

72-14-3.1. State water plan; purpose; contents.

A. It is the intent of the legislature that the interstate stream commission, in collaboration with the office of the **state** engineer and the **water** trust board, prepare and implement a comprehensive **state water plan**.

B. The **state water plan** shall be a strategic management tool for the purposes of:

- (1) promoting stewardship of the state's **water** resources;
- (2) protecting and maintaining **water** rights and their priority status;
- (3) protecting the diverse customs, culture, environment and economic stability of the **state**;
- (4) protecting both the **water** supply and **water** quality;
- (5) promoting cooperative strategies, based on concern for meeting the basic needs of all New Mexicans;
- (6) meeting the state's interstate compact obligations;
- (7) providing a basis for prioritizing infrastructure investment; and
- (8) providing statewide continuity of policy and management relative to our **water** resources.

C. The interstate stream commission in collaboration with the office of the **state** engineer and in consultation with other government agencies as appropriate, shall develop a comprehensive, coordinated **state water plan** that shall:

- (1) identify and reflect the common priorities, goals and objectives that will have a positive impact on the public welfare of the **state**;
- (2) establish a clear vision and policy direction for active management of the state's **waters**;
- (3) include an inventory of the quantity and quality of the state's **water** resources, population projections and other **water** resource demands under a range of conditions;
- (4) include **water** budgets for the **state** and for all major river basins and aquifer systems in the **state**;
- (5) develop **water** conservation strategies and policies; to maximize

beneficial use, including reuse and recycling by conjunctive management of **water** resources and by doing so to promote nonforfeiture of **water** rights;

(6) include a drought management **plan** designed to address drought emergencies, promote strategies for prevention of drought-related emergencies in the future and coordinate drought **planning** statewide;

(7) recognize the relationship between **water** availability and land-use decisions;

(8) promote river riparian and watershed restoration that focuses on protecting the **water** supply, improving **water** quality and complying with federal Endangered Species Act of 1973 [16 U.S.C. § 1531 et seq.] mandates;

(9) consider **water** rights transfer policies that balance the need to protect the customs, culture, environment and economic health and stability of the state's diverse communities while providing for timely and efficient transfers of **water** between uses to meet both short-term shortages and long-term economic development needs;

(10) promote strategies and mechanisms for achieving coordination with all levels of government;

(11) integrate regional **water plans** into the **state water plan** as appropriate and consistent with **state water plan** policies and strategies;

(12) integrate **plans** of **water** supply purveyors, including those of local governments, privately owned public utilities, associations, cooperatives, irrigation districts and acequias as appropriate and consistent with **state water plan** policies and strategies, as those **plans** are completed and submitted to the office of the **state** engineer;

(13) identify **water**-related infrastructure and management investment needs and opportunities to leverage federal and other funding; and

(14) promote collaboration with and strategic focusing of the research and development of the state's national laboratories and research institutions to address the state's **water** challenges and to bring to the **state** demonstration projects in desalination, conservation, watershed restoration, weather modification and other technological approaches to enhancing **water** supply and management.

D. Recognizing that complete **water** rights adjudication, measurement, well

inventories and adequate databases are essential elements of an effective **water** management **plan**, and further recognizing that completion of these work elements will require substantial time and resources until such time as these elements are complete, the **state water plan** shall include work **plans** and strategies for:

- (1) completion of **water** rights adjudications, with required supporting documentation, including hydrographic surveys, aquifer mapping and aerial mapping of irrigated land;
- (2) creation and completion of a comprehensive database and an electronically accessible information system on the state's **water** resources and **water** rights, including file abstraction and imaging of paper files as well as information on pending adjudications;
- (3) measuring of surface and ground **water** uses in the **state** as necessary for management of the state's **water** resources; and
- (4) taking inventory of existing **water** wells and determining appropriate disposition of unused wells.

E. The interstate stream commission and the office of the **state** engineer shall consult directly with the governments of Indian nations, tribes and pueblos to formulate a statement of policy and process to guide:

- (1) coordination or integration of the **water plans** of Indian nations, tribes and pueblos located wholly or partially within New Mexico with the **state water plan**; and
- (2) final adjudication or settlement of all **water** rights claims by Indian nations, tribes and pueblos located wholly or partially within New Mexico.

F. The interstate stream commission shall ensure that public participation and public input are integrated throughout the **planning** process. The interstate stream commission shall convene **water** planners and stakeholders from diverse constituencies to advise it and the office of the **state** engineer on the **state water plan**, including statewide policies, priorities, goals and objectives for the **plan**, issues of statewide concern and strategies for implementation of the **plan**. The interstate stream commission shall also ensure that representatives of the stakeholder groups affected by various **plan** components will participate in the development of those **plan** components. Members of the interstate stream commission and **water** trust board shall be notified of and are welcome to participate in all aspects of the **planning**

process.

G. After public review and comment, the **state water plan** developed in conformance with this section is subject to adoption by the interstate stream commission. Following its adoption, the **state water plan** shall be presented to the interim legislative committee that studies **water** and natural resources.

H. The **state water plan** shall be periodically reviewed, updated and amended in response to changing conditions. At a minimum a review shall be undertaken every five years.

I. Nothing in the **state water plan** shall be construed to permit the granting or the condemnation of **water** rights.

J. Nothing in the **state water plan** shall be construed to determine, abridge or affect the **water** rights of Indian nations, tribes or pueblos.