

A JOINT MEMORIAL
REQUESTING THE STATE ENGINEER TO PROHIBIT WATER RIGHTS
TRANSFERS ACROSS THE OTOWI GAGE.

WHEREAS, acequias in northern New Mexico seek limitations on transfers of water rights out of the acequia systems in order to preserve and protect acequia culture and communities; and

WHEREAS, New Mexico's annual obligation under the Rio Grande Compact to deliver water below Elephant Butte dam is based on the flow at the Otowi stream gage near Pojoaque; and

WHEREAS, New Mexico's delivery obligations generally increase if water rights are transferred from above the Otowi gage to below the gage; and

WHEREAS, many acequias are located above the Otowi gage; and

WHEREAS, these acequias are an essential part of the fabric of New Mexico's cultural heritage and the economy of northern communities; and

WHEREAS, transfers of water outside the acequias may impair the existing rights to receive delivery of water by other acequia users or parciantes and harm the local economy and culture; and

WHEREAS, the office of the state engineer has been implementing an informal policy to discourage water rights

transfers from north of Otowi gage to south of the gage;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the state engineer be requested to formalize a policy of prohibiting water rights transfers from above the latitude of Otowi gage to below that latitude; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the state engineer and the interstate stream commission.