

RESOLUTION OF THE CARLSBAD IRRIGATION DISTRICT

Whereas Carlsbad Irrigation District (CID) at its January 8, 2013 Board of Directors meeting adopted a resolution regarding the failure of the Interstate Stream Commission to meet their full obligation to deliver water to CID under the Pecos Settlement Agreement of March 25, 2003; and

Whereas CID met with the parties to the Pecos Settlement Agreement to discuss a remedy to the failure to deliver water to CID; and

Whereas CID and PVACD jointly supported Senate Bill 462, Introduced by Senator Carroll H. Leavell in the 2013 NM Legislative Session; attended meetings with the OSE and ISC; attended hearings during the session to explain the consequences and economic consequences of the failure to deliver water or provide an appropriation to mitigate the effects of drought on CID; and

Whereas, CID had advised legislators that it would agree to a condition in the bill that it would not make a priority call until at least March 1, 2014 if the bill was funded; and

Whereas on March 1, 2013 the CID received an email report from the ISC that "The projected water supply for May 1st is 23,064 acre-feet, which is 36,936 acre-feet short of the Target Supply Contained in the Pecos Settlement. The amount of augmentation pumping required to meet the May 1st target Supply is not feasible"; and

Whereas Senate Bill 462 was not funded as part of House Bill 2; and

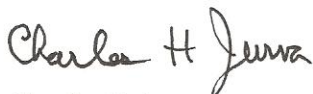
Whereas the Office of the Governor, through the ISC and OSE has not committed to any funding that would also prevent a priority call; and

Whereas the 2013 Legislative Session is about to end with no resolution of the anticipated failure to deliver water to CID under the Pecos Settlement Agreement; and

Whereas despite the efforts made to avoid a priority call allowed under the Pecos Settlement Agreement, CID has received no assurances by the legislature or governor's office of any solution to the under delivery;

Now therefore be it resolved by the CID Board of Directors, that it must have an agreement in place prior to the expiration of the 51st Legislature-State of New Mexico-First Session, 2013 to resolve the under delivery of water under the Pecos Settlement Agreement or it will have no choice but to place a call for administration of priorities on the Pecos River Stream System with the State Engineer and seek other judicial remedies.

Dated this 14 day of March, 2013



Charles H. Jurva

Carlsbad Irrigation District Board President
