WATER USE FOR COMMERCIAL CANNABIS CULTIVATION

JOHN T. ROMERO, JR. P.E.
WATER RESOURCE ALLOCATION PROGRAM/WATER RIGHTS DIRECTOR
505-827-6120
WATER USE IN NEW MEXICO

• All water use requires a valid water right.
• Water rights may be acquired, purchased, conveyed and transferred.
• The presence of water does not necessarily indicate a water right.
COMMERCIAL CANNABIS GROWTH

• Cannabis producers must acquire valid irrigation rights for outdoor cultivation or commercial water rights for indoor cultivation.

• You must acquire them if you do not already have them.

• Transfers require a permit from the Office of the State Engineer (OSE).

• All permit approvals will require meter installation and reporting.
DOMESTIC WELLS

• May not be used to grow commercial crops including cannabis.
• Some areas disallow outdoor watering by law.
• May apply to transfer water rights into a domestic well.
SURFACE WATER

• Ditches, rivers, streams, springs or other water sources have rights associated with them.

• You must have the right by permit or other type of right to divert surface water.

• Surface water may be transferred by making application for a permit with the OSE.
BUYING AND SELLING WATER RIGHTS

• Water rights are transferrable by a recorded warranty deed.

• Those rights are specific to that place of use and point of diversion and require a permit to change them.

• Be sure and research the water right prior to making a purchase.

• Not all claims to water are valid.
TIMELINE TO TRANSFER WATER

• The current backlog of water rights applications is over 500 that are non-cannabis related.

• All applications are processed in the order by which they are received and complete.

• The average processing time is 8-10 months without a protest which lengthens the process.
COMMERCIAL OR MUNICIPAL WATER SUPPLIES

• Purchasing water from a supplier with a water right which includes commercial, irrigation will require a statement from that supplier to show proof of a valid water right.
DISTRICT OFFICE LOCATIONS

**DISTRICT 1 - ALBUQUERQUE**
5550 San Antonio Dr NE
Albuquerque, NM 87109-4127
Phone: (505) 383-4000
Fax: (505) 383-4030

**DISTRICT 2 - ROSWELL**
1900 West Second St.
Roswell, NM 88201
Phone: (575) 622-6521
Fax: (575) 623-8559

**DISTRICT 3 - DEMING**
321 West Spruce Street
Deming, NM 88031
Phone: (575) 546-2851
Fax: (575) 546-2290

**DISTRICT 4 - LAS CRUCES**
• 1680 Hickory Loop, Suite J
Las Cruces, NM 88005-6598
• Phone: (575) 524-6161
Fax: (575) 524-6160

**DISTRICT 5 - AZTEC**
• 100 Gossett Drive, Suite A
Aztec, NM 87410
• Phone: (505) 383-4571

**DISTRICT 6 - SANTA FE**
• 407 Galisteo St, Suite #102
Bataan Memorial Bldg.
PO Box 25102
Santa Fe, NM 87504-5102
• Phone: (505) 827-6120
Fax: (505) 827-6682

**DISTRICT 7 - CIMARRON**
• PO Box 481
301 East 9th Street
Cimarron, NM 87714
• Phone: (575) 376-2918
Fax: (575) 376-4565
QUESTIONS?

You may send any questions you might have at any time to
water.nm@state.nm.us or ose.webmaster@state.nm.us

Thank you!

John T. Romero, P.E.