



Texas v New Mexico Implementation Investments Building a Resilient Water Future for the Lower Rio Grande

Office of the State Engineer
Interstate Stream Commission

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Legislative Finance Committee – September 22, 2026



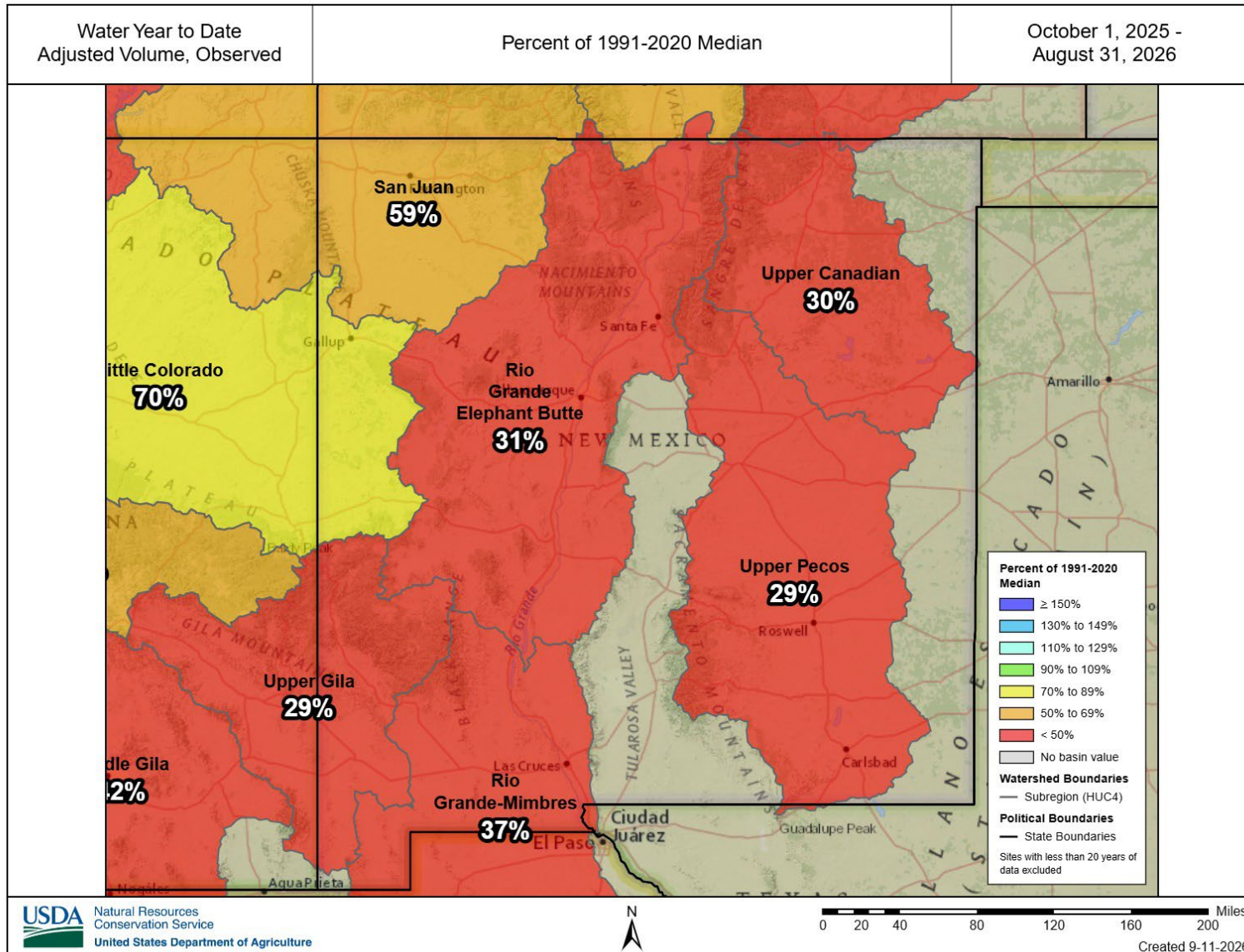
Climate and Hydrology Challenges

CLIMATE CHANGE TRENDS:

- Lower snowpack
- Higher temperatures
- Increased aridification
- More variable rain/monsoons
- Lower stream flows
- Lower reservoir levels

We need to prepare for 25-30% less water by 2070

Record Breaking Conditions in 2026



RECORD LOW SNOWPACK

RECORD HIGH SPRING TEMPERATURES

STREAMFLOW in 2026

- Rio Grande streamflow 31% of the historical median over the last year
- Rio Grande streamflow in August 14% of the historical median
- San Juan streamflow at 59% of the historical median



Photo: John Longworth

ELEPHANT BUTTE RESERVOIR August 31, 2026

Less than 1.5%

**Lowest level on record
for that date**



New Mexico can Meet the Challenges

MULTI-PRONGED APPROACH With SIGNIFICANT INVESTMENTS NEEDED

Holistic management throughout the Rio Grande Basin to:

- Increase efficiencies
- Reduce depletions

Investments needed for:

- Water rights enforcement and administration
- On-the-ground projects, including partnerships with major water users and federal agencies
- Operational flexibilities and innovation
- Regional water planning
- Education and engagement with stakeholders



Funding Resources

State Funding Sources:

2023 Lower Rio Grande Capital Appropriation

\$30,000,000

Expires FY2027

Approx. \$25M expended/encumbered

2023 Lower Rio Grande Special Appropriation

\$35,000,000

Expires FY2027

Approx. \$30M expended/encumbered

2026 Lower Rio Grande Special Appropriation

\$22,500,000

Expires FY2029

Total to date = \$87.5 million

LRG Federal Funding and Investment



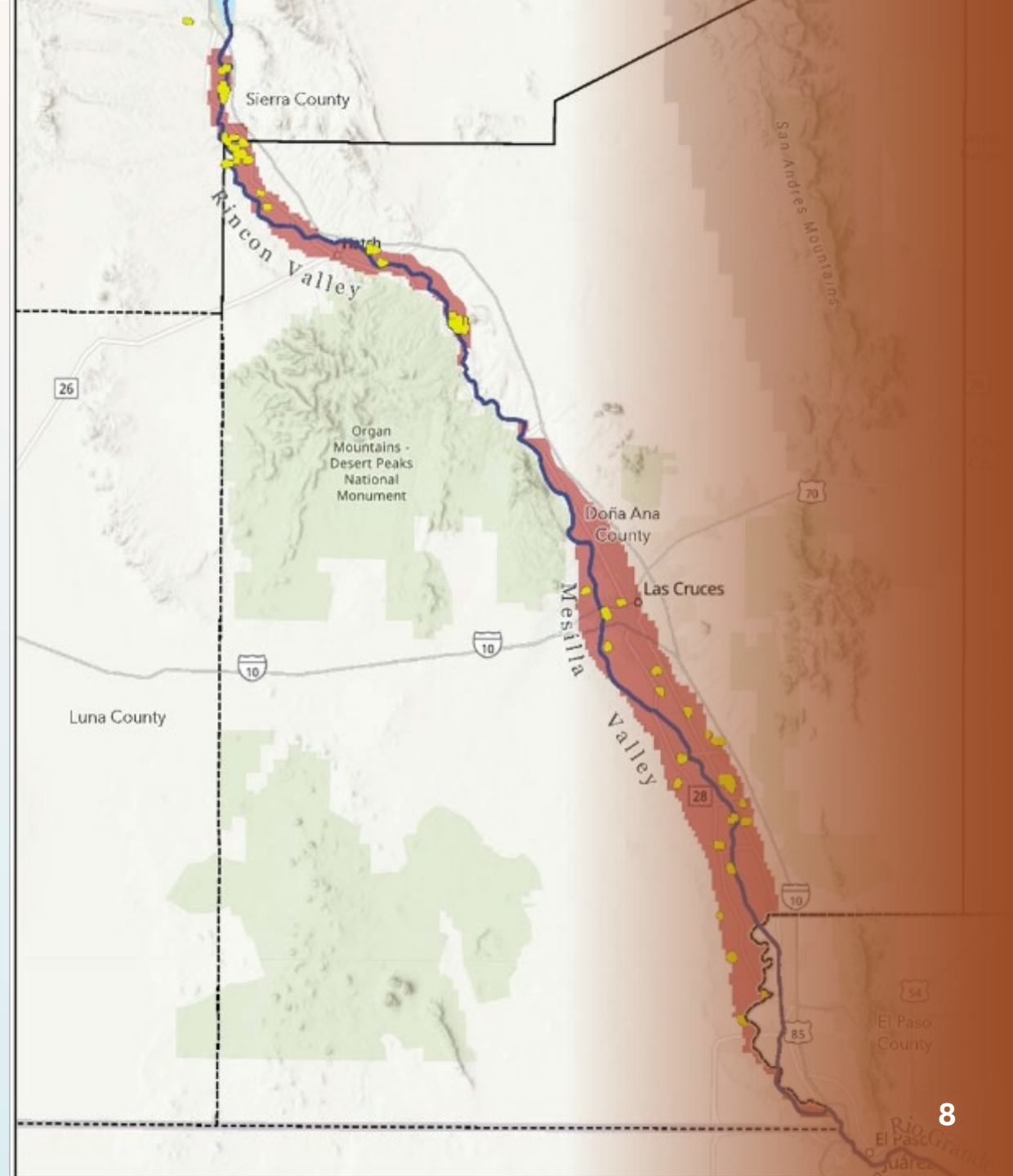
Financial Assistance Agreement # R25AC00209 \$78,270,000* (Expires September 2031)

#	Project	Sub-Recipient(s)	Amount
1	Middle Rio Grande ESA Water Program for Water Acquisition, Water Delivery, and Habitat Enhancement Activities.	NFWF – MRGCD	\$5,000,000
2	Holistic watershed restoration projects in the Rio Grande Project Area (“RGP”), including the issuance of sub-awards for projects in the RGP that help address water management challenges such as aridification, habitat degradation, flooding, and channel sedimentation.	NFWF Projects to be awarded	\$20,000,000
3	LRG Water Rights Purchase Program. The Program will acquire water rights in the Rincon and Mesilla Valleys to comply with groundwater depletion reduction commitments under the Groundwater Settlement Agreement (Settlement) between the United States of America and the State of New Mexico executed August 28, 2025.	TBD	\$40,000,000
4	Directed Grant to the Elephant Butte Irrigation District for Lateral Piping to Reduce seepage losses related to irrigation water for producers in the Rio Grande project area.	EBID	\$11,500,000

*Also includes funding for staffing, groundwater monitoring wells, and Chama Sediment Study.

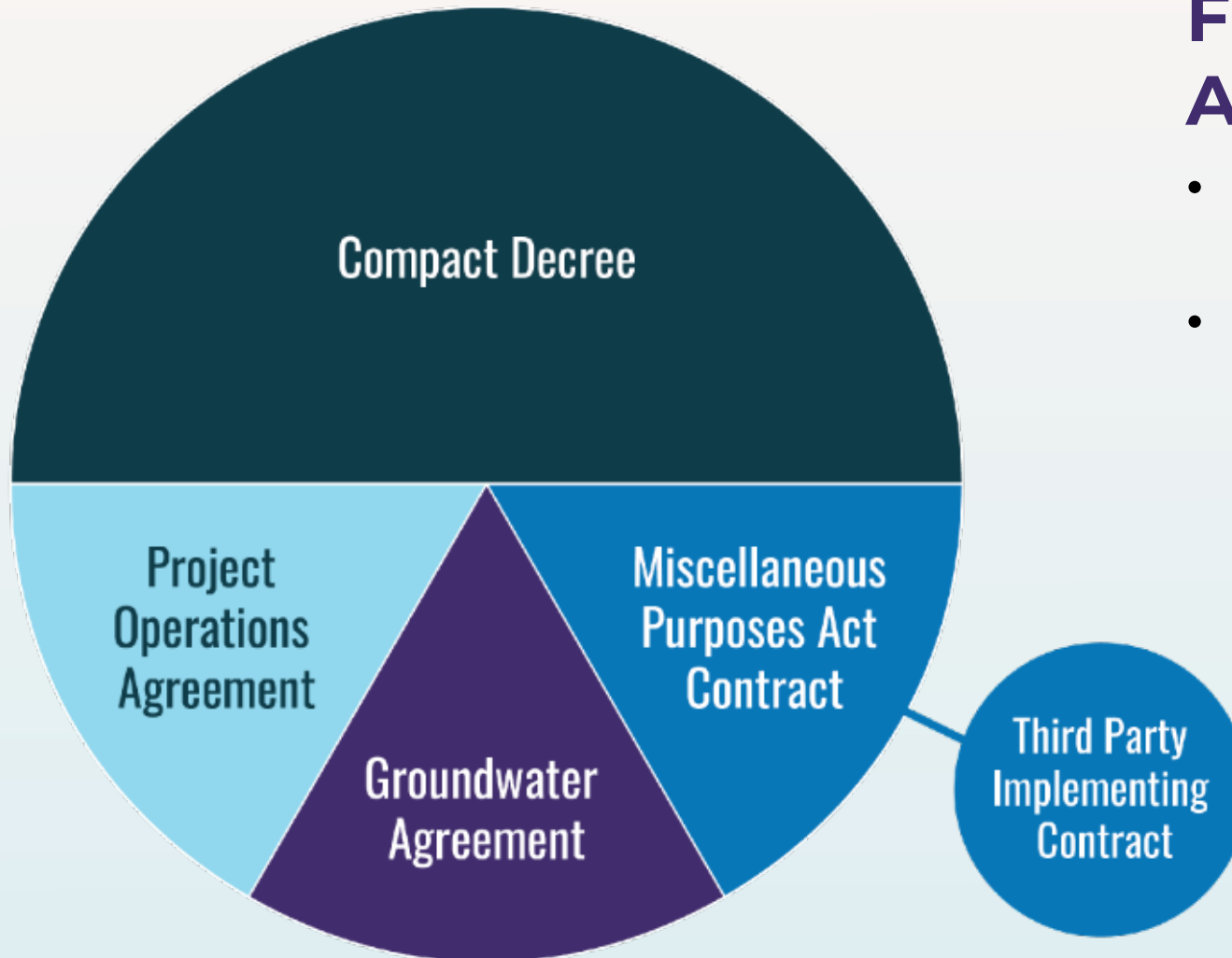
TEXAS v. NEW MEXICO SETTLEMENT

- Accepted by the US Supreme Court in June 2026
- New **measuring index provides certainty** about how water is distributed below Elephant Butte
- **Protects significant groundwater pumping** in NM while requiring NM to reduce depletions
- Requires development of a **long-term water management plan** to be crafted with stakeholders
- **NM retains discretion** to administer
- Adjusts Rio Grande Project operations to provide **more surface water to NM** (consistent with the original 57/43 allocation split in the Compact)
- Includes a **transition period** and **operational tools** to support compliance
- Related Court cases will be dismissed
- **STATE INVESTMENT = Protects long-term economic viability of the region**

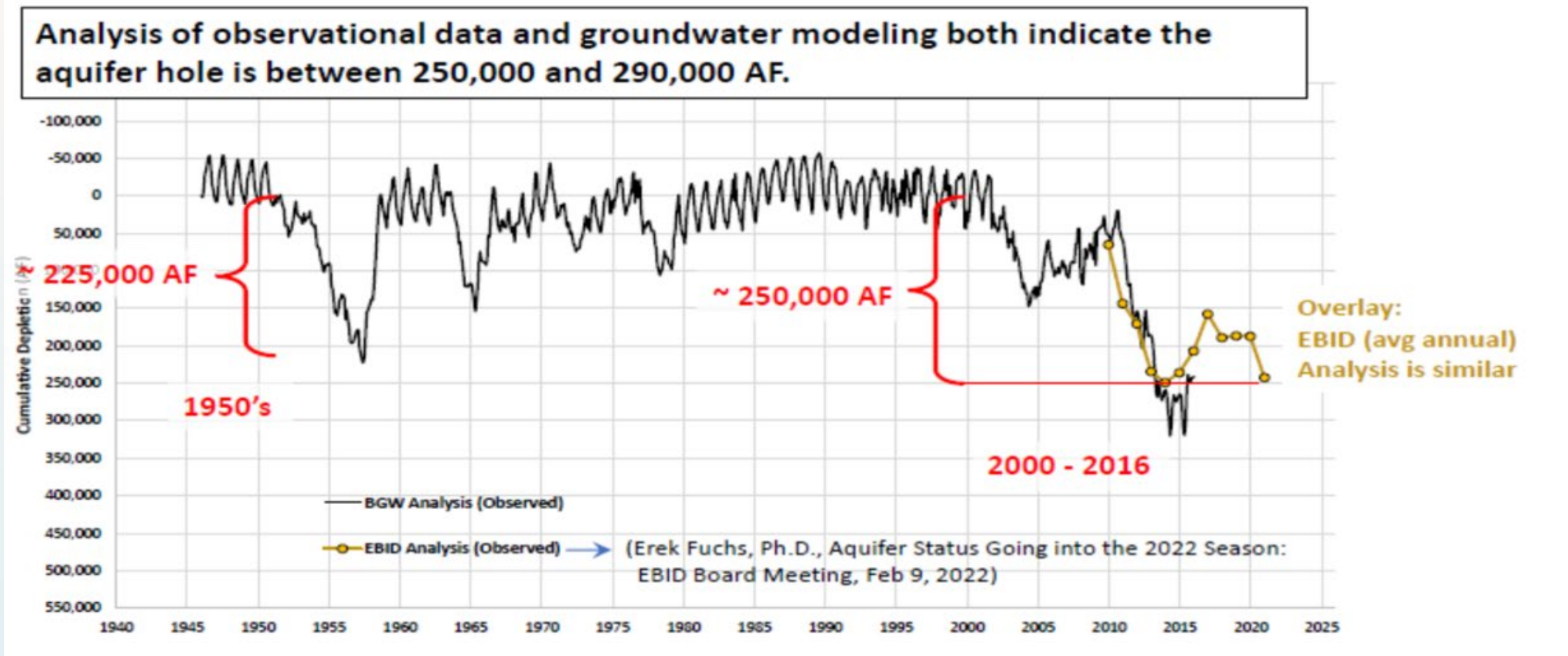


Five Inter-Related Agreements and Contracts

- Compact Decree in U.S. Supreme Court.
- Other agreements:
 - Involve distinct parties and forums
 - Resolve all associated disputes
 - Provide operational tools to support compliance



Hydrologic Context of the Settlement



Addressing aquifer decline is essential to support future generations and meet new state line delivery obligation – *state investments are supporting community driven solutions.*

LRG Groundwater Conservation Program



Temporary leasing program = over 7,500 acres enrolled thru 2028

Water rights acquisition program required by Settlement = 18,200 AF of current groundwater use.

- ***Roll-out this year***



Partnerships

Cooperative Agreements with Elephant Butte Irrigation District and Local Soil and Water Conservation Districts

Managed Aquifer Recharge (MAR) Opportunities in the LRG

Phase I Study

Technology screening- 5 Typologies

1. Dam based recharge
2. Conveyance recharge
3. Engineered infiltration systems
4. Pre-treatment systems
5. Monitoring and automation technology

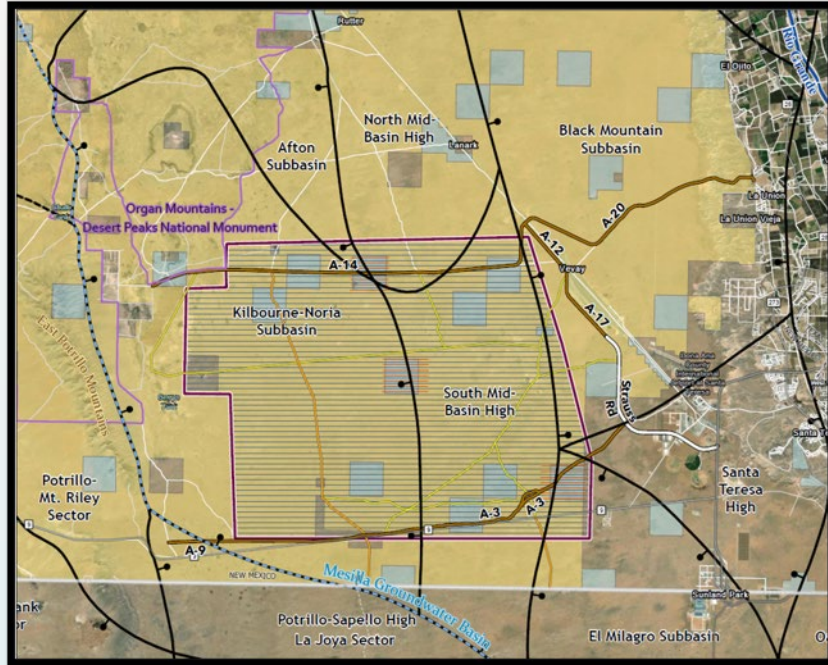
Conceptual Site Modeling

- Source of water
- Technology for recharge
- Target aquifer
- Boundary conditions
- Operational/monitoring elements



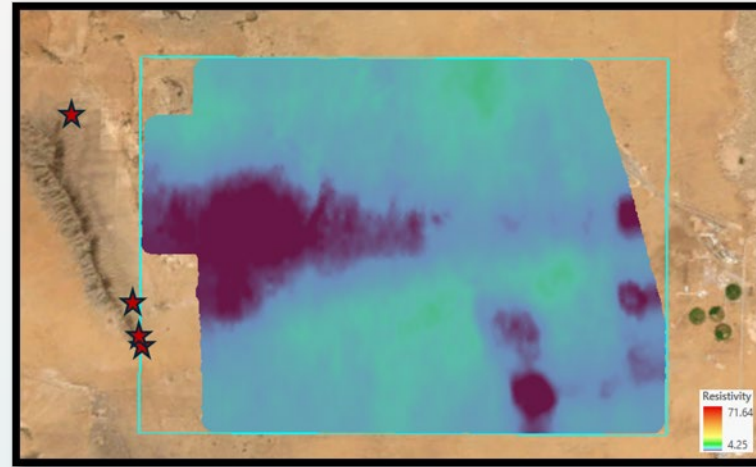
Santa Teresa Brackish Groundwater Exploration Project

Santa Teresa Project Area of Interest



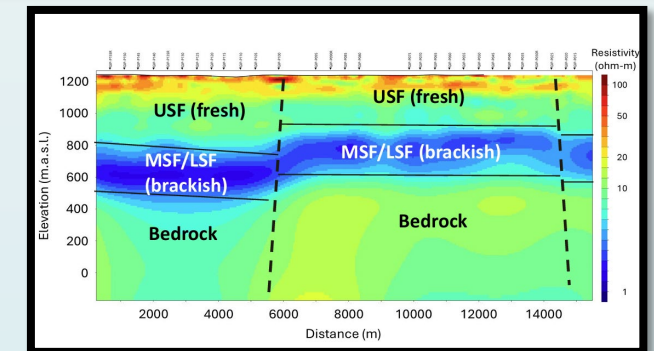
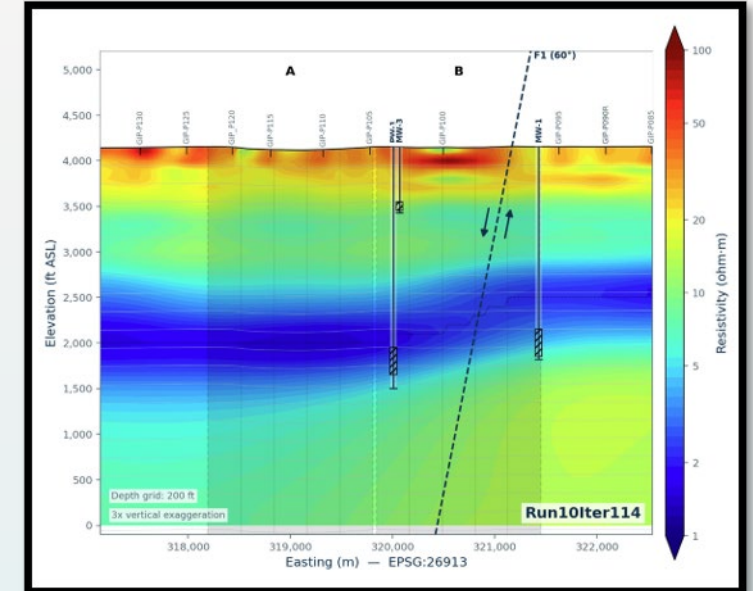
- Flight lines oriented perpendicular to the north-south-oriented structural grain
- 250-meter spacing

Mean Resistivity 700 ft bgs



Geothermal upflows approximately located from *Salinity Contributions from Geothermal Waters to the Rio Grande and Shallow Aquifer System in the Transboundary Mesilla/Conejos-Medanos Basin* (Pepin et al., 2022).

Magnetotelluric (MT) Survey



Time to Work Together!

