

## Prospectus: The Rio Chama Irrigation Reserve

Acequias have been a presence along the lower Rio Chama for more than 400 years through drought and flood. Resilient local acequia associations have operated under the governments of Spain, Mexico, and the USA, sharing water among irrigators in times of drought. The State of New Mexico in its Constitution, laws, and programs has recognized the critical role of acequias as political subdivisions of the State.

Acequias on the Rio Chama have been working with the State Engineer and Interstate Stream Commission (OSE/ISC) through two regional acequia associations: the Rio de Chama Acequia Association, Inc. (RCAA, representing 21 acequias, 650 parciantes), and the Asociación de Acéquias Norteñas de Rio Arriba (Acequias Norteñas, representing 18 acequias, 545 parciantes), since 2004 to manage water shortages. This has been accomplished through traditional water management customs, or *Repartimiento*, cooperation, and communication.

In the 21st Century, Rio Chama acequias face new challenges. Rapidly changing climatic conditions and an expanding population downstream threaten our already marginal water supply. Three major reservoirs have been constructed to deal with water shortages but without much of a framework for input or participation from our acequias. Water is imported into Heron Reservoir from the Colorado River drainage to meet municipal and agricultural needs in the middle Rio Grande Valley. In years with low levels of native flows, there are depletions to the imported water as it passes through the lower Rio Chama acequias.

In recent years, these depletions have been resolved through purchases of imported San Juan Chama Project (SJCP) water with state funds. In 2018, over 2000 acre-feet were provided by the NM State Engineer, Interstate Stream Commission (SEO/ISC), and Middle Rio Grande Conservancy District (MRGCD) using Rio Grande Compact relinquishment accounts. Even with this generous action, all Rio Chama acequias had to operate at less than half of their normal diversion rights in 2018 for most of the irrigation season, with serious economic consequences.

There is adequate reservoir space available on the Rio Chama to accommodate RCAA's needs. In 2018, RCAA used \$98,800 in State Capital Improvement funds to obtain a 25-year storage agreement with the MRGCD in El Vado Reservoir. This space is reserved for RCAA's use during the irrigation season to offset the depletion of water owned by downstream users. RCAA is currently working with the NM SEO/ISC, Acequias Nortenas, MRGCD, the Albuquerque Bernalillo Water Utility Authority, and SJCP contractors (Ohkay Owingeh, Los Alamos County, and the City of Espanola) to develop a reliable source of irrigation water for the El Vado storage space.

RCAA is requesting a legislative allocation to continue support for this endeavor. This project is included in the State Regional Water Plan for the Rio Chama, published by SEO/ISC, and is being considered in settlement discussions for the Aragon Adjudication with Ohkay Owingeh. Permits are almost in place for Acequias Norteñas to provide water from Horse Lake for offset

use by RCAA acequias and a basin-wide water bank is being planned that will allow seasonal storage of native water in the Rio Chama Irrigation Reserve.

Critical issues for implementing the Rio Chama Irrigation Reserve include permitting at the state and federal level, compliance with the Rio Grande Compact, carryover of water from year to year, contractual arrangements for reservoir storage, depletion accounting systems, and water sharing rules and procedures within the RCAA. At this time, RCAA is storing water under MRGCD's state permit and has developed a streamlined purchase procedure for water purchases by the State through SJC Project contractors.

### **Update August 2020**

In 2019, RCAA received \$50,000 from the NM Legislature to purchase SJC Project water for the Irrigation Reserve (Fund D2756 Capital Appropriation Project). In 2020, RCAA received an additional \$50,000 for water acquisition (Fund E2093 Capital Appropriation Project). All of the 2019 funds were used to purchase 833 acre-feet from Los Alamos County to cover 2020 depletions. About half of the 2020 Capital Outlay funds will be expended this year to purchase the remainder of Los Alamos County's 1200 acre feet allocation to cover over depletions in early July. The remaining \$25,000 are reserved for water needed in spring 2021.

RCAA has developed several important relationships in 2020. Los Alamos County is willing to sell RCAA its entire allocation of SJC Project Water in future years at their cost with the US Bureau of Reclamation. The City of Espanola has also agreed to sell RCAA part of their smaller SJC allocation, if needed. Just as important, this drought has allowed the MRGCD and ISC to work closely with RCAA to refine the complex depletion accounting methods required to continue the Active Water Resource Management Program in future years.

The success of the Rio Chama Irrigation Reserve in coping with chronic water shortages will depend heavily on legislative support until RCAA is able to store a portion of the existing water rights of member acequias for release after spring runoff is exhausted. The RCAA is currently working with its members and partners to develop a regional water bank, quantify water supplies and fallow acreage, and create a robust plan for water management that is fair to all water users on the Rio Chama and Middle Rio Grande.

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