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New Mexico Interstate Stream Commission Indefinitely Postpones Action on Water Agreement

(SANTA FE, New Mexico) – The New Mexico Interstate Stream Commission voted yesterday to indefinitely postpone action on an innovative water agreement between the Commission and Intel Corporation. The Commission also directed staff to bring recommendations to them on how to treat similar requests so the agency can have a set of standard guidelines.

“Clearly there was some concern about moving forward today,” said Interstate Stream Commission General Counsel Amy Haas. “Hopefully some additional time will help stakeholders understand the benefits of this agreement for New Mexico from many different perspectives. The agreement cuts down on the transfer of water rights out of agriculture, provides water and money to help with protection and insulation from potential endangered species act threats to water users and ensures full offset of all future Intel stream depletions.”

Under the proposed agreement the Interstate Stream Commission would receive water rights and funds from Intel in exchange for assuming part of Intel’s obligation to offset impacts to the Rio Grande that result from Intel’s groundwater pumping. The Interstate Stream Commission would meet that obligation using water available to it, including water rights Intel would convey to them, relinquished Rio Grande Compact credits and other sources available to the Interstate Stream Commission.

“As required by the Endangered Species Act, the federal water and wildlife management agencies in New Mexico are today working with the state and middle valley water users to develop a new Biological Opinion that will define water operations and other activities for the benefit of endangered species in the Middle Rio Grande,” said Interstate Stream Commission Director Estevan López. “This agreement would give us significant new resources to reduce the threat to water supplies of the six Middle Rio Grande Pueblos, our agricultural community and the municipalities in the middle valley.”

Under the terms of the agreement, the state would receive about 741 acre-feet of senior water rights that would ultimately be placed in the Strategic Water Reserve for ecological projects aimed at solving endangered species issues in the Middle Rio Grande. In addition, Intel would also provide \$1 million a year for 10 years, adjusted for inflation, for the Strategic Water Reserve and for dealing with endangered species issues on the Middle Rio Grande.

The Interstate Stream Commission is charged with doing any and all things necessary to protect, conserve and develop the waters of the state including managing New Mexico’s rights and obligations under eight interstate stream compacts and planning for future water uses.

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