systems and in specific applications ... it can be used to evaluate the impacts of new confined aquifer withdrawals."

Attorney David Robbins referred to protesters' attorney Kevin Kinnear's comparison of problems in the computer model being like the "whack-a-mole" game where one problem is immediately replaced by another popping up. Schreüder said

"Unfortunately this is not a very fun 'whack-the-mole' game. You whack this mole and the game is over. There's no more moles to whack."

Schreüder said problems raised by witnesses called by the protesters were either not that significant to affect model results or were corrected in the model which is a work in progress.

Schreüder said the model does converge, or reach a solution. He also responded to criticism from objectors that the MODFLOW program used in the Rio Grande Decision Support System (RGDSS) is not the same as the U.S. Geological Survey version so was not reliable. Schreüder said "My opinion is that the changes between the MODFLOW as used in the RGDSS and as available on the USGS website are small incremental changes that do not invalidate the use of the model."