

ACTION PLAN

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

The Dam Safety Bureau of the Office of the State Engineer (OSE) keeps a list of publicly owned dams in need of rehabilitation, ranked in priority order based on several factors. The list consists of 66 dams that are publicly owned, are of sufficient size to be regulated by OSE, are considered high-hazard potential dams, have auxiliary spillway capacity that is less than 70 percent of the regulatory requirement, and are deficient based on safety criteria with a condition rating of unsatisfactory, poor, or fair.

Publicly Owned Dams in Need of Rehabilitation: 10 Highest Priority Dams

Dam Name	Purpose	Estimated Rehab Cost
Cimarroncito Dam	Water Supply	\$10M or more
San Mateo Dam	Irrigation	\$3M or more
Fenton Lake Dam	Recreation, Wildlife	\$8M or more
Eagle Nest Dam	Irrigation and Recreation	\$1M or more
Nichols Dam	Water Supply	\$3M
McClure Dam	Water Supply	\$3M
Lake Maloya Dam	Water Supply	>\$20M
Bluewater Dam	Irrigation	\$10M or more
Alto Lake Dam	Water Supply	\$10M or more
Lower Vallecito Dam	Irrigation	\$7M-\$8M

Source: OSE

Office of the State Engineer

Short-term extreme drought within New Mexico's decades-long "mega-drought" has continued to deepen. In 2020, snowmelt runoff was one of the lowest on record and summer monsoons were almost nonexistent, putting a strain on the state's rivers and leading to shortage sharing operations. In 2021, the drought has become exceptional, the highest category of drought, in many parts of the state. These conditions combined with use demands resulted in reduced water deliveries to Elephant Butte Reservoir thus far in 2021, increasing the state's accrued debit under the Rio Grande Compact. In addition, exceptional drought has led to the need for the Interstate Stream Commission (ISC), under the 2003 Pecos River Settlement, to pump its wellfields to increase supply for the Carlsbad Irrigation District (CID). Those pumping efforts have exceeded delivery goals but are still insufficient in exceptional drought conditions. Consequently, CID has initiated a priority call on junior Pecos River water users. Water shortages will increase as the snowmelt runoff recedes and the Office of the State Engineer (OSE) is working with stakeholders to implement Active Water Resource Management (AWRM) in lieu of priority administration in a number of areas.

Experts warn the conditions exacerbating the region's long-term drought are likely the new normal. The ISC has initiated an effort with the New Mexico Bureau of Geology and Mineral Resources, the New Mexico Water Resources Resource Institute, the U.S. Army Corps of Engineers, the New Mexico Water Dialogue, and others to provide science-based information to New Mexicans about the type(s) of changes they should expect and decisions they can make as temperatures continue to increase. The Office of the State Engineer (OSE) is tasked with measuring and distributing available water efficiently, maximizing use of New Mexico's interstate stream apportionments to promote sustainability, and planning for the future water needs of residents and the environment. Significant issues for OSE and ISC in FY21 include continuing to address the extreme drought shortages using active water resource management, litigation with Texas over the Rio Grande Compact in the Lower Rio Grande, developing drought contingency plans for Colorado River water, changing direction on Arizona Water Settlement Act projects, and developing and implementing a water conservation and management pilot project for the Lower Rio Grande basin.

Water Resource Allocation

The purpose of the Water Resource Allocation Program (WRAP) is to provide for administration, distribution, protection, conservation, and development of the state's surface water and groundwater resources, including the implementation of active water resource management. WRAP has an internal goal to keep the number of backlogged water rights permit applications under 500, which it slightly exceeded this quarter. The program did not meet the target for applications processed per month in any quarter of FY21 so far, reportedly due to 31 vacant positions in the Water Rights Division and the need to investigate illegal water use complaints that are higher due to drought conditions. Because much of WRAP's work involves being in the field and using tangible documents and resources, the program reports that teleworking and safety protocols for in-person work have reduced staff productivity.

Given ongoing concern about statewide dam safety, OSE should consider revising the performance measure related to dam deficiencies. The current measure reports the

PERFORMANCE REPORT CARD

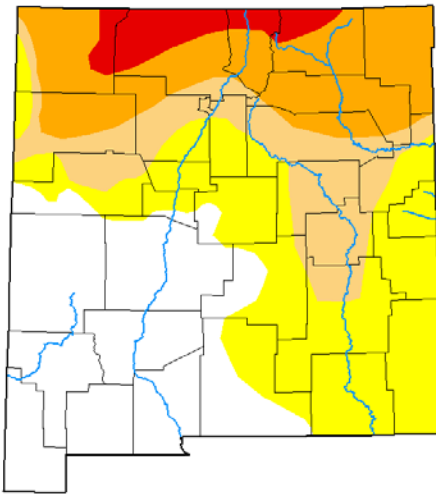
Office of the State Engineer
Third Quarter, Fiscal Year 2021

number of notices for deficient dams issued each quarter, but this does not provide information on the actual number of dams with deficiencies or what proportion of all dams in the state that number represents. The owners of the 10 dams shown on the left are either planning rehabilitation work and assembling funding or they are currently undergoing rehabilitation. State capital outlay funds are being used for four of these dams.

Budget:	FTE:	FY19 Actual	FY20 Actual	FY21 Target	FY21 Q1	FY21 Q2	FY21 Q3	Rating
Unprotected and unagrieved water rights applications backlogged*		547	502	N/A	484	488	505	Y
Unprotected water rights applications processed, per month		30	39	50	28	28	33	R
Transactions abstracted annually into the water administration resource system database		24,946	20,432	20,000	4,679	4,847	6,446	Y
Notices issued to owners of publicly-owned dams notifying them of deficiencies or issues		84	58	45	9	15	26	G
Program Rating		Y	Y					Y

U.S. Drought Monitor New Mexico

May 26, 2020
(Released Thursday, May 28, 2020)
Valid 8 a.m. EDT



Intensity:

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

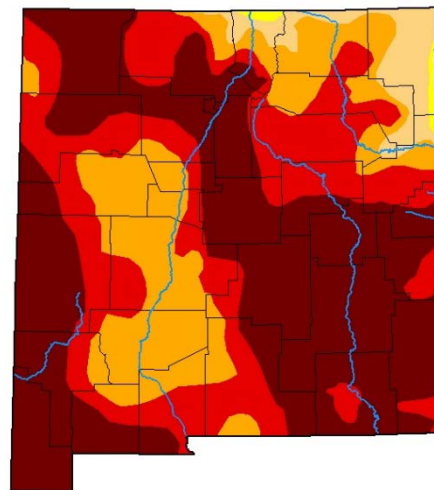
The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:
Curtis Riganti
National Drought Mitigation Center



U.S. Drought Monitor New Mexico

May 25, 2021
(Released Thursday, May 27, 2021)
Valid 8 a.m. EDT



Intensity:

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:
Adam Hartman
NOAA/NWS/NCEP/CPC



The maps above show current statewide drought conditions compared to statewide drought conditions one year ago. In May 2020, about 68 percent of the state was experiencing drought, the majority of it in the least severe designations of abnormally dry, moderate drought, and severe drought (D0-D2). Currently, three quarters of the state is rated D3 (extreme drought) or higher, with D4, exceptional drought, covering nearly half the state and more than any other individual category.

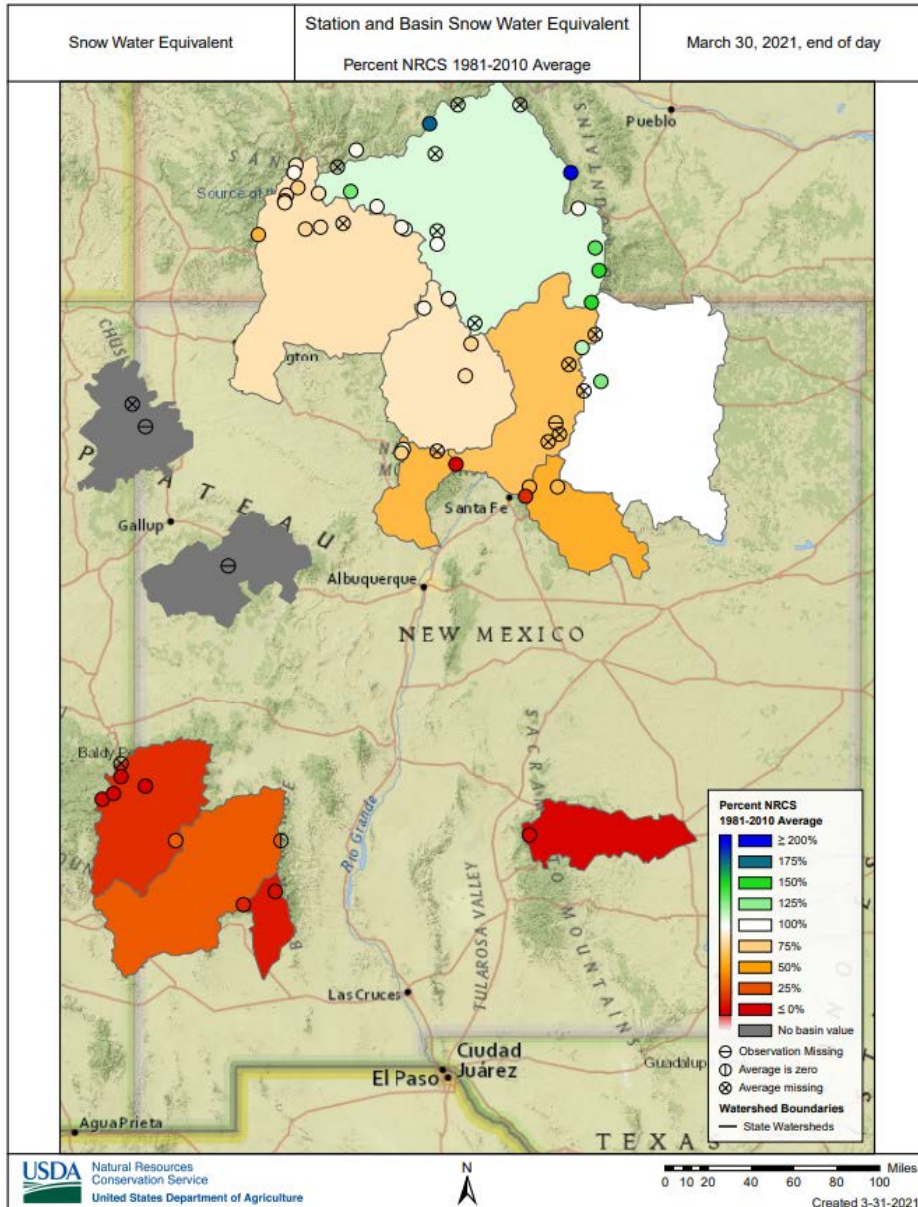
Interstate Stream Commission

The purpose of the Interstate Stream Compact Compliance and Water Development Program is to ensure New Mexico's continued compliance with its interstate stream compacts, resolve federal and interstate water issues, develop water resources and stream systems in an environmentally sound manner, and plan for the future use of water to ensure maximum sustained beneficial use of available water resources.

PERFORMANCE REPORT CARD

Office of the State Engineer
Third Quarter, Fiscal Year 2021

The Pecos River Compact report for water year 2019, issued on June 24, 2020, included an annual debit to New Mexico of 9,800 acre-feet, resulting in a cumulative Pecos River compact credit of 166.3 thousand acre-feet. Texas disputed part of this credit in a case heard by the U.S. Supreme Court, which ruled in New Mexico's favor in late 2020.



The Rio Grande Compact Commission reports New Mexico has an accrued debit of 96.3 thousand acre-feet. Ongoing drought conditions and the release and consumption of approximately 32 thousand acre-feet of retained debit water in the middle Rio Grande valley in 2020 reduced the state's Compact deliveries.

Article VII storage restrictions went into effect in June 2020 and ISC staff anticipate they will remain in effect through the 2021 snowmelt runoff. ISC and OSE are working with the Middle Rio Grande Conservancy District (MRGCD) on actions necessary to repay the accrued debit and minimize agricultural depletions in the future. The MRGCD delayed the start of their irrigation season by one month and have no native water in storage to supplement irrigation supplies. ISC staff are also working closely with federal water managers to ensure adherence to the state's mandatory river maintenance responsibilities, with water conveyance and Compact deliveries being the top priority.

	Budget:	FTE:	FY19 Actual	FY20 Actual	FY21 Target	FY21 Q1	FY21 Q2	FY21 Q3	Rating
	Cumulative state-line delivery credit per the Pecos River Compact, in thousand acre-feet		170.8	166.3	>0	166.3	166.3	166.3	G
	Cumulative delivery credit per the Rio Grande Compact, in thousand acre feet		5.4	-38.8	>0	-38.8	-38.8	-96.3	R
	Cumulative New Mexico unit fund expenditures, in millions*		\$14.83	\$20.1	N/A	N/A	\$22.1	N/A	
	Program Rating								Y

Litigation and Adjudication

These two measures track progress toward the completion of the adjudication of water rights in New Mexico. The percentage of water rights that have judicial determinations represents the percentage of water rights that have been determined by court orders entered in all water rights adjudication suits to date. It is not expressed as a percentage of all water rights that have been and will be adjudicated in the future, as that number cannot be accurately ascertained before adjudication suits are filed in the future for areas yet to be adjudicated. This measure is therefore affected not only by the ongoing entry of new judicial determinations, but also by the opening of new adjudication suits or sections of adjudications. Since FY19, the program has included data for water rights with judicial determinations in all closed and active adjudications to provide more meaningful data on the cumulative effect of adjudications.

		FY19 Actual	FY20 Actual	FY21 Target	FY21 Q1	FY21 Q2	FY21 Q3	Rating
Budget: \$7,732	FTE: 59							
Offers to defendants in adjudications		456	444	325	126	98	58	G
Water rights that have judicial determinations		75%	76%	74%	76%	76%	76%	G
Program Rating		G	G					G