

A MEMORIAL

REQUESTING THE UNITED STATES DEPARTMENT OF AGRICULTURE TO PROVIDE FAIR AND EQUITABLE COMPENSATION TO ACEQUIA AND DITCH IRRIGATORS DURING PROLONGED DROUGHT AND WATER SHORTAGES.

WHEREAS, the practice of acequia and ditch irrigation has existed since early Spanish exploration; and

WHEREAS, the Rio Grande, Pecos, San Juan, Canadian and Rio Chama are the principal rivers of New Mexico; and

WHEREAS, the state engineer and the interstate stream commission have statutory authority over adjudication and augmentation of these and other stream flows; and

WHEREAS, New Mexico has experienced prolonged drought, and, as a result, irrigation and conservancy districts have been forced to reduce or eliminate allocations of surface water to farms in order to meet compact delivery requirements to Texas and to comply with the federal Endangered Species Act of 1973; and

WHEREAS, the United States department of agriculture, through its risk management agency, and the farm service agency, pursuant to the federal Farm Security and Rural Investment Act of 2002, have refused to allow enrollment of New Mexico farms as irrigated acreage and to insure them as such; and

WHEREAS, the farm service agency attributes its decision to the management choices of the owner-operators rather than recognizing those conditions caused by drought, compacts or federal laws and court orders; and

WHEREAS, the net effect is inadequate compensation for the increased cost of performing best management practices and the negative impact on base and yield measures in the farm bill and future farm programs; and

WHEREAS, these farm owner-operators continue to pay property taxes at

the higher rates of assessed value while revenue from the land has fallen due to drought;

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NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the United States department of agriculture be requested to immediately take action to correct this disparity by:

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A. restoring crop insurance eligibility and full coverage as irrigated practice regardless of water use restrictions;

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B. restoring full enrollment and base-yield updating as irrigated practice regardless of water restrictions;

C. creating a task force to develop a national drought standard for irrigated practice and to review and modify existing farm service agency and risk management agency regulations; and

D. taking the lead role in advocating passage of crop disaster legislation; and

BE IT FURTHER RESOLVED that the New Mexico congressional delegation be requested to actively promote and support timely action on this matter; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the secretary of the United States department of agriculture and to the New Mexico congressional delegation.