

0620

Statement to accompany Applications by Middle Rio Grande Conservancy District to State Engineer for Permits to Change Points of Diversion and Place of Use of Certain Water Rights in and to the waters of the Rio Grande, in the counties of Sandoval, Bernalillo, Valencia and Socorro, in the State of New Mexico.

NOV 25 1930

The undersigned, Middle Rio Grande Conservancy District, a political subdivision of the State of New Mexico, organized under and by virtue of the New Mexico Conservancy Act, approved March 11th, 1927, (laws of the State of New Mexico, 1927, p. 135 Chapter 45) has caused to be prepared the Official Plan of said Middle Rio Grande Conservancy District, has filed the same with the District Court of the Second Judicial District of the State of New Mexico, in compliance with law, and said District Court has approved said plan as of date August 15th, 1928.

In order to further comply with the law and with the rules and regulations of the State Engineers Office, said District desires to file with said State Engineers Office, the attached applications for permits to change the points of diversion and place of use of certain waters more particularly described in this statement. Due to the magnitude of the project and to the unique and unusual nature of the matters involved, these applications cannot be made strictly in accordance with the prescribed form, and the following statement together with the accompanying maps, is respectfully submitted in lieu thereof.

Notes:

Class 1, 2 and 3 are appraisal classifications taking account of depth to water table, and other elements affecting value. Mesa and upland and lands lying above present ditches, and gravelly lands represent arroyos and areas not considered as economically irrigable.

Water Supply.

The water for the irrigation of the Middle Rio Grande Conservancy District lands is to be obtained from the natural flow of the Rio Grande, from the El Vado reservoir to be constructed upon the Rio Chama, a tributary of the Rio Grande, and from water to be developed by the drainage of district lands having a high water table. Such lands in their present condition cause the loss of great quantities of water through evaporation, and their drainage will reclaim and conserve to the river a large amount of this loss.

Present Rights.

The greater part of the Middle Rio Grande Conservancy District lands have probably been irrigated at one time or another during the period 1700-1929, or have been irrigable from constructed ditches. Mr. Herbert W. Yeo, at present State Engineer of New Mexico, made a study and report in 1910 listing all ditches in the Rio Grande basin, together with data on their dates of construction, location, capacities, acres irrigated and acres irrigable. His report shows 68 ditches in that part of the middle valley included within the boundaries of the Middle Rio Grande Conservancy District having an aggregate capacity of 1866 second feet. These ditches were irrigating 41,560 acres of land at that time and commanded an acreage of 46,140 acres additional making a total irrigable area of 87,700 acres in 1910. The following tabulation lists the ditches as found by Mr. Yeo in 1910:

DITCHES IN MIDDLE RIO GRANDE VALLEY

(Data from "Report on Irrigation in the Rio Grande Basin" by Herbert W. Yeo, State Engineer, New Mexico, 1928. Ditches arranged in groups corresponding to the four divisions of the Middle Rio Grande Conservancy District.)

Cochiti Division

Name of Ditch, Location and Other Data	: Capacity	:	: Additional
	: Cubic Feet	: Acres	: Acres
	: Per Second	: Irrigated	: Irrigable
<u>Cochiti West Side.</u>			
Heads above tie loading plant at mouth of White Rock Canyon, Indian ditch, very old.....	13.00	500	50
<u>Cochiti East Side.</u>			
Heads near tie loading plant at mouth of White Rock Canyon, Indian ditch, very old.....	13.00	700	200
<u>Pena Blanca.</u>			
Heads 100 ft. north of Cochiti wagon bridge on east side of river. Constructed prior to 1800. (not Indian).....	37.00	1000	200
<u>Sili.</u>			
Heads 2½ miles north of Sili on west bank of river. Constructed about 1820. (not Indian)	13.00	300	300
<u>Santo Domingo East Side.</u>			
Heads 1½ miles N.W. of Pena Blanca. Indian ditch, very old.....	16.80	1000	200
<u>Santo Domingo West Side.</u>			
Heads 2 miles N.W. of Santo Domingo. Indian ditch, very old.....	13.50	300	300
<u>San Felipe East Side.</u>			
Heads 1 mile S. of Santo Domingo. Indian ditch, very old.....	23.80	700	300
<u>San Felipe West Side.</u>			
Heads ½ mile S. of San Felipe. Indian ditch, very old.....	7.87	100	100
<u>Algodones.</u>			
Heads ½ mile S. of San Felipe on E. side of river. Old ditch, not Indian.....	23.80	400	400

Name of Ditch, Location and Other Data	: Capacity	:	: Additiona
	: Cubic Feet	: Acres	: Acres
	: Per Second	: Irrigated	: Irrigable
<u>Santa Ana.</u>			
Heads on E. side of river 1 mile south of San Felipe. Indian ditch, very old.....	18.37	600	300

Summary of Cochiti Division:

Number of ditches..... 10
 (Indian ditches..7)
 (Non-Indian " ..3)
 Aggregate Capacity.....180.14 Second Feet

 Acres irrigated -
 Indian lands.....3900 Acres
 Non-Indian lands.....1700 "
 Total.....5600 "

 Additional acres irrigable.....2350 "
 Total acres irrigable.....7950 "

Albuquerque Division

Name of Ditch, Location and Other Data	Capacity	Additional	
	Cubic Feet	Acres	Acres
	Per Second	Irrigated	Irrigable
<u>Bernalillo.</u>			
Heads just to the N.W. of town of Algodones. Heads in Cochiti Division but serves lands in Albuquerque Division. Probably origin- ally an Indian ditch - very old.....	15.75	800	400
<u>Sandia.</u>			
Heads at Bernalillo wagon bridge on E. side of river. Indian ditch, very old.....	36.00	1000	1400
<u>Montoya.</u>			
Heads 2 miles S. of Bernalillo on W. side of river. Old ditch, not Indian..... (*Not included in Conservancy District)	*3.00	*100	*100
<u>Corrales.</u>			
Heads on W. side of river 4 miles S. of Bernalillo. Constructed prior to 1800.....	64.00	600	800
<u>Alameda.</u>			
Heads on E. side of river near S. line of Sandia Indian Pueblo Grant. Built prior to 1800.....	20.25	400	1450
<u>Los Ranchos.</u>			
Heads on E. side of river $1\frac{1}{2}$ miles N. of Alameda. Constructed prior to 1800.....	44.00	1300	3000
<u>Los Griegos.</u>			
Heads on E. side of river $1\frac{1}{2}$ miles S. of Corrales wagon bridge. Built prior to 1800.	22.00	550	1300
<u>Los Barajas.</u>			
Heads on E. side of river 2 miles S. of Corrales wagon bridge. Built prior to 1800.	34.00	650	650
<u>Los Duranes.</u>			
Heads on E. side of river $2\frac{1}{2}$ miles N. of Old Albuquerque. Constructed about 1706.....	15.00	600	650
<u>Albuquerque.</u>			
Heads on E. side of river $2\frac{1}{2}$ miles N. of Old Albuquerque. Constructed about 1706.....	24.00	700	650

Name of Ditch, Location and Other Data	: Capacity :		: Additional	
	: Cubic Feet : Acres		: Acres	
	: Per Second : Irrigated		: Irrigable	
<u>Small Community Ditch.</u>				
Heads on W. side of river W. from Old Albuquerque. Constructed "recently", probably prior to 1900.....	11.25	335 ✓	150	
<u>Atrisco.</u>				
Heads on W. side of river W. of Old Albuquerque. Date of construction "old"...	11.25	325 ✓	150	
<u>Arenal.</u>				
Heads on west side of river W. of Old Albuquerque. Date of construction "old"...	30.00	900 ✓	250	
<u>Acequia Nueva de Atrisco.</u>				
Heads on W. side of river W. of Old Albuquerque. Date of construction "recent" (Probably prior to 1900).	42.00	1200 ✓	400	
<u>Acequia Vieja de Atrisco.</u>				
Heads on W. side of river W. of Old Albuquerque. Date of construction "old"...	37.80	450 ✓	200	
<u>Community Ditch.</u>				
Heads on E. side of river 600 feet S. of Barelaz bridge at Albuquerque. Date of construction "old".....	13.50	175 ✓	200	
<u>Lagunitas.</u>				
Heads on E. side of river $\frac{1}{2}$ mile south of Barelaz bridge at Albuquerque. Date of construction "old".....	20.20	1000 ✓	4600	
<u>Pajarito.</u>				
Heads on W. side of river $\frac{1}{2}$ miles S. of Barelaz bridge at Albuquerque. Date of construction "very old".....	60.00	1500 ✓	300	
<u>Los Padillas.</u>				
Heads on W. side of river $\frac{1}{2}$ mile N.E. of Pajarito. Date of construction "very old".	30.00	700 ✓	500	
<u>Isleta.</u>				
Heads on W. side of river E. of Pajarito. Indian ditch "very old" (probably prior to 1540).....	60.00	700 ✓	500	7285

Report of Albuquerque Division:

Number of ditches in Conservancy District..... 19

(1 not included in Conservancy District)

Indian ditches..... 2

Non-Indian " 17

Aggregate capacity..... 591 Second Feet

Acres irrigated -

Indian lands..... 1700 Acres

Non-Indian "..... 12185 "

Total.....13,885 "

Additional acres irrigable 17,550

Total Acres irrigable..... 31,435

7285 - 52%
13885

Name of Ditch, Location and Other Data	Capacity		Additional
	Cubic Feet	Acres	Acres
	Per Second	Irrigated	Irrigable
<u>Small Community.</u>			
Heads on E. side opposite pueblo of Isleta. "Old". Indian ditch.....	2.25	25	0
<u>Chical.</u>			
Heads on E. side opposite pueblo of Isleta. Indian ditch. "Old".....	33.00	400	500
<u>Picuris.</u>			
Heads on E. side opposite pueblo of Isleta. Indian ditch. "Old".....	22.50	200	500
<u>Cacique.</u>			
Heads on E. side $\frac{1}{2}$ mile S. of Isleta. In- dian ditch. "Old".....	39.00	500	500
<u>Mill Ditch.</u>			
Heads on E. side 1 mile S. of Isleta "Old".	24.75	150	200
<u>Bosque.</u>			
Heads on E. side 1 mile S. of Isleta. Built 1910.....	29.25	0	1000
<u>New Belen.</u>			
Heads on W. side 1 mile S. of Isleta. Built 1911?..... (Built after Yeo report was made)	?	?	?
<u>Los Lentos.</u>			
Heads on W. side $1\frac{1}{2}$ miles S. of Isleta. Built by Indians, extended by Mexicans "old"	28.00	350	650
<u>Del Medio.</u>			
Heads on E. side $1\frac{1}{2}$ miles S. of Isleta. "Old"	24.25	200	300
<u>Peralta.</u>			
Heads on E. side 2 miles S. of Isleta. "very old".....	48.00	600	480
<u>Valencia.</u>			
Heads on E. side near S. line of Isleta. Indian Pueblo Grant. Constructed prior to 1850.....	48.00	500	950

Name of Ditch, Location and Other Data	Capacity	Additional	
	Cubic Feet	Acres	Acres
	Per Second	Irrigated	Irrigable
<u>Los Lunas.</u>			
Heads on W. side $\frac{1}{2}$ mile S. of S. line of Isleta Indian Pueblo Grant. "Old".....	15.00	600	900
<u>Las Cercas.</u>			
Heads on E. side 4 miles S. of Isleta. "Old"	38.00	375	600
<u>Company.</u>			
Heads on E. side 3 miles N. of Los Lunas bridge. "New".....	5.00		335
<u>Huning.</u>			
Heads on W. side $2\frac{1}{2}$ miles N. of Los Lunas. Built 1872.....	72.00	1500	2200
<u>Fernandez.</u>			
E. side, $\frac{3}{4}$ miles N. of Los Lunas bridge. "Old".....	17.25	175	500
<u>Constancia.</u>			
E. side $\frac{1}{2}$ miles N. of Los Lunas bridge. "Very old".....	20.25	500	1000
<u>Tome.</u>			
E. side 1 mile S. of Los Lunas Bridge. "Very old".....	17.25	500	900
<u>Los Chavez.</u>			
W. side 3 miles S. of Los Lunas bridge. "Old"	36.00	390	1200
<u>Endarnes.</u>			
E. side west of Tome. "Old".....	28.00	300	300
<u>Sausal.</u>			
W. side 3 miles N. of Belen wagon bridge. "Old".....	28.00	200	500
<u>Los Inocentes.</u>			
W. side 300 ft. N. of Del Rincon. "Old"...	16.50	300	300
<u>Del Rincon.</u>			
W. side 1 mile N. of Belen wagon bridge. "Old"	16.00	200	400

Name of Ditch, Location and Other Data	Capacity	Additional	
	Cubic Feet	Acres	Acres
	Per Second	Irrigated	Irrigable
<u>Jarales.</u>			
W. side at Belen wagon bridge. "Old".....	44.00	500	700
<u>San Francisco.</u>			
W. side $\frac{1}{2}$ mile S. Belen wagon bridge. "Old".. (Made by constructing new heading at lower end of the Jarales.)	28.87	200	100
<u>Casa Colorado.</u>			
E. side 1 mile N.E. of Jarales. "Old".....	44.00	1200	800
<u>Bosque.</u>			
W. side 1 mile S.E. of Jarales. "Old".....	27.00	500	1000
<u>Sabinal.</u>			
W. side $\frac{1}{2}$ mile S.E. of Jarales. "Old" (probably 200 years old).....	42.00	1200	1700
<u>San Juan.</u>			
E. side N. of Casa Colorado. "Old".....	34.50	1700	800
<u>Picacho.</u>			
W. side $\frac{1}{4}$ mile S.E. Sabinal. Built 1868.....	16.50	600	3200
<u>Las Nutrias.</u>			
E. side 1 mile S. Sabinal. "Old".....	20.25	1200	1000
<u>La Jova.</u>			
E. side - W. of town of Las Nutrias.....	22.50	600	750
<u>San Geronimo.</u>			
W. side near the Rio Puerco. Abandoned for many years.....			
<u>Summary of Belen Division:</u>			
No. of ditches in operation.....	31		
Indian ditches.....	4		
Non-Indian ".....	27		
Aggregate Capacity.....	837.87	Second Ft.	
Acres Irrigated:			
Indian lands.....	1,125	Acres	
Non-Indian lands.....	14,450	"	
Total.....	15,575	"	
		Additional acres irrigable..	24,265
		Total acres irrigable.....	39,840

Socorro Division

<u>Name of Ditch, Location and Other Data</u>	Capacity	Additional	
	Cubic Feet	Acres	Acres
	Per Second	Irrigated	Irrigable
<u>Two old Abandoned ditches heading in Alamillo Canyon.</u>			
<u>Alamillo.</u>			
W. side 1 3/4 Mi. No. of Alamillo Station. "Old"	11.25	150	150
<u>Polvadera.</u>			
W. side 3/4 Mi. N.E. of Alamillo Station. "Old"	15.18	250	100
<u>Lemitar.</u>			
W. side 1/2 mile S. of Alamillo Station. "Old".	46.87	3375	1125
<u>Socorro.</u>			
W. side 2 miles S.E. of Lemitar. "Old".....	40.50	775	
<u>Pueblito.</u>			
E. side 1/2 mile N.E. of Pueblito. "Old"..... (*Not included in District)	* 7.00	*160	*640
<u>Cuba.</u>			
W. side 1 1/4 miles N.E. of Socorro. "Old".....	21.00		600
<u>Luis Lopez.</u>			
W. side 3/4 mile N.E. of Socorro. "Old".....	25.50	750	
<u>San Antonio.</u>			
W. side near town of San Jose. Prior to 1855..	36.00	800	
<u>Bosquecito.</u>			
E. side 1 1/2 miles N. of Bosquecito. Prior to 1855 (*Not included in District)	*36.00	*1000	*1500
<u>San Pedro.</u>			
E. side 1 mile N. of San Pedro. Prior to 1855 (*Not included in District)	*10.50	* 400	* 600
<u>San Antonito.</u>			
W. side 1 mile N. of Sanantonito. 1881.....	10.50	400	

Summary of Socorro Division:

Number of ditches included in District.....8	Aggregate capacity.....	206.80 S.F.
	Acres irrigated.....	6500 Acres
	Additional ac. irrigable	1975 Acres
	Total acres irrigable	8475 Acres

Ditches Between Conservancy District
South Boundary and Elephant Butte
Reservoir.

Name of Ditch, Location, and other Data	Capacity	Additional	
	Cubic Feet	Acres	Acres
	Per Second	Irrigated	Irrigable
<u>Elmendorf.</u>			
W. side of river E. of San Antonio "New"..... (Not completed in 1910. Territorial appli- cation N. 2 - probably not perfected.)	110		20,000
<u>Val Verde.</u>			
E. side of river 5 miles N. of Val Verde. Constructed prior to 1869.....	40.50	800	3,800
<u>La Mesa.</u>			
E. side of river 1 mile N. of Val Verde. Con- structed prior to 1869.....	11.25	200	200
<u>San Marcial.</u>			
W. side of river just above San Marcial. Con- structed prior to 1869.....	12.00?	500	
<u>Contadero.</u>			
E. side of river $\frac{1}{2}$ mile N. of R.R. bridge. "Ancient".....	20.00	1000	1,000

Summary:

No. of ditches..... 5
Aggregate capacity.....193.75 Second Feet
Acres Irrigated.....2,500 Acres
Additional acres irrigable...25,000 Acres
Total acres irrigable.....27,500 Acres

Ditches Included in Middle Rio Grande
Conservancy District

	: Cochiti : Division	: Albuquerque : Division	: Belen : Division	: Socorro : Division	: Total : All Divisions
Number of ditches:					
Indian.....	7	2	4		13
Non-Indian.....	3	17	27	8	55
Aggregate Capacity.....	180.14	591.00	887.87	206.80	1865.81
Acres Irrigated:					
Indian.....	3,900	1,700	1,125		6,725
Non-Indian.....	1,700	12,185	14,450	6,500	34,835
Additional Acres:					
Irrigable.....	2,350	17,550	24,265	1,975	46,140
Total Acres Irrigable	7,950	31,435	39,840	8,475	87,700

Ditches not included in Middle Rio Grande Conservancy District.

Number of ditches.....	9	
Aggregate capacity.....	250.25	Second Feet
Acres irrigated.....	4,160	Acres
Additional acres irrigable....	26,840	"
Total acres irrigable.....	31,000	"

87,700
31,000
118,700

Allowing for the fact that Mr. Yeo's figures were estimates while the District figures were made from actual surveys, and also allowing for possible differences in classification, or temporary condition, it seems probable that about the same amount of land was irrigated in 1910 as in 1927. ||

Considering Table 1, p. ⁷ 3, "Summary of Areas", it is evident that all items listed as irrigated land, ^{46,171.03 + 6,979 + 675} have been continuously irrigated from and after 1910 (as indicated by the Yeo report) and in fact since very early times, (in some cases prehistoric) as a matter of common knowledge. Such lands have an undisputed water right prior to any rights on the river. The total amount of lands having such rights is as follows:

(See table 1 p. ⁷ 3)

White Ownership.....	46,272 Acres
(1) Indian Ownership.....	6,979 Acres
(2) Disputed Ownership.....	<u>675 Acres</u>
..... Total Irrigated.....	53,926 Acres

Note (1) Exact figure to be determined by U. S. Indian Service.

Note (2) Ownership to be determined by Pueblo Lands Board.

Lands lying above present ditches have never been irrigated. They have never made any beneficial use of water and consequently no water right has been perfected. This applies particularly to items (h), (i), (j), (k), and (n) the aggregate amount of which is 15,260 acres.

Items (e) "Salt grass", (f) "Bosque" and (g) "Swamp and lake", remain to be considered. (Similar classification for item (m) "Non-cultivated Indian land", is not as yet available.)

The sum of item (e) "salt grass, and item (g) swamp and lake" is 26,859 ✓
 acres. It is the contention of the district that this land was at one time ir-
 rigated and cultivated and that it had a perfected water right, but that through
 the swamping of lands due to conditions beyond the control of the owners, ir-
 rigation was necessarily discontinued without, however, any intent to abandon
 the water rights previously perfected. As a matter of fact, a continuous chain
 of effort looking toward the ultimate reclamation of such lands has culminated
 in the organization of the Middle Rio Grande Conservancy District, and the pre-
 paration of its Official Plan of reclamation.

The Conservancy District therefore contends that the lands of the
 Middle Rio Grande Valley having perfected prior water rights are as follows: ✓

- (1) 53,926 Acres continuously irrigated
- (2) 26, 859 " with irrigation temporarily discontinued ✓
- 80,785 Total Acres ✓

The balance of 42,482 acres making up the total of 123,267 acres
 consists of:

(f) Bosque.....	15,030 Acres
(h) Sand dunes.....	4,650 "
(i) Mesa & Upland.....	6,280 "
(j) Gravelly land.....	529 "
(k) Rural homesites.....	913 "
(m) Indian non-cultivated.	12,022 "
(n) Indian new area.....	2,887 "
(p) Disputed ownership	
non-cultivated.....	<u>171 "</u>
Total	42,482 "

80,785
 42,482
 123,267

Notes:

Items "m", "n", and "p" may be changed in some degree by rulings of the
 U. S. Indian Service and the Pueblo Lands Board.