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State Engineer Signs Order for Upper Mimbres Water Master District

(SANTA FE, New Mexico) – New Mexico State Engineer John D’Antonio signed an order outlining curtailment of junior uses in the event of priority administration within the Upper Mimbres Water Master District on July 25.

Recent severe drought conditions, in addition to the fact that there was no snowpack last winter, have created a situation where the Mimbres River is flowing at less than 10 percent of average annual supplies this year. A Water Master was appointed for the District on December 16, 2005 and has been administering the direct flows of the river since January 1, 2006.

The order states:

- The New Mexico State Legislature has recognized that the need for water administration is urgent.
- All adjudicated, permitted and licensed water rights and all domestic and livestock wells are subject to curtailment under the prior administration system according to the adjudicated or licensed priority date or the priority date of the date of permit. However, it is in the public interest that the State Engineer allow essential minimal indoor domestic and livestock uses to continue.
- The State Engineer encourages alternative administration or shortage sharing agreements in lieu of curtailment.
- Water right owners in the District may enter into alternative administration or shortage sharing agreements in order to prevent implementation of or in response to priority administration in the District.

(MORE)

"We are not in priority administration in the Upper Mimbres Water Master District at this time," said District 3 Supervisor Charles Jackson. "As an alternative, the water right owners in the District may choose to work together to formulate a plan for alternative administration that could preclude the possibility of priority administration."

The State Engineer has ordered, in the event of priority administration by the Water Master, that:

- All domestic wells in the Upper Mimbres District that are out-of-priority shall be limited to essential indoor uses, and all outdoor uses shall stop.
- The Water Master will curtail out-of-priority groundwater and surface water rights for livestock purposes in order to limit the diversions to small amounts of water that are required for essential livestock watering.
- The order is limited to the administration of the direct flow of the Mimbres River and connected groundwater.
- The State Engineer will approve or conditionally approve an alternative administration plan proposed by water right owners in the District if he determines that the plan will effectively distribute the available water supply among the owners that have agreed to the system of alternative administration and will not impair the water rights of those that have not participated in the plan.

District specific rules and regulations have not been completed for the Upper Mimbres Water Master District yet, as part of the Active Water Resource Management initiative. There are about 500 domestic wells that are subject to priority administration in the area. The diversions from these domestic wells impact the flows of the Mimbres River within the District, and in times of priority administration, those uses must be curtailed.

"We would prefer to see the water right owners working together to face the challenges that the current drought in New Mexico is placing before them," Jackson said.

The Office of the State Engineer is charged with administering the state's water resources. The State Engineer has power over the supervision, measurement, appropriation, and distribution of all surface and groundwater in New Mexico, including streams and rivers that cross state boundaries. The State Engineer is also Secretary of the Interstate Stream Commission and oversees its staff.

The nine-member Interstate Stream Commission is charged with separate duties including protecting New Mexico's right to water under eight interstate stream compacts, ensuring the state complies with each of those compacts, as well as water planning.

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