

**Office of the State Engineer**

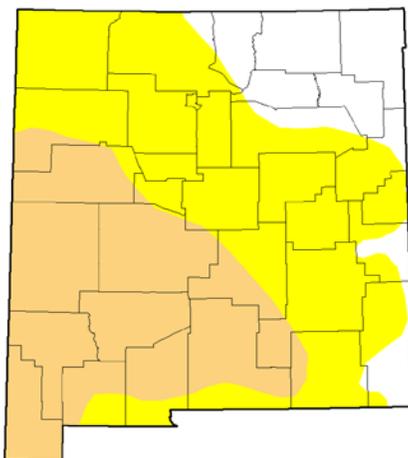
Nearly 300 dams fall under State Engineer jurisdiction, over half of which are considered “high hazard potential” – meaning downstream populations could be affected by a breach, rather than any threat or risk of dam failure. Still, 121 high hazard dams do have some deficiency, like inadequate spillway capacity, deferred maintenance, age, or design limitations. The agency has issued corrective orders for 12 unsatisfactory dams and estimates rehabilitation needs at over \$250 million. Past investments in dam rehabilitation have shown mixed results, with some high profile shortcomings including recent news that Las Vegas abandoned the design for expanding Bradner Dam, a project that received \$10 million in 2014, and now plans to use the funds to repair the dam. The Legislature appropriated \$1 million to plan, design, and construct high hazard dam repairs statewide in 2017.

**Water Resource Allocation**

Citing training of several new hires and a focused effort to eliminate the backlog of historic/new applications accumulated during the recently completed Lea Basin Abstracting Project, the agency projects it will fall short of the target for populating the water administration technical engineering system (WATERS) database. The program is performing well on other measures, particularly in processing applications. Dam inspections are expected to reach the target.

Water Resource Allocation		FY15 Actual	FY16 Target	Q1	Q2	Q3	Rating
Budget: \$14,696.7   FTE: 185.0							
1	Unprotected water right applications backlogged	1,219	650	631	468	417	<span style="color: green;">G</span>
2	Average unprotected applications processed per month	108	70	197	90	49	<span style="color: green;">G</span>
3	Dams inspected	101	100	6	34	28	<span style="color: green;">G</span>
4	Transactions abstracted into the water administration technical engineering resource system database	22,792	23,000	5,468	3,760	4,098	<span style="color: red;">R</span>
Program Rating		<span style="color: yellow;">Y</span>					<span style="color: yellow;">Y</span>

**New Mexico Drought Status  
May 24, 2016**



- D0 Abnormally Dry
- D1 Drought - Moderate
- D2 Drought - Severe
- D3 Drought - Extreme
- D4 Drought - Exceptional

Source: U.S. Drought Monitor

**Interstate Stream Commission**

Failing to meet compact requirements for water deliveries to Texas would disrupt water use in New Mexico, highlighting the importance of building significant delivery credits. Accounting of New Mexico’s Pecos River Compact delivery credit will be updated at the end of June, but the agency expects to accrue a large increase to the already significant credit due to the first-time storage of Texas water in a New Mexico reservoir from September 2014 to August 2015. There has been little progress in Rio Grande Compact litigation, preventing consensus on New Mexico’s delivery credit. The agency estimates the credit to be 400 acre-feet as of January 2016. The Supreme Court’s special master has yet to rule on a November 2015 hearing on New Mexico’s motion to dismiss Texas and the federal government’s claims.

Interstate Stream Commission		FY15 Actual	FY16 Target	Q1	Q2	Q3	Rating
Budget: \$14,008.3   FTE: 49.0							
5	Delivery credit under the Pecos River Compact, in thousand acre-feet	102.0	≥ 0	97.6	96.4	96.4	<span style="color: green;">G</span>
6	Delivery credit under the Rio Grande Compact, in thousand acre-feet	0.0	≥ 0.0	0.0	0.0	0.4	<span style="color: green;">G</span>
Program Rating		<span style="color: green;">G</span>					<span style="color: green;">G</span>



# PERFORMANCE REPORT CARD

Office of the State Engineer  
Third Quarter, Fiscal Year 2016

## KEY ISSUES

The agency's strategic plan identifies completion of licensing and/or adjudicating all water rights as a goal of the Litigation and Adjudication Program (LAP). While the plan does not provide a detailed strategy of how LAP will accomplish this goal, agency staff regularly met with a legislative working group during the 2015 interim and committed to exploring new approaches to adjudications. In line with these meetings, a recent motion by the Office of the State Engineer in the San Juan basin could improve the efficiency of that adjudication. Specifically, the agency argues the water rights determined by the 1948 Echo Ditch Decree need not be re-adjudicated. If the court agrees with this motion, it would significantly reduce the time and cost of the adjudication.

## IMPROVEMENT PLANS

Submitted by agency?	Yes
Timeline assigned?	No
Responsibility assigned?	Yes

## Litigation and Adjudication

The program surpassed the FY16 target for percent of water rights adjudicated before the fiscal year even began and nearly met the target for number of offers to defendants in adjudications in the first half of the fiscal year. The current performance measure for the percent of water rights with judicial determinations does not provide a clear view of progress because it only reflects active and completed adjudications and does not include adjudications that have not been initiated. Still, the agency has provided the most recent detail behind this performance data to show progress in each active adjudication.

Litigation and Adjudication		FY15 Actual	FY16 Target	Q1	Q2	Q3	Rating
Budget: \$7,589.5		FTE: 71.0					
7	Offers to defendants in adjudications	594	600	349	139	197	G
8	Water rights with judicial determinations	62%	59%	62%	62%	62%	G
Program Rating		Y					G

### Adjudication Progress, by Basin October 2015

NORTHERN NEW MEXICO ADJUDICATIONS	
Stream System	Percent of Acres Adjudicated
San Juan	13%
Jemez	100%
Red River	100%
Zuni	0%
Rio San Jose	0%
Rio Chama	99%
Taos/Hondo	100%
Santa Cruz/Truchas	100%
Nambe/Pojoaque/Tesuque	100%
Santa Fe	74%
<b>Subtotal</b>	<b>61%</b>

SOUTHERN NEW MEXICO ADJUDICATIONS	
Stream System	Percent of Acres Adjudicated
Nutt Hockett	100%
Rincon Valley	79%
Northern Mesilla	19%
Southern Mesilla	19%
Outlying Areas	33%
<b>Lower Rio Grande Subtotals</b>	<b>40%</b>
Animas Underground	0%
<b>Subtotal</b>	<b>34%</b>

PECOS ADJUDICATION	
Stream System	Percent of Acres Adjudicated
Cow Creek	0%
Gallinas	95%
Upper Pecos (Ground Water)	96%
Upper Pecos (Surface Water)	undetermined
Pecos Supplemental/Misc.	23%
Hondo Basin	100%
Fort Sumner Irrigation District	0%
Fort Sumner (Ground Water)	100%
Pecos Valley Aretesian Conservancy District	96%
River Pumpers	100%
Carlsbad Underground	3%
Carlsbad Irrigation District	100%
Penasco	undetermined
<b>Subtotal</b>	<b>87%</b>

<b>Active Grand Total</b>	<b>65%</b>
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Source: Office of the State Engineer