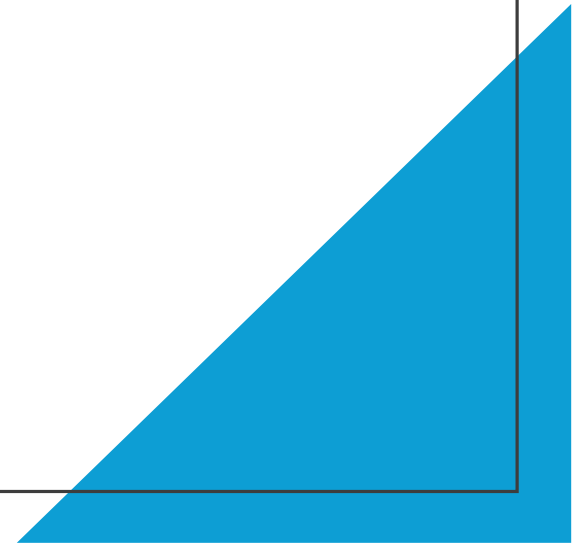


My Personal Protest Facts with Legal Clout

Niagara, PNM, and Village of Los Lunas Water Rights
Transfer Application

Norm Gaume, P.E. (ret.)



PNM Water Rights; Change Purpose & Place of Use

Water rights once appurtenant to the land

- may be severed from the land, and
- may be transferred to change the place and purposes of use,

if such changes can be made

- without detriment to existing water rights and
- are not contrary to the conservation of water within the state and
- are not detrimental to the public welfare of the state.”

What My Protest Stands For

Approval of the Niagara/PNM/VLL permit application would:

- **Impair** all existing legal and equitable rights to the Middle Rio Grande water, including my water right.
- **Contrary to the conservation of water within the state,**
- **Detrimental to the public welfare of the state**
- **First application of the NM Supreme Court's "Anti-Speculation Doctrine"** adopted on July 2, 2025



Norm Gaume, P.E. (ret.)
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UNM Research Scholar
President, NM Water
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Elephant Butte Dam bathtub rings

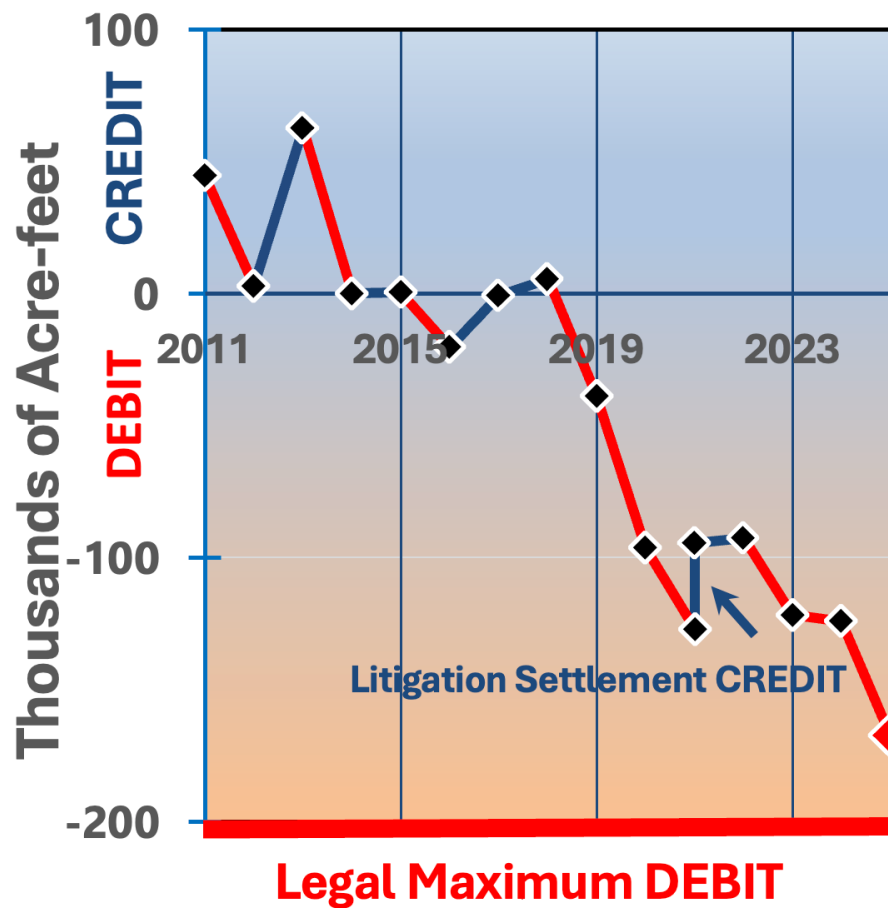
Full 2,100,000
acre-feet (1995)

August 27, 2025

N Gaume photo

**After Silver City Water
Leader's Conference April
2025**

**The reservoir will be almost
empty after the 2025
irrigation season**



Middle Rio Grande Compact Status

Coming soon (2026): new compact violation triggering new SCOTUS litigation in 2027.

-167,600 acre-feet as of September 1, 2025



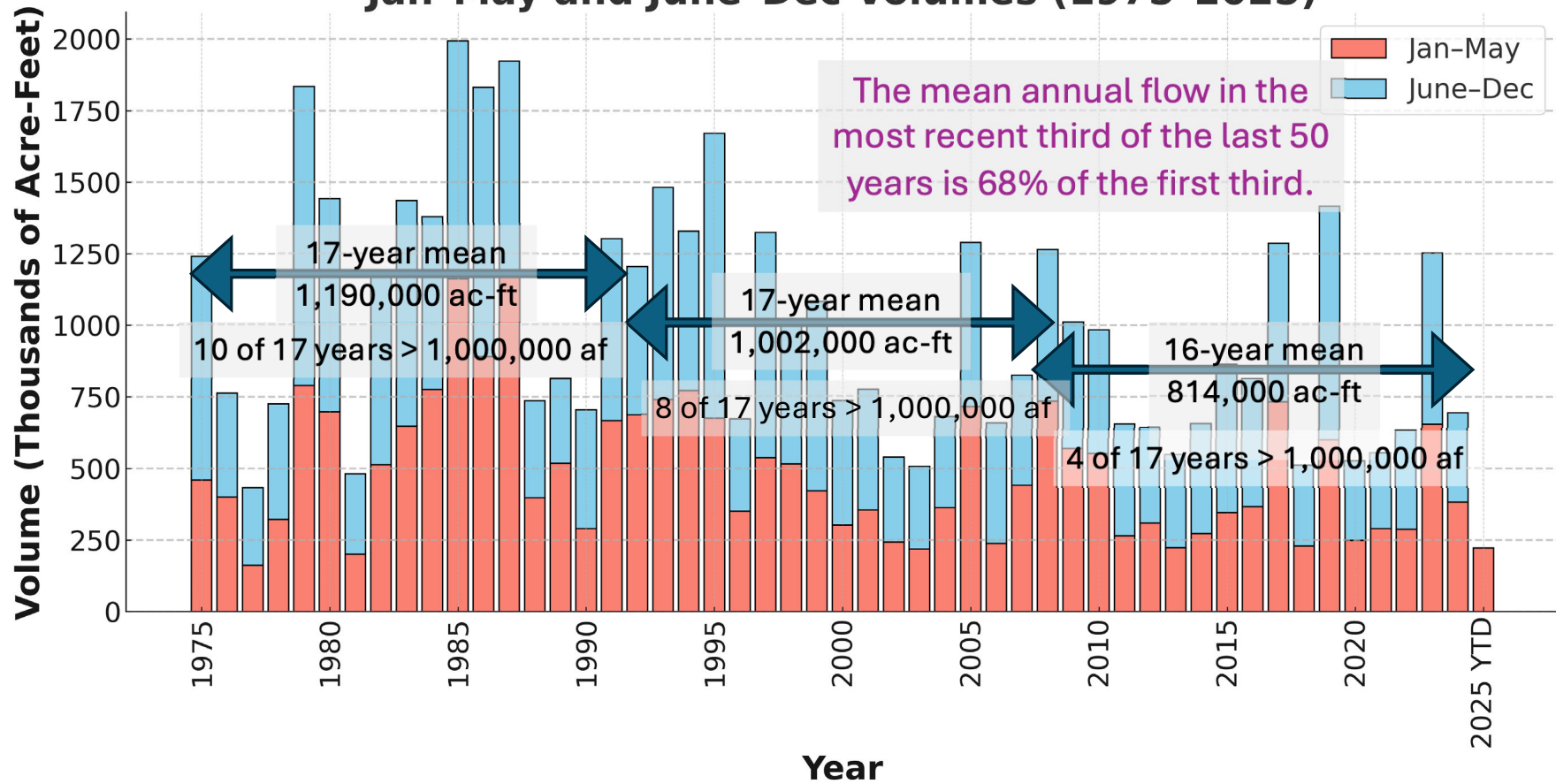
August 27, 2025
N Gaume photo

Elephant Butte Reservoir – August 2022



The Water Desk, © Mitch Tobin, by permission

Annual Rio Grande Flow at Otowi Bridge Jan-May and June-Dec Volumes (1975-2025)





The Rio *Poco* Grande: This is Aridification, Not Drought

- This is permanent drying. A drought is expected to end.
- A 25% percent decrease in useable water sounded bad.
- This year, the Rio Grande streamflow decrease exceeds 60%. The San Juan-Chama Project 2025 decrease is 69%.
- New Mexico is extremely vulnerable to hotter temperatures