



Shortage Sharing/Alternative Administration

New Mexico Water Dialogue

Adaptation Strategies

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Shortage Sharing Agreements

- Shortage sharing agreements are one way of extending limited water supplies during a drought. An agreement might be among multiple water right owners -- for example, between farmers, municipalities, businesses, Native Americans, and others – to share available water supplies under existing conditions.
- Can bring senior and junior water users together to develop solutions that avoid strict priority administration.
- A completed adjudication is not a prerequisite to developing a shortage sharing agreement.




Alternative Administration

“Administration that is based on water sharing agreement among affected water right owners, and that is acceptable to the state engineer. Such administration may include voluntary shortage sharing such as, but not limited to, percentage division or pro rata allocation, rotation of water use, and reduced diversions. Where there is an existing shortage sharing agreement between acequias or community ditches confirmed on the first Monday of April of each year in accordance with Section 73-2-47 NMSA or thereafter as necessary, it shall be recognized in the district-specific regulations (N.M. OSE, 19.25.13.7 C (4) (2004)).”



Lower Chama Shortage Sharing

- Drought over the last decade has reduced available water supply on the Chama River to near historic lows.
 - Members of the Rio Chama Acequia Association (RCAA) collaborated with the OSE/ISC to develop shortage sharing and rotation schedules.
 - Shortage Sharing has, for the most part, avoided total shutdown of most RCAA acequias.
 - In the summer of 2020, lack of supply led to the cessation of diversions for a time.
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2003 Pecos Settlement Agreement

Objectives:

- Permanent compliance with the 1988 Amended Decree
- Increased and more stable water supply for Carlsbad Irrigation District (CID)
- Reduced likelihood of a priority call in New Mexico
- Decrease overall consumptive use to improve hydrologic balance in the basin





1. Water Rights Purchases

- 4,500-6,000 acres in CID
 - Water rights available for state-line delivery
- 7,500-11,000 acres in the Roswell Artesian Basin (RAB)
 - Artesian water rights available in augmentation well fields

2. Augmentation Well Fields

- 15,750 AF/year capacity
- Purposes:
 - State-line delivery
 - Increased supply for CID



Pecos River near Lake Arthur



State-Line Delivery of Purchased CID Water Rights

Cumulative Compact Credit	Delivery Outcome
<i>< 50,000 acre-feet</i>	CID can use state-purchased water rights until their project supply exceeds 50,000 acre-feet, then delivery to the state-line is required
<i>≥ 50,000 acre-feet < 115,000 acre-feet</i>	CID can use state-purchased water rights until their project supply exceeds 90,000 acre-feet, then delivery to the state-line is required
<i>≥ 115,000 acre-feet</i>	CID can use state-purchased water rights up to their maximum allotment of 3.697 acre-feet per acre, <i>no state-line delivery required</i>




The Settlement has proven to be New Mexico's strongest tool in ensuring compliance with the Pecos River Compact and 1988 Amended Decree.

- More Water to the State-Line
 - Delivery of State-Owned CID Water Rights
 - Reduction in Overall Depletions
 - RAB and CID
 - Increased Return Flows from CID
- Reallocation of State-Owned CID Water Rights for other CID Members



Planning, Planning, Planning!

- Hot and difficult climate conditions lead to hot and difficult conversations.
- Shortage sharing agreements are time consuming and are often data driven.
- Communication with stakeholders and the community is key.
- Encourage development of guidance documents for creation of shortage sharing agreements.
- Incentivize shortage sharing agreements.



NMAC 19.25.20.123 A

voluntary alternative administration may be accepted by the water master if the criteria below are met. Voluntary alternative administration may include shortage sharing, such as, but not limited to, percentage division or pro rata allocation, rotation of water use, and reduced diversions. The owners of record of administrable water rights subject to priority administration may request that the water master implement a voluntary form of alternative administration by submitting a written plan to the water master that includes:

- (1) an agreement by the owners of record to the terms and conditions of the plan;
- (2) the name, address and phone number, and electronic mail address, if applicable, of the person designated as the contact person for the owners of record, or in the case of an acequia, the mayordomo of the ditch;
- (3) a description of the water rights included in the plan, the proposed operation of the plan, the specific steps required of the water master to administer the plan, and requirements for reporting the progress of the plan to the water master; and
- (4) a demonstration, through accurate analysis using analytic tools acceptable to the water master, that the implementation of the plan will:
 - (a) economically and satisfactorily apportion the available water supply among owners of record who have agreed to the alternative administration plan;
 - (b) not impair the administrable water rights of owners of record who are not participating in, or have not agreed to, the alternative administration plan;
 - (c) not be contrary to conservation of water in the State; and
 - (d) not be detrimental to the public welfare of the State.

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Questions?

