

**LOWER PECOS RIVER BASIN COMMITTEE
RESOLUTION
REGARDING AUGMENTATION WELLS IN THE
PECOS RIVER BASIN**

Carlsbad, New Mexico
May 20, 2003

WHEREAS, the United States Supreme Court has enjoined the State of New Mexico to comply with Article III (a) of the Pecos River Compact by delivering water at the New Mexico - Texas stateline as prescribed in the Amended Decree entered in Texas v. New Mexico, 485 U.S. 288 (1988).

WHEREAS, the New Mexico Interstate Stream Commission (Commission) anticipated a possible net shortfall in deliveries to Texas in 2001 under the Pecos River Compact and United States Supreme Court Amended Decree.

WHEREAS, the Commission in July 2001 established the ad hoc Pecos River Basin Committee (Committee), made up of representatives of six irrigation entities, six municipalities, three classes of industry, the Bureau of Reclamation, and the chairman of the regional water planning effort and charged the Committee with evaluating alternatives for priority administration and determining additional ways to deliver additional water across the state line.

WHEREAS, the members of the Committee worked arduously with the Commission staff to develop a suite of alternatives for short-term and long-term compliance with the Pecos River Compact and Amended Decree.

WHEREAS, a consensus resolution was signed by the members of the Committee regarding the long-term compliance plan in January 2002.

WHEREAS, legislative criteria for implementation of the consensus plan were established and approximately half of the \$68 million in implementation costs were appropriated, subject to specific criteria, in laws passed by the 2002 Legislature and signed by the Governor.

WHEREAS, the first legislative criteria for accessing the consensus plan funding required the settlement of surface water rights of the Carlsbad Irrigation District Project (CID) between the CID, United States (US), Pecos Valley Artesian Conservancy District (PVACD) and the State of New Mexico (State).

WHEREAS, the Carlsbad Project Settlement Agreement was reached and signed by OLD, the US, PVACD and the State on March 25, 2003.

WHEREAS, modeling analysis conducted by Hydrosphere Resources Consultants, Inc.,

consultants to the Commission, under the direction of the Commission and OSE staff and reviewed by experts for the United States, CID and PVACD, indicate that the implementation of the Consensus Plan and the Settlement Terms, will achieve the objectives of long-term compliance with the Pecos River Compact and significantly reduce the likelihood of a net shortfall and priority administration while increasing the water supplies to CID and maintaining the aquifer storage and hydraulic heads in the Roswell Artesian Basin.

WHEREAS, augmentation pumping is a vital component in ensuring that the goals of Consensus Plan and the terms of the Carlsbad Project Settlement Agreement are met.

WHEREAS, based on a study conducted by Bohannon-Huston, Inc., consultants to the Commission, the Commission has determined that the most viable location for an augmentation well field in the Roswell Artesian Basin is the Near Seven Rivers Site.

WHEREAS, the Commission in its meeting in Santa Fe, New Mexico, on April 24, 2003, authorized the staff to proceed with the construction of the augmentation well field at the Near Seven Rivers Site.

WHEREAS, the ad hoc committee has been asked by the Commission to continue in an advisory capacity to the Commission as the Lower Pecos River Basin Committee.

NOW, THEREFORE, BE IT RESOLVED that the Lower Pecos River Basin Committee agrees that an augmentation pumping well field in the Roswell Artesian Basin is essential to the implementation of the Consensus Plan and the terms of the Carlsbad Project Settlement Agreement.

BE IT FURTHER RESOLVED that the Lower Pecos River Basin Committee supports the Commission staff in their plan to locate the augmentation pumping well field at the Near Seven Rivers Site.

BE IT FURTHER RESOLVED that the Commission staff investigate the feasibility and effectiveness of developing a shallow aquifer well field in the Roswell Basin and flowing wells east of Roswell as part of the augmentation project.

BE IT FURTHER RESOLVED that the Commission staff consider the potential for expanding the capacity of the Near Seven Rivers augmentation well field beyond the currently proposed 10,000 AFY.

BE IT FURTHER RESOLVED that to the extent the Seven River well field does not provide the full 20,000 AFY, the Committee recommends the construction of artesian well field at Buffalo Valley Site.

James P. Wilcox - IMC Potash

Harold Hobson
Chaves County.

Ray Miller
Marbob Energy Corp - Artesia

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NM Interstate Stream Commission