

POLICY 2012-GW1

POLICY SUBJECT: Uses of Groundwater Rights owned by the Elephant Butte Irrigation District (EBID), referred to as New Mexico Office of the State Engineer (OSE) File no. LRG-01776.

DATE APPROVED: November 14, 2012

PURPOSE: To provide general guidelines for potential uses of EBID's LRG-01776 groundwater.

BACKGROUND: EBID was adjudicated groundwater rights on September 27, 2010, OSE file no. LRG-01776, described by Subfile Order No. LRS-28-003-0018 of the Third Judicial District Court, Doña County, State of New Mexico in *New Mexico ex rel. Office of the State Engineer v. Elephant Butte Irrigation District, et al.*, Case No. CV 96-888.

The core provisions of these groundwater rights as adjudicated include:

- (1) Priority: December 31, 1973
- (2) Source of Water: Underground waters of the Lower Rio Grande Underground Water Basin.
- (3) Purpose of Use: Diversion of groundwater by EBID for delivery to EBID members as a supplemental supply during years of less than a full surface allocation by EBID to assessed water righted lands within EBID.

(4) Points of Diversion:

Well no.: LRG-01776	Location: X = 1,484,452	Y = 443,390
Well no.: LRG-01776-S	Location: X = 1,478,094	Y = 450,420
Well no.: LRG-01776-S-2	Location: X = 1,482,158	Y = 444,093
Well no.: LRG-01776-S-3	Location: X = 1,487,243	Y = 440,922
Well no.: LRG-01776-S-4	Location: X = 1,473,596	Y = 446,582

Location datum expressed as planar coordinates in units of feet, NMSP, Central Zone, NAD 83.

(5) Place of Use: Assessed lands within the boundaries of EBID.

(6) Amount of Water: 9,500 acre-feet per year.

The five wells identified above were originally drilled and equipped as sponsored by and through EBID to supplement limited surface water availability in the late 1970's to help EBID members who at the time otherwise did not have access to an existing well for irrigation needs or could not afford to finance the drilling of their own well. Since that time, the great majority of EBID members have privately financed, drilled, and made use of their own wells as necessary, however some members still remain at a loss for access to groundwater.

(7) As a general policy, the EBID Board of Directors (Board) supports the

following uses of EBID's 1776 Groundwater Rights:

- A. Supplemental irrigation water for members within EBID boundaries.
- B. Irrigation offset water for members within EBID boundaries.
- C. Miscellaneous uses by EBID in carrying out the purposes of the district.
- D. Miscellaneous uses both within and without the district.

(8) Implementation and Application.

- A. It is the policy of the Board that the above purposes of use set forth in (7) above are the potential uses for the water adjudicated to EBID under LRG-1776.
- B. It is further the policy of the Board that any use of the EBID 1776 groundwater shall come before the Board for consideration and approval prior to any use being made upon presentation of a detailed plan submitted by the Engineering Department or the Manager.
- C. The list of potential uses of the EBID 1776 groundwater is not a priority list, and any and all uses will be fully considered by the Board according to the order in which they are presented.
- D. Any unused portion of the EBID 1776 groundwater in a given year or years shall be considered eligible for inclusion in a State Engineer-approved water conservation program in keeping with NMSA 1978 §72-12-8.