

RESOLUTION 2006-S&T-04
WATER TRANSFER HEARING

January 11, 2006

WHEREAS, the Applicants, as identified in Exhibit A as landowners within the boundaries of the Elephant Butte Irrigation District (District) have applied to the District for the transfer and/or reclassification of water rights appurtenant to land within EBID which are not suitable for irrigation or capable of being properly irrigated to other lands within EBID under Section 73-13-4 New Mexico Statutes Annotated, and

WHEREAS, the Applicants have properly published notice of this action to be taken, and

WHEREAS, the District held a hearing on the applications on the 11th day of January, 2006 and found that the lands to which the water rights are to be transferred may be profitably and advantageously irrigated and no protest was received, and

WHEREAS, it is in the best interest of the District to approve these transfers and/or reclassifications.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Elephant Butte Irrigation District, that the Manager is authorized to transfer project water rights as allowed by Section 73-13-4 NMSA under the name of the Applicants from the lands currently carried on the District assessment rolls as identified in Exhibit A as "Move From Land", for a total of 132.0 acres to lands within the District which will now be carried on the assessment rolls as identified in Exhibit A as "Move To Land".

SUBJECT TO subsequent action and revision that may be taken by the District upon completion by the applicant of transfer of the project water rights with the stream adjudication court and further proceedings before the State Engineer with respect to the request to transfer and/or reclassification of groundwater rights from the Move From Land to the Move To Land.

DATED this 11th day of January, 2006

James Salopek, President

Robert Sloan, Secretary