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Environmentalists expand attack on Middle Rio Grande water management

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The group's notice highlights the District's unauthorized Water Bank as a prime example of the excessive pressures placed on the already overtaxed flows in the Rio Grande and the State's general complacency in allowing such illegal uses to continue unchecked. "Outrage would ensue if a bank opened its doors and began providing loans without any money in its vaults," said Jen Pelz the Wild Rivers Program Director at WildEarth Guardians. "Yet, this is exactly what the District is doing with its Water Bank. The District has provided no proof to the State that water actually exists for distribution to additional users."

A Santa Fe environmental group took a step Wednesday toward a possible lawsuit against the state of New Mexico and one of the state's largest farm water agencies over alleged harms to the endangered Rio Grande silvery minnow.

WildEarth Guardians, already suing the federal government over the minnow's plight, issued formal "intent to sue" notices to the Middle Rio Grande Conservancy District and the New Mexico Interstate Stream Commission, arguing that management of farm water between Cochiti Reservoir and Socorro County is depriving the river of water needed by the minnow and to support habitat for the endangered southwestern willow flycatcher.

Failures by the state and the Conservancy District to properly manage and account for the district's water use in the valley, including a "water bank" that allows farmers to sell off their water rights while still irrigating their land, is having a negative impact on the river, said Jen Pelz, the organization's Wild Rivers program director.

"There's no accountability in the middle Rio Grande basin," Pelz told the **Journal**.

State officials declined comment, saying they had not yet reviewed the notice.

Conservancy District general manager Subhas Shah, in a statement, accused WildEarth Guardians of having "absolute disdain for irrigated agriculture in the middle Rio Grande Valley."

Shah said the organization had refused to participate in efforts by the conservancy district and other government agencies over the past decade to change river management practices to help the endangered species.

WildEarth Guardians filed a federal lawsuit last month against the U.S. Bureau of Reclamation and the Army Corps of Engineers, arguing that the federal agencies' water management actions were jeopardizing the minnow, the flycatcher and the riverside ecosystem and environment on which the endangered creatures depend.

The group argued that the federal government had the legal authority and responsibility to protect the minnow by reining in the water management practices of the Conservancy District, which provides water to some 60,000 acres of farm land along the valley floor between Cochiti and Socorro County.

Wednesday's action expands that legal approach, pointing a legal finger directly at the Conservancy District and state water managers rather than expecting the federal government to take responsibility for the state and local agencies' water management decisions.