

Cannabis Control Division

March 27, 2025

INDUSTRY BULLETIN: 25-05

Office of the State Engineer (OSE)

Water Hauling Approval

Dear Licensee:

The Cannabis Control Division (CCD) is informing you that per the Office of the State Engineer (OSE), if you wish to use water hauling while you obtain a water right, this must be approved by the OSE and the water source of that water hauler will need verification. It is your responsibility to follow up with the OSE and the CCD on your progress to obtain a valid water right. Water hauling is both discouraged and limited to one “bridge” year, and you must provide a letter from the water hauler stating that the water they are delivering can be used for cannabis cultivation. Licensees will need to obtain documentation from their selected water hauler that shows that the water haulers’ source of water comes from an approved and legal water source. It’s important to note that production licensees are required to maintain a legal water source at all times, should your selected water hauler be found non-compliant in the future, your business may be at risk for enforcement actions.

For information regarding the required documentation and the approval process, you may contact your local Water Right District Office [District \(Map\)](#) by visiting the OSE website at: [Water Rights Allocation Program – NM OSE](#). Also, a YouTube tutorial may be accessed through the following link: [Cannabis Water Rights Verification \(Video\)](#). In addition, the OSE requires applicants to complete the OSE Cannabis Water Rights Review Accession Form, which can be downloaded from the following link: [Accession Form](#). Additional Information can be found at: [OSE FAQs](#).

You may bypass the Office of the State Engineer (OSE) **ONLY** when your water source is municipal water (i.e. water from the City of Albuquerque, City of Las Cruces, City

of Santa Fe, etc.) The applicant shall provide a letter from the appropriate municipality stating that the water can be used for cultivation. The CCD will review and validate this water source.

A water service account documentation letter from the municipal water source (i.e. water from the City of Albuquerque, City of Las Cruces, City of Santa Fe, etc.) that will be providing water which contains the applicant's contact information, the premise location the water is being serviced to, and an explicit permission to use the water for cannabis agriculture. The CCD will review and validate this water source.

Please note that during their review of renewal applications, CCD staff follows up with licensees who are using water haulers to verify that they have obtained a valid water right as required by the OSE. If they have not, licensees are referred to the OSE to obtain a valid water right and, if necessary, approval to continue using a water hauler for one additional year on a case-by-case review. We advise that licensees follow up with the OSE well in advance of submitting a renewal application to avoid any delays and/or lapse in licensure.

If you have any inquiries or concerns regarding this licensing update, please contact us at RLD.CannabisControl@rld.nm.gov. Kindly direct all questions through this email to help us manage inquiries efficiently and address other CCD-related matters promptly.

Sincerely,

Cannabis Control Division