

POJOAQUE VALLEY IRRIGATION DISTRICT

DISTRICT RULES AND REGULATIONS

WHEREAS, it is prescribed by Section 72-212 codification of 1929, as amended by Chapter 63, Session Laws of 1933, that "the Board shall have power and it shall be their duty to adopt a seal, manage and conduct the affairs and business of the District, make and execute all necessary contracts, employ such agents, attorneys, officers and employees as may be required and prescribe their duties, establish equitable rules and regulations for the distribution and use of water among the owners of said land and, generally perform all such acts as may be necessary to fully carry out the purposes of the Irrigation District laws; and

WHEREAS, the Board of Directors is ordered and directed to perform certain other duties and to exercise authority and to carry on and supervise and superintend all matters connected with the Irrigation District by provisions of Sections 73-214, codification of 1929, Section 73-222, codification of 1929, as amended by chapter 124, Session Laws of 1933; Chapter 63 of the Session Laws of 1933.

NOW THEREFORE, the Board of Directors of the Pojoaque Irrigation District does hereby adopt the following rules and regulations:

1. It shall be the duty of the Board of Directors of the Pojoaque Irrigation District, and said Board is required and directed to enforce, maintain, protect and preserve any and all rights, privileges and immunities created under the Irrigation District law of the State of New Mexico or acquired in pursuance thereof. (Section 73-214, codification of 1929.)

2. No waters shall be delivered from the Irrigation System of the District or from its canals or reservoirs or purchased from any other district, person or corporation to any land for irrigation thereof or for domestic use thereon so long as any taxes assessed and levied for district purposes against such land or any interest, cost or penalties accrued thereon are due, delinquent and unpaid. (Section 73-222 Code 1929, as amended by Chapter 124, Laws of 1933.)

3. In the event that local assessments on any land within the district are more than twelve months in arrears and the owner or tenant thereof shall pay or satisfactorily secure said district for water assessments imposed for any current year in advance of the actual delivery of water thereon, then said Board may, through its President or Manager, deliver water during such current year upon said lands. (Section 73-222, Code 1929, as amended by Chapter 124, Laws 1933; Chapter 63, Laws 1933.)

4. The use of waters delivered from the canals and reservoirs of this District or purchased from any other district, person or corporation to any land for irrigation thereof or domestic use thereon shall be deemed and construed to begin at the time when such waters shall reach the headgate of the lands to be irrigated.

5. The waters furnished from the canals and reservoirs of the district or purchased from any other district, person or corporation to any land for irrigation thereof or domestic use thereon shall be reserved and shall not be wasted in any manner whatsoever and such waters shall be diverted when each user has received allotment and no such user shall receive more than the allotted amount of water to which such user is entitled. Users of water from the canals and reservoirs of the said district shall use every precaution against the waste of water supplied to sloping lands and users of such waters who waste any of the said waters in any of the manners aforesaid or upon any of the lands to which the said waters are supplied shall be deprived of the use of such waters forthwith by action of the members of this Board or by the Mayordomo in charge of the waters allotted.

6. The mayordomo of each ditch in said irrigation district shall be held responsible for the proper application of waters from any ditch over which he has control and for the improper use or disposition of such waters or for the theft of such waters by any person or persons whatsoever. Failure of any mayordomo to safeguard the waters of the said ditches or to supervise the proper use and disposition of said waters shall be removed from office by action of the Board of Directors.

7. In the event the Board of Directors determines that any bond given by any mayordomo or treasurer of any community ditch is defective in any respect or that the security of said bond is or has become insufficient, then it shall be the duty of the said Board to take such legal steps as may be necessary to require the furnishing of proper bond and of good and sufficient sureties upon such bonds. (Sec. 151-416, Code 1929)

8. Each person or corporation receiving water from the canals or reservoirs of this district for use for the irrigation or domestic purposes shall be responsible for the maintenance of the headgate where the said waters are diverted to the land of the said user from the canal or reservoir from which said waters are taken.

9. It shall be the duty of each mayordomo in the said district to supervise the flumes, headgates and other equipment of the ditches over which he has control and jurisdiction and to take such steps as may be necessary to have said flumes, headgates and other equipment kept in good, sound and usable condition.

10. The Board of Directors of the district shall have the power and authority to refuse to furnish water to owners or tenants of land located on any ditch in the event that the said owners or tenants shall fail or refuse to elect the necessary officers for the government of the said ditches as are required by law.

11. A Representative shall be appointed as an advisory Director on a rotating basis from the pueblos.

12. The Board of Directors of the Pojoaque Valley Irrigation District shall review all applications for the transfer of water rights and shall after careful review, either approve or disapprove said transfer.

13. No transfer of water rights shall be approved until and unless the buyer is made aware that he is responsible for all assessments levied on the land from where the water rights are being transferred. In addition, the buyer must declare in writing, that he will pay whatever assessments are levied on the lands from where the water rights are transferred. Section 75-26-6 of New Mexico Statutes Annotated.

14. The Board of Directors shall not approve a petition to withdraw from the District if the surface water rights have been transferred to underground water rights. Also household wells shall be considered as water being taken from the District and the land shall be subject to any assessments which the District may levy.

15. Churches and schools may withdraw from the District by presenting the proper petition only if they do not use surface waters. If at any time surface waters are used, the entity using the water shall be considered as being in the District and shall be subject to all assessments which the District may levy.

16. No unauthorized person or persons shall be allowed on the dam or in the valve house or cat-walk.

17. The rivermaster or Manager, which ever is designated to control the distribution of the water, shall do so without any pressure being applied on him by any director in any manner. If in the opinion of any director, the person distributing the water is not doing the job properly, a meeting should be called and the majority of the directors shall instruct the person how they think the water should be distributed.

18. The rivermaster or Manager, which ever is in charge of the water distribution will also be in charge of the maintenance of the dam.

19. It shall be the policy of the District to issue tax sale certificates on any property delinquent three years.

20. Equipment owned by the District shall remain in the grounds of the Pojoaque Irrigation District when not in use.

Board of Directors
Gilbert Ortiz, Chairman
Joe Gonzales, Vice Chairman
Levi Sandoval, Sec.-Treasurer

Gilbert Ortiz
Levi Sandoval