

## ABQJournal Online » Change Worries Water District

The agency that delivers water to farmers from Cochiti to Socorro has jumped into New Mexico's north-south water war, arguing that a change in how the federal government manages Rio Grande water threatens supplies for middle valley farmers.

At risk, the Middle Rio Grande Conservancy District argues in a court filing, is the district's ability to store the water it needs in upstream reservoirs for its farmers' summer irrigation needs.

The district is joining a battle that pits the Attorney General's Office and state water officials against farmers and other water users in southern New Mexico and Texas.

Headquartered in Albuquerque, the conservancy district provides irrigation water to 11,000 farmers from Cochiti to south of Socorro.

Until this week, the district has stayed on the sidelines. But the district's board voted Oct. 24 to intervene in the litigation, saying its farmers' interests need protection. The district's farmers have not yet lost any water because of the dispute, but officials fear they could.

"The people that are affected up here need to be in the case," said attorney Chuck DuMars, who represents the conservancy district.

The north-south battle came to a head in August, when El Paso's largest water agency warned in a letter to the U.S. Bureau of Reclamation that it was within a day of having to declare an emergency water shortage. The El Paso County Water Improvement District No. 1 demanded in the Aug. 8 letter that the bureau release water from Elephant Butte Reservoir to forestall the emergency.

But New Mexicans claim that the water released is rightfully theirs and that the decision to release upends years of water management policy on the river.

That same day El Paso threatened to declare a water emergency, New Mexico Attorney General Gary King filed suit in federal court alleging that releasing the water for Texas use would violate the Rio Grande Compact, the interstate water agreement governing how Colorado, New Mexico and Texas divide up the river.

Boxed in and under attack from both sides, bureau officials decided to release the water beginning Aug. 9, according to a letter from Reclamation Commissioner Michael Connor to the El Paso water agency.

The core of the battle involves an arcane water accounting question that had very real consequences because of the drought of 2011.

The accounting involves tracking inflows and outflows, evaporation and other factors. When the accounting is done, water ownership can be transferred from one state to another to make the books balance. New Mexico officials argue that it should legally be done once a year, at the end of the year, and only with three-state agreement.

By doing a mid-year accounting adjustment this year, the Bureau of Reclamation effectively moved water from New Mexico's account to Texas'. That allowed it to be released for downstream use, primarily by farmers and cities in Texas. Mike Hamman, head of the bureau's Albuquerque office said in an interview that doing the mid-year adjustment was allowed. "We're following standard accounting procedures," he said.

The release lowered Elephant Butte. When Elephant Butte is low, the compact restricts the conservancy district's ability to store water upstream, effectively requiring more spring runoff to be sent downstream, flowing past farmers unused. Had the accounting change not been made, the water would have been held over until next year, keeping Elephant Butte's levels up, which would have helped the Middle Rio Grande Conservancy District.

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