

LRGWU & EBID

Update on Negotiations Regarding Groundwater Management in the LRG



NM Legislature
Water and Natural Resources
Interim Committee

November 14, 2017
Santa Fe, New Mexico

Today's Presentation



- **LRGWU—Background and Update**
- **City of Las Cruces' Objectives**
- **The Settlement Framework**
- **Diverse Growers' Objectives**
- **EBID's Objectives**

Background: 2011 – 2013 Drought



- **Consequences of Strict Priority Enforcement**
 - **Could shut-off 1960 or earlier priority rights**
 - **Shut off junior groundwater use in EBID**
 - **Shut off 100% other junior users (e.g. domestic wells, municipal & commercial, irrigation)**
 - **Continued litigation over priority dates between Las Cruces, NMSU, EBID irrigators**

Groundwater Users' Response



- **2013: Farmer Groups Approach OSE to Collaborate on Groundwater Mgt. Issues**
- **2014: Major GW Stakeholders Sign MOU**
 - **Options to strict priority enforcement**
 - **Work on long-term supply & management issues**

2016 Settlement Framework



- **Support the 2008 Operating Agt. with operational adjustments, if found to be necessary**
- **Work together on groundwater management**
- **Senior water right owners will not seek priority enforcement against one another**

2017 Accomplishments



- **EBID Joins in LRGWU Negotiations**
- **Formation of Tech Committee**
- **Confidentiality Order and Stay in LRG Adjudication**
- **Close collaboration with the State (AG & OSE)**
- **Written Agreement in Progress**

Going Forward



- **Complete NM Portion of Settlement (Groundwater Users, State, EBID)**
- **Work with US and Texas parties to finalize settlement**
- **GW Mgt. may require new governmental structure approved by legislature**
- **Implementation of settlement likely to require state financial support**