

## CHANGES PRIOR TO PUBLICATION

The Regional Water Plan was approved by the Water Resources Board and the Water Assembly and included revisions that reflected comments by the ISC staff and the general public. The Regional Water Plan was subsequently accepted by all of the (non-native) mainstem governing bodies in the region. Shortly before final publication, the ISC staff orally expressed a concern about two sentences in the Regional Water Plan. The Water Resources Board voted to make two changes as indicated below. The Water Assembly voted not to change the original text in both cases.

### CHANGE #1

*Change #1 appears within the Regional Water Plan in three places. It is in the Urgent Shortfall Reality paragraphs 9.3.2 and 10.1.2 of the Plan itself and in the Urgent Shortfall Reality paragraphs on page 40 of the Summary document.*

#### **10.1.2 Urgent Shortfall Reality**

**“The Key Fact About Our Water - Demand Exceeds Supply” (OSE/ISC 2002)**

The initial implementation schedule for the Preferred Scenario may leave a Rio Grande Compact delivery shortfall for ten to twenty years. We need to accelerate implementation of the water planning actions. We need to eliminate the predicted short-term deficits in our compliance with the Rio Grande Compact until the other measures in this plan have had time to take effect. All users must share in the substantial contributions to the effort. The state and the region should work openly and cooperatively to address this issue. Specific urgent actions should be identified, studied, evaluated, and implemented that are focused on avoiding defaulting on the Rio Grande Compact. These actions will have urban and rural economic impacts, but such impacts should be temporary. ~~Unless there is a priority call, We recommend that~~ water-rights holders ~~must~~ be fairly compensated for the temporary loss of use rights when water is reallocated to meet compact delivery requirements.

All necessary actions should be taken to ensure that water necessary to meet the shortfall is acquired. In doing so, the acquisition of water should not be limited to any one primary source or sector.

Considerations in achieving a balanced plan of action should include accelerated Bosque and riparian restoration, a method for performing priority administration in advance of adjudication, a residential conservation program, a municipal and industrial conservation program, an agricultural conservation program, reduction in urban pumping, state leasing of urban water, state leasing of agricultural water, increase in upstream instead of downstream storage of water, and a moratorium on new authorizations of consumptive use.

## CHANGE #2

*Change #2 appears within the Regional Water Plan in two places. It is in the Conjunctive Use Recommendation paragraph 10.2.2/R2-2 of the Plan itself and in the recommendation R2-2 on page 44 of the Summary document.*

### **R2-2—Conjunctive Use Management (A-144)**

Ground water and surface water are two parts of the same system in the Middle Rio Grande Region; each interacts with and markedly affects the other. For water resources in such a system to be managed effectively, they must be managed together, that is, “conjunctively.” ~~New Mexico is presently unable to conjunctively manage its ground and surface waters effectively because of state laws that are mutually incompatible and that have led to overdrafts that greatly exceed sustainability.~~

Some of the main impediments to good conjunctive-use management are: junior ground-water rights that intercept and draw the flow of ground water away from nearby rivers, thereby impairing older surface-water rights; uncontrolled domestic well development in some local high density areas; inability to strictly apply the priority system; and woefully inadequate requirements for metering and reporting water diversions.

This plan recommends strengthening conjunctive-use management by encouraging the state legislature to define state water management aims and by directly addressing aspects of New Mexico water law that now prevent conjunctive management of our ground and surface waters. What is needed at the most fundamental level are four things. First, the state should decide the fate of the priority system — including whether and how it should be modified. Second, the state should decide how to make the management of ground water and surface-water rights mutually consistent, and consistent with how water-right priorities are to apply. Third, it should decide what transitional adjustments will be needed to phase in any changes in a fair and equitable manner from our present unbalanced system. Fourth, it should provide clear guidance to its water officers, especially the State Engineer, on the philosophy and principles that are to govern administration of this state’s water affairs.