

BLOOMFIELD IRRIGATION DISTRICT

Office 632-2800 Fax 632-0846

P.O. Box 606 Bloomfield, NM 87413

ENDORSEMENT AND AGREEMENT

THE undersigned party endorses the Recommendations for San Juan River Operations and Administration for 2009 through 2012, dated January 29, 2009, and agrees to comply with its terms; provided that this Endorsement and Agreement, if accepted and implemented by Reclamation and the State Engineer, and any results from implementation of these Recommendations shall not be construed to; (1) be a determination or evidence of, or to establish, any party's water rights or consumptive use of water, (2) be a precedent for Navajo Dam operations or water administration in the San Juan River Basin in New Mexico in succeeding years; (3) be an agreement as to the validity or applicability of, or to imply an accepted modification to, the San Juan River Basin Recovery Implementation Program's flow recommendations for endangered fish habitat in the San Juan River or any interpretation thereof; (4) establish any cause and effect relationships between any water uses, including water uses described in Section 1 of the Recommendations and water uses not included in Section 1, and stream flow impacts, water supplies or shortages; (5) establish any priorities between a given use of water from the San Juan River and other uses of water from either the San Juan River or its tributaries; (6) establish any entitlements to water, including any entitlements of fish to specific in stream flows; (7) alter or amend any pre-existing agreements between parties unless otherwise expressly agreed to by the parties to said agreements; (8) waive the sovereign immunity of any Indian tribe; or (9) constitute a consent to tribal jurisdiction by any party; (10) not be an impediment to the Bloomfield Irrigation District (B.I.D.) requesting the flexibility in reservoir releases as related on page two of Ms. Carol De Angelis, BOR Area Manager letter to the B.I.D. Dated July 6, 2005, where release of future development water is not being currently fully used will be incorporated into operations to augment the 250 CFS minimum release during the irrigation season with a goal of releases at or above 350 CFS which will be necessary for the B.I.D. to receive its agreed rate of diversion in Table 1- Diversion demand of 160 CFS where the San Juan River 50/50 stream channel split will only provide the measured 78 percent (78%) of the B.I.D. diversion demand with our reasonable western channel river bed maintenance and modifications, and thereby cause impairment to our water users without such augmenting releases; (11) be an endorsement of the flawed 2001 Low Flow Test and predetermined conclusion of a 250/5000 preferred flow recommendations; (12) prevent the B.I.D. to reserve the right to withdraw, in writing, from this agreement if our users water rights become impaired without necessary additional releases.

Chairman Carroll Crawford directed to execute this endorsement and agreement by the District Board of Directors in Open Meeting on April 7th, 2009 as consent Agenda item number two.

Signed this 7th day of April, 2009

Carroll Crawford
Signature

Name: Carroll Crawford

Title: Chairman / Manager

On Behalf of: Bloomfield Irrigation District

If appropriate, a resolution evidencing authority to enter into this Endorsement and Agreement to be Bound is attached.