

SUSANA MARTINEZ, GOVERNORDavid Martin, *Cabinet Secretary*Butch Tongate, *Acting Deputy Secretary***NEWS RELEASE****August 30, 2011**

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**NMED Reaches \$300,000 Settlement
With Valencia County Developer**

Valencia County, NM -- The New Mexico Environment Department, along with the Attorney General's office and Highland Meadows Estates Mutual Domestic Water Consumers and Sewage Works Association, has reached a \$300,000 settlement with Three Bar Land Company, Malcolm S. ("Buddy") Major, Jr. and AnaBel Treviño. The Environment Department alleges Major constructed a public water system without the Environment Department's prior written approval and that he created a public nuisance by using inadequately sized pipe. The water system pipe stretched over five linear miles. The pipe was also not buried below frost line. That led to frozen pipes and inadequate water pressure. Major denies the allegations.

As a result of the settlement, Major will pay \$120,000 now and \$180,000 within two years. The funds will be used first for water system remediation and, if any funds remain after that, the Attorney General will use them for restitution to injured consumers. No new connections will be permitted until the water system remediation is complete. The Department of Health has issued a letter stating that the water should not be used for drinking water for infants, the elderly or persons with compromised immune systems due to excessive sulfate and sodium. Three Bar, Major and Treviño are required to provide disclosure to future purchasers.

The Environment Department's drinking water regulations require its written approval prior to initiating construction of a new, or modification of an existing, public water system. An Application for Construction or Modification of a Public Water Supply System is available on the New Mexico Environment Department's website at the Drinking Water Bureau's web page. That website address is <http://www.nmenv.state.nm.us/dwb/forms/>. The application must include plans prepared and stamped by a licensed professional engineer. The applicant should submit final plans to the engineering staff at the Drinking Water Bureau. Persons with questions about these requirements can contact the New Mexico Environment Department's Drinking Water Bureau at 1-877-654-8720.

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