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HOUSE MEMORIAL 14

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Joe M. Stell

A MEMORIAL

REQUESTING THE UNITED STATES DEPARTMENT OF AGRICULTURE TO
PROVIDE FAIR AND EQUITABLE COMPENSATION TO ACEQUIA AND DITCH
IRRIGATORS DURING PROLONGED DROUGHT AND WATER SHORTAGES.

WHEREAS, the practice of acequia and ditch irrigation has
existed since early Spanish exploration; and

WHEREAS, the Rio Grande, Pecos, San Juan, Canadian and Rio
Chama are the principal rivers of New Mexico; and

WHEREAS, the state engineer and the interstate stream
commission have statutory authority over adjudication and
augmentation of these and other stream flows; and

WHEREAS, New Mexico has experienced prolonged drought,
and, as a result, irrigation and conservancy districts have
been forced to reduce or eliminate allocations of surface water
to farms in order to meet compact delivery requirements to

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1 Texas and to comply with the federal Endangered Species Act of
2 1973; and

3 WHEREAS, the United States department of agriculture,
4 through its risk management agency, and the farm service
5 agency, pursuant to the federal Farm Security and Rural
6 Investment Act of 2002, have refused to allow enrollment of New
7 Mexico farms as irrigated acreage and to insure them as such;
8 and

9 WHEREAS, the farm service agency attributes its decision
10 to the management choices of the owner-operators rather than
11 recognizing those conditions caused by drought, compacts or
12 federal laws and court orders; and

13 WHEREAS, the net effect is inadequate compensation for the
14 increased cost of performing best management practices and the
15 negative impact on base and yield measures in the farm bill and
16 future farm programs; and

17 WHEREAS, these farm owner-operators continue to pay
18 property taxes at the higher rates of assessed value while
19 revenue from the land has fallen due to drought;

20 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
21 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the United
22 States department of agriculture be requested to immediately
23 take action to correct this disparity by:

24 A. restoring crop insurance eligibility and full
25 coverage as irrigated practice regardless of water use

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1 restrictions;

2 B. restoring full enrollment and base-yield
3 updating as irrigated practice regardless of water
4 restrictions;

5 C. creating a task force to develop a national
6 drought standard for irrigated practice and to review and
7 modify existing farm service agency and risk management agency
8 regulations; and

9 D. taking the lead role in advocating passage of
10 crop disaster legislation; and

11 BE IT FURTHER RESOLVED that the New Mexico congressional
12 delegation be requested to actively promote and support timely
13 action on this matter; and

14 BE IT FURTHER RESOLVED that copies of this memorial be
15 transmitted to the secretary of the United States department of
16 agriculture and to the New Mexico congressional delegation.

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