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NEW MEXICO INTERSTATE STREAM COMMISSION OCT 05 2010

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October 4, 2010

Mr. Elizabeth Taylor
Ms. Jolene McCaleb
Taylor & McCaleb, P.A.
Post Office Box 2540
Corrales, New Mexico 87048-2540

Re: *San Juan Water Commission v. John R. D'Antonio, Jr., New Mexico State Engineer;*
No. CV-2008-1699-8

Dear Counsel:

Enclosed please find a copy of New Mexico Interstate Stream Commission's Exhibit #39 from the Amended Privilege Log.

Sincerely,


Keitha Leonard

Enclosure

cc: Richard B. Cole, Esquire
Daniel Rubin, Esquire

12-10-97

John;

Attach shows work
Committee also demonstrate
available from Sam
River. Some minor
adjustments may be
indicated, but this is
a "point of departure"



NEW MEXICO'S UPPER COLORADO RIVER APPORTIONMENT

Upper Basin yield with 7.5 million acre-feet annually (maf) released to the Lower Basin = 6.4 maf (USDI 1988 hydrologic determination¹)

6.4 maf less 50,000 acre-feet to Arizona x 11.25% (NM apportionment) = 714,000 acre-feet;
Salvage by use upstream of Lee Ferry, NM Share = 13,000 acre-feet;
714,000 plus 13,000 = 727,000 acre-feet per year, total depletion available at site of use.

Existing and authorized uses from New Mexico's apportionment

	<u>1000 acft/annum</u>
Adjust Comprehensive framework study and miscellaneous additional depletions	101.0
Utah International (Four Corners PP)	39.0
Reclamation and BIA Projects	
Hogback Ext. (transferred to NIIP)	10.0
Navajo Reservoir Evap.	26.0
San Juan-Chama	110.0
Navajo Irrigation (NIIP)	254.0 ²
Hammond	10.0
Animas-La Plata	34.0
Jicarilla Apache	25.5
Public Service Co. (San Juan PP)	16.2
Small Contracts	<u>1.5³</u>
SUB TOTAL	627.2
Evaporation CRSP Storage Units	<u>58.0</u>
TOTAL	685.2
Total of Uses = 685,200 acre-feet	
Total apportionment = 727,000 less 685,200 = 41,800	
41,800 less 13,000 ² for NIIP = 28,800 remainder	

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¹ USDI used, for planning purposes, a release of 8.25 maf to Lower Basin in reporting to Congress on water available from the Navajo Reservoir Supply, pursuant to P.L. 87-483.

² USDI uses 267,000 acre-feet for NIIP depletion based on irrigation of 110,630 acres each year which assumes no fallow land.

³ Some are short term contracts.