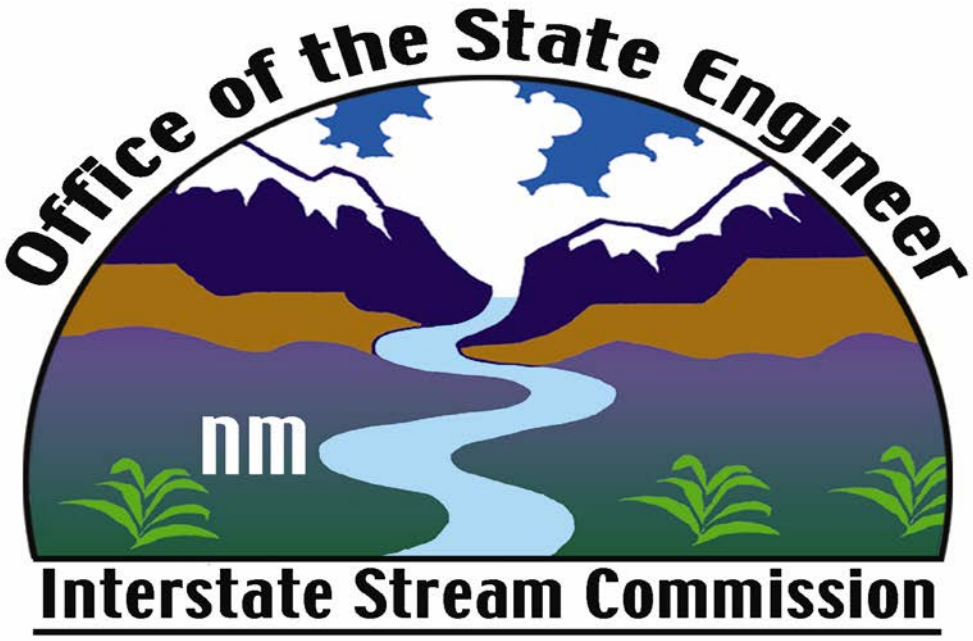
STRATEGIC PLAN

FISCAL YEAR 2014

OFFICE OF THE STATE ENGINEER
AND
THE INTERSTATE STREAM COMMISSION



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THE OFFICE OF THE STATE ENGINEER AND THE INTERSTATE STREAM COMMISSION

EXECUTIVE SUMMARY:

The State Engineer is statutorily charged with the general supervision of the state's waters and of the measurement, appropriation, and distribution of all ground and surface water in New Mexico, including interstate streams and rivers. The Office of the Territorial Irrigation Engineer was created in 1905, seven years before statehood, to assume responsibility over all surface water. In 1907, it was changed to the Office of the Territorial Engineer, and after statehood in 1912, was renamed the Office of the State Engineer. The State Engineer is appointed by the Governor and confirmed by the state Senate. The State Engineer's responsibilities were expanded in 1931 to include all groundwater within declared underground water basins – which now comprise 100 percent of the state.

The State Engineer supervises every water use in New Mexico. Water masters appointed by the State Engineer oversee the physical distribution of water in water master districts throughout the State. A permit issued by the State Engineer is required to make a new appropriation of water, or to change a point of diversion or place or purpose of use of an existing water right. The State Engineer evaluates existing water rights when acting on permit applications or issuing water rights licenses. His staff measures and tracks water sources and resources, promotes conservation, and performs the scientific, historical, and legal research needed to support the activities of the Office of the State Engineer. Additional agency duties include reviewing subdivision water supply plans submitted by counties, licensing water well drillers, administering a statewide dam safety program, and rehabilitating diversion dams and irrigation ditches. The State Engineer also performs hydrographic surveys to obtain the data necessary for the determination of water rights in stream system adjudication suits conducted by his legal staff on behalf of the State.

The Interstate Stream Commission (ISC) is separate under state law, but organizationally is a program under the Office of the State Engineer. The State Engineer serves as the Secretary of the Interstate Stream Commission. The Interstate Stream Commission Director serves as the Deputy State Engineer. The Legislature created the Interstate Stream Commission in 1935 and gave it broad powers to investigate, protect, conserve, and develop the state's water supplies. The ISC's duties include protecting New Mexico's entitlements to water under eight interstate stream compacts, ensuring compliance with those compacts, developing and promoting regional and statewide water planning, and implementing the Strategic Water Reserve.

Water management in New Mexico is guided by several prior appropriation principles codified in the New Mexico Constitution: (1) all water belongs to the public but is subject to appropriation for private beneficial use; (2) beneficial use is required to establish a water right and defines the nature and extent of the right, and continuous beneficial use is required to maintain the right; and (3) in times of shortage, older water rights have priority over water rights with more recent priority dates. Since 1907, a permit from the State Engineer has been required to appropriate surface water for beneficial use. State Engineer permits are also required to

appropriate water in underground water basins declared by the State Engineer. The entirety of the State of New Mexico is now composed of such declared underground water basins.

The Office of the State Engineer processes approximately 42,000 water rights documents per year. The majority of these documents include change of ownership forms, well plugging records, meter readings, and approximately 4,250 domestic well applications per year. About 900 applications are filed per year for permits to change existing water rights. Approximately 300 of these are protested or have aggrievals filed against State Engineer decisions each year, which are then subject to the formal State Engineer administrative hearing process.

A key activity of the Office of the State Engineer is the judicial determination of existing water rights through water rights adjudication suits. This court process is required by statute. The first, or technical, phase of the adjudication process is a hydrographic survey to locate, quantify, and identify priority dates for all water rights within a stream system. The second, or legal, phase starts with the filing of a lawsuit on behalf of the State of New Mexico that names all individual water right owners as defendants within the geographic scope of the suit (defined by boundaries of drainage and/or aquifer) a and culminates with a court decree that delineates the elements of each water right. Adjudication suits are prosecuted on behalf of the State by Office of the State Engineer attorneys commissioned by the New Mexico Attorney General as Special Assistant Attorneys General. The adjudication process provides water right owners with opportunities to challenge the State and each other. The State is currently conducting twelve active water rights adjudication suits throughout New Mexico, some of which are decades old.

Water management in New Mexico is complicated by the State's long history, the scarcity and variability of its water supply, the State's obligations under eight interstate stream compacts, and the existence of threatened and endangered species. In addition, uncertainty surrounding the water rights of New Mexico's 22 Indian Tribes, Pueblos, and Nations further complicates the management process. New Mexico is under pressure to meet its water delivery obligations to other states. Failure to comply has often resulted in interstate litigation. For example, the U.S. Supreme Court in 1988 found that New Mexico for decades had under-delivered water to Texas on the Pecos River, ordered New Mexico to pay damages to Texas, and appointed a river Federal master to determine New Mexico's ongoing Pecos River Compact compliance.

Optimal management of New Mexico's water is dependent on good information and planning, and is complicated by increasing variability in water supplies and increasing demand from a growing population. Office of the State Engineer staff are developing more sophisticated tools for measuring and monitoring water resources, have been active in the development of regional water plans over the past few years, and in 2003 completed the first comprehensive statewide water plan.

The activities of the Office of the State Engineer and Interstate Stream Commission are financially supported with state general funds and income from state trust land. Although the income from the trust land varies, the agency received a significant portion of its funding in recent fiscal years from the two trust land funds: the Irrigation Works Construction Fund and the Improvement to the Rio Grande Income Fund. The trust lands, set aside under the Ferguson Act of 1898 along with trust lands for some 19 other beneficiaries, are managed by the State Land Office. The State Land Office transfers some income directly to the agency trust funds and to the State Investment Council. The council invests the income generated through activities that deplete the resource – like mining – and the earnings on the investment go into the trust funds.

The dependency of the Office of the State Engineer and Interstate Stream Commission on these funds to meet recurring expenses and the resulting depletion of the fund balances has been brought to the attention of the executive and legislative branches. The agency must receive additional general fund support, the trust funds must be replenished, or both, for effective water administration to continue.

I. Agency Vision, Mission and Goals

VISION:

The Office of the State Engineer and the Interstate Stream Commission is the preeminent water management agency, which is trusted by the public to effectively and transparently manage, allocate, and protect New Mexico's water resources.

MISSION:

To actively protect and manage the water resources of New Mexico for beneficial uses by its people, in accordance with law:

- to investigate, measure, and distribute water in the most efficient manner in accordance with state laws, court adjudications, and State Engineer rules and regulations;
- to administer a water rights system that lawfully and effectively allocates and reallocates water through permits and licenses and adjudicates water rights to meet the needs of New Mexico's growing population;
- to maximize use of New Mexico's renewable interstate stream apportionments to promote the sustainability of New Mexico's water supplies; and
- to plan for the future water needs of New Mexico's people and environment.

In carrying out the OSE/ISC mission, protection of waters and stream systems will take water quality issues into consideration.

GOALS:

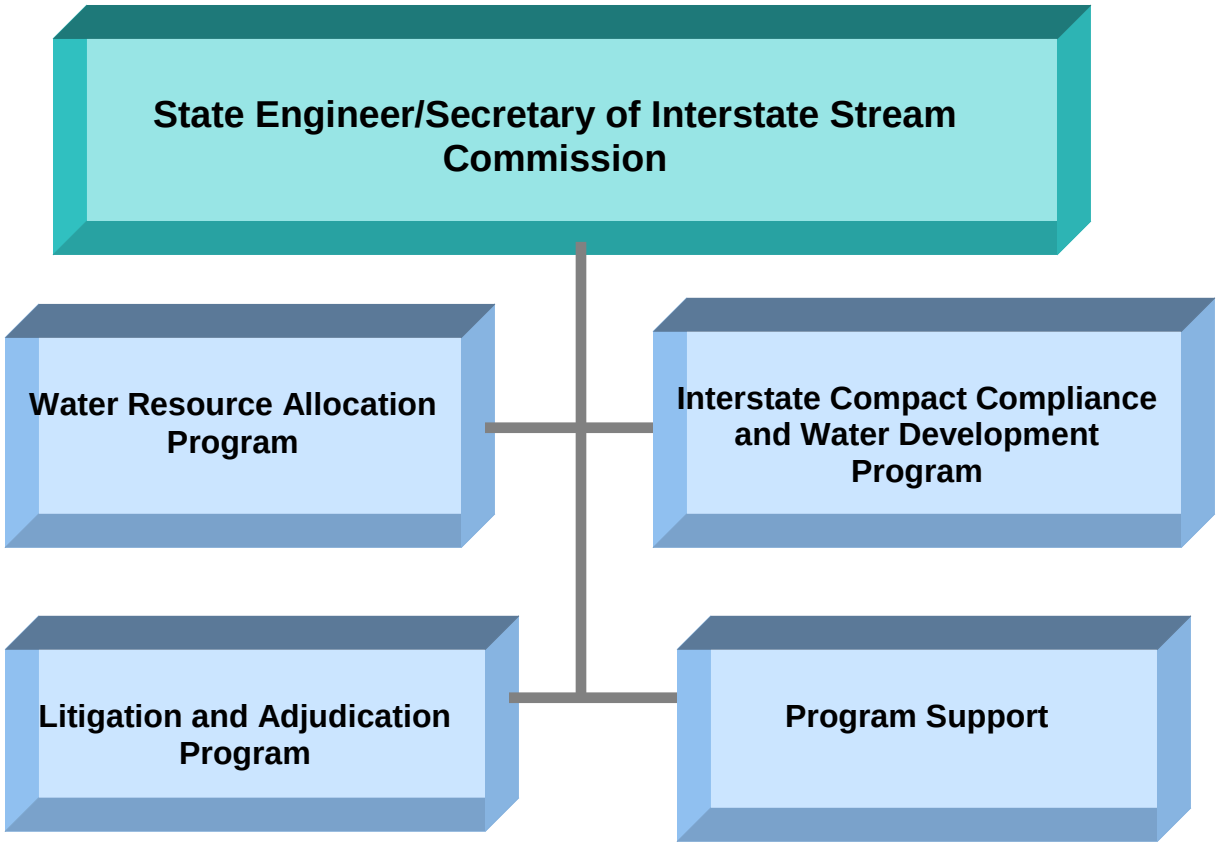
1. Promote the effective administration, distribution, protection, conservation and development of the State's surface and groundwater.
2. Develop and use available water resources in an environmentally responsible manner consistent with state and federal laws.
3. Protect and maximize the State's ability to develop and utilize the waters apportioned to it under interstate compacts and decrees.
4. Complete the licensing and/or adjudication of all water rights in the state.
5. Promote the safety and efficiency of New Mexico's water resource infrastructure.
6. Plan for New Mexico's future water needs.
7. Develop, deliver and continuously improve the value of Human Resource, Financial, Information Technology and Budget Services provided to Agency Programs, state and federal agencies and Business Partners.

II. Programs:

Goals will be accomplished through four programs. The four programs are:

- Water Resource Allocation Program
- Interstate Compact Compliance and Water Development Program (Interstate Stream Commission)
- Litigation and Adjudication Program
- Program Support

III. Organizational Chart



IV. Program Summaries, Goals Objectives and Measures

Water Resource Allocation Program

Water Resource Allocation Program [P551]

Statutory or Constitutional Authority:
72-1-1 through 72-1-9, 72-5-11 & 72-5-34, NMSA 1978

Purpose Statement:
The purpose of the Water Resource Allocation Program is to provide for administration, distribution, protection, conservation, and development of the state's surface and groundwater resources through Active Water Resource Management (AWRM).

Users:
Program users are the public but more specifically all water right owners in New Mexico. For instance, this is any person, association or corporation, public or private, in the state of New Mexico.

Program Summary

The Water Resource Allocation Program (WRAP) is primarily responsible for processing water-rights applications, conducting the scientific research for making water rights decisions, maintaining water rights records, and enforcing any conditions or restrictions on water use. Also, the program has taken the lead on the Agency initiative referred to as Active Water Resource Management (AWRM). AWRM refers to a broad range of activities that will enhance the State Engineer's ability to manage and administer the actual use of water in the field and allows for "Alternative Administration" that is agreed upon by the stakeholders in a particular basin. These activities include the placement of measurement and metering devices, creation of water master districts, appointment of water masters (in the field), development of water master manuals, abstracting paper files into the agency's computer database and implementation of district-specific rules and regulations. Water masters in the program measure stream flow, allocate the water within a stream system based on state law, and regulate and control diversions. WRAP staff also inventories water resources; monitors water use; and cooperates with the U.S. Geologic Survey in monitoring groundwater levels throughout the state. Additional program duties include licensing all well drillers, maintaining and updating the rules and regulations of

the State Engineer, providing a dam safety program, evaluating subdivision water-supply plans submitted by counties, and promoting water conservation. The Water Resource Allocation Program includes: the Water Rights Division; which includes the Water Rights Abstract Bureau, responsible for populating the Water Administration Technical Engineering Resource System (WATERS) database with all the individual water rights files within the state and making the information available to the public through a queriable database via the internet; the Hydrology Bureau; the Water Use and Conservation Bureau (WUCB); and the Dam Safety Bureau.

Under New Mexico water law, all ground and surface waters are public waters of the state and subject to appropriation under the Doctrine of Prior Appropriation, a constitutional provision that says earlier appropriations have priority over later appropriations.

Goals

WATER RESOURCE ALLOCATION PROGRAM **Goal 1. Promote the effective administration, distribution, protection, conservation and development of the State's surface and groundwater.**		
Objective	**Measure**	**Target**
A. Administer water rights from a business process management platform that includes: a database of existing rights and applications; an on-line application workflow and document management system; and a geographic information system (GIS).	Number of water right transactions abstracted into the WATERS database. See Strategies below.	Baseline: Number of transactions as of the end of FY 07: 227,927; FY08: 249,372; FY09: 274,419; FY10: 300,126 FY11: 321,100 FY 12: 345,778 Target: 22,000/year
B. Develop capability to enforce water rights permit conditions, court decrees, court orders, shortage-sharing agreements, etc. in AWRM priority basins so as to prevent impairment to senior water rights and to prevent illegal and over-diversions.	Percent readiness to perform active water resource administration statewide. See Strategies below.	Baseline: FY07: 72% FY08: 78% FY09: 84% FY10: 88% FY11: 91% FY12: 92% FY 13 Target: 94% FY14: Target: 95%

WATER RESOURCE ALLOCATION PROGRAM – Goal 1 Continued.		
C. Support water right application reviews with respect to 72-1-9, 72-5-7, 72-5-23, and 72-12-3 NMSA.	See Strategies below.	
D. Ensure that water is available for the continued and future economic vitality of the State.	See Strategies below.	
E. Protect Senior water rights.	See Strategies below.	
F. Promote conservation and the efficient use of water.	See Strategies below.	
G. Manage for the effects of hydrologic variability associated with warming temperatures or drought.	See Strategies below.	
H. Lead efforts to collect, store, analyze, disseminate and utilize water resource data.	See Strategies below.	
Strategies for Objective A		
▪ Abstract and image existing water files for priority basins into the WATERS database including all applications and documents as they are acted upon.		
▪ Utilize business management software to automate and manage the water rights administration process lifecycle (define, model, design, deploy, execute, monitor, analyze, optimize) to meet agency customer service and operation goals.		
▪ Execute management control systems for tracking and clearing water right actions due, using the WATERS database. Edit and run overdue reports and generate labels and letters in batches by basin and sub-basin in all Districts.		
▪ Utilize GIS capabilities and map existing water rights and transaction history for priority basins into a GIS and link them to the WATERS database.		
▪ Reconcile water right ownership with County information, where electronically available, on a regular basis and take proactive action to have water rights owners update their OSE records.		
Strategies for Objective B		
▪ Continue to hire and train water masters to allow for adequate monitoring of water use within priority basins.		
▪ Use meter data collected in all Districts to track water use and to enforce against illegal diversions within priority basins.		
▪ Extinguish non-used water rights where appropriate in accordance with the Forfeiture Statute.		
▪ Perform field investigations in support of declarations filed, Proofs of Beneficial Use filed, applications for transfer of water rights, etc.		
▪ Monitor and track meter installation for groundwater wells in compliance with State Engineer metering orders.		
▪ Monitor the installation of surface water measuring devices on points of diversion and points of return to ensure compliance with permits, licenses, court decrees, shortage sharing agreements, etc.		

WATER RESOURCE ALLOCATION PROGRAM − Goal 1 Continued.
▪ Accurately quantify water usage and identify water uses through data collection from surface water measuring devices on points of diversion and points of return to ensure the accurate and equitable distribution of water.
▪ Use and verify data within the Real-Time Water Measurement Information System to monitor compliance in high priority water management areas.
▪ Develop basin-specific water master rules and regulations including measuring/metering orders, water master manuals and settlement agreements already in place.
Strategies for Objective C
▪ Coordinate review of 72-1-9 NMSA water development plans.
▪ Support reviews of water right permit applications for the conservation of water.
▪ Implement and improve Water Rights Administrative Guidelines in the Estancia, Lea County, Curry County, Portales, Middle Rio Grande, Mimbres, Roswell and Tularosa Underground Water Basins. Initiate development of Guidelines for administration of the Animas, Lordsburg, Nutt-Hockett, Hueco, Clayton, Espanola (NRG) and/or Southern Jornada (LRG) Underground Water Basins.
▪ Promulgate statewide Groundwater Rules and Regulations for Water Right Administration.
Strategies for Objective D
▪ Conduct and support hydrologic data collection and studies, including aquifer mapping and characterization studies by others. Cooperate with other local, state and federal agencies and private entities to coordinate and prioritize technical efforts, avoid duplication of effort, leverage non-state funding, and optimize use of state resources.
▪ Continue management and enhancement of the statewide cooperative groundwater level measurement program, and other hydrologic data collection programs.
▪ Develop and implement basin-specific hydrologic models and guidelines for administration of water rights that ensure continued viability of hydrologic sources into the future.
Strategies for Objective E
▪ Develop and implement basin-specific hydrologic models and guidelines for administration of water rights to prevent impairment to senior water rights.
▪ Conduct and support reviews of water right permit applications for impairment to existing water rights.
▪ Provide technical assistance to the Litigation and Adjudication Program in support of litigation and adjudication activities.
▪ Support Active Water Resource Management alternative administration.
▪ Develop procedures for creation and administration of Domestic Well Management Areas.
▪ Implement administrative and technical procedures for Deep Underground Water Basins per 72-12-25 NMSA amended legislation.
Strategies for Objective F
▪ The WUCB will support the Water Rights Division and the LAP program with agricultural conservation as it pertains to 72-5-18 NMSA 1978. The WUCB will evaluate the CIR portion of any applications filed proposing the transfer of water rights obtained from agricultural conservation.

WATER RESOURCE ALLOCATION PROGRAM − Goal 1 Continued.
▪ The WUCB will ensure that water conservation measures are included in each proposed subdivisions water budget. They will review each subdivision proposal for indoor and outdoor water conservation measures and recommend that landscape design (Xeroscaping) is the preferred landscaping irrigation method. The WUCB will encourage rainwater harvesting and gray water reuse for landscape irrigation.
▪ Promote statewide water conservation and efficient use of the State's water through research and technical assistance, education and information and through the development and implementation of policies and guidelines for drinking water suppliers, industrial, commercial, institutional and agricultural users.
Strategies for Objective G
▪ Develop process for adaptation to the effects of warming temperatures and drought in water resource management.
Strategies for Objective H
▪ Improve public access to information through the agency Library, including completing cataloging of the Library collection and increasing the amount of information and documents available to the public via the agency website.

WATER RESOURCE ALLOCATION PROGRAM **Goal 2. Develop and use available water resources in an environmentally responsible manner consistent with state and federal laws.**		
Objective	**Measure**	**Target**
A. Support and oversee proposed development of deep non-potable aquifers.	See Strategies below.	
B. Promote development of green energy and desalination projects within New Mexico.	See Strategies below.	
Strategies for Objective A		
▪ Implement administrative and technical procedures for Deep Nonpotable Underground Water Basins per amended 72-12-25 NMSA.		
▪ Establish policies and guidelines for administration of declared deep nonpotable basins, and review notices of intent under NMSA 72-12-25 through 28 in accordance with established rules, regulations, policies and guidelines.		
▪ Regulate the drilling of wells intended to tap deep non-potable aquifers under NMSA 72-12-25 through 28, in accordance with established rules and regulations.		
▪ Perform hydrologic analyses as necessary to calculate the effect of diversions from an aquifer proposed for use under NMSA 72-12-25 through 28 upon existing water rights.		
Strategies for Objective B		
▪ Support, within the framework of NM water law, green energy and desalination projects in New Mexico.		

WATER RESOURCE ALLOCATION PROGRAM − Goal 2 Continued.
▪ Support the water Sustainable Water Infrastructure Management (SWIM) process of the Waste Water Infrastructure Development Division with the New Mexico Environment Department.

WATER RESOURCE ALLOCATION PROGRAM Goal 3. Protect and maximize the State's ability to develop and utilize the waters apportioned to it under interstate compacts and decrees.		
Objective	**Measure**	**Target**
A. Insure that there are no new net depletions to surface water sources, over and above those associated with existing water rights.	See Strategies below.	
Strategies for Objective A		
▪ Require as necessary, valid water rights transfers for federal and state projects that result in new net depletions to either surface water or groundwater sources, over and above those associated with existing water rights.		
▪ Evaluate all groundwater rights applications in stream-connected, conjunctively managed basins for depletions to the surface source. Deny those groundwater applications for which acceptable surface water offsets are not provided.		

WATER RESOURCE ALLOCATION PROGRAM Goal 4. Complete the licensing and/or adjudication of all water rights in the state.		
Objective	**Measure**	**Target**
A. Continue to evaluate water use requirements for adjudications as listed in the Water Allowance Statute, 72.5.18.A.	See Strategies below.	
B. Expedite licensing and adjudication of water rights in the Middle Rio Grande Stream System and related underground basin.	See Strategies below.	
C. Expedite licensing of water rights in remaining stream systems of the state.	See Strategies below.	

WATER RESOURCE ALLOCATION PROGRAM − Goal 4 Continued.
Strategies for Objective A
▪ WUCB will compute defensible Consumptive Irrigation Requests (CIR's) and Farm Delivery Requirements (FDR's) to assist with the adjudication of water rights in the state of New Mexico.
▪ WUCB will obtain, compile and compute all necessary data associated with CIR's and FDR's.
▪ Implement a pilot project to issue Licenses for a Basin in New Mexico.
Strategies for Objective B
▪ Continue to develop and implement with LAP a collaborative action plan for licensing water rights in the Middle Rio Grande.
Strategies for Objective C
▪ Continue to develop and implement with LAP a collaborative pilot program to license water rights in the Animas Valley Underground Water Basin.

WATER RESOURCE ALLOCATION PROGRAM **Goal 5. Promote the safety and efficiency of New Mexico's water resource infrastructure.**		
Objective	**Measure**	**Target**
A. Provide a statewide dam safety program to protect the public from loss of life and property damage due to dam failure or mis-operation.	Number of dams inspected per year. See Strategies below.	Baseline data source: FY08: 110 FY09: 105 FY10: 101 FY11: 111 FY12: 64 Target: 100 FY13: 80 FY14: (100)
Strategies for Objective A		
▪ Inspect and evaluate existing dams to ensure dams are operated and maintained in a safe condition. Advise owners of required actions to address deficiencies or issue safety orders to dam owners to address immediate threats to public safety.		
▪ Evaluate existing dams to determine if design and construction are consistent with existing dam safety regulations.		
▪ Review engineering reports, construction drawings and specifications to evaluate the safe design of a new dam or repair of an existing dam. If design is safe, approve permit with construction and operation conditions.		
▪ Inspect and monitor construction of new dams or repair of existing dams to ensure construction is in compliance with approved permit. Issue Certificates of Construction and License to Operate once dam owner complies with permit conditions.		

WATER RESOURCE ALLOCATION PROGRAM – Goal 5 Continued.
▪ Implement Project Management process by coordinating the scope of work, evaluating engineering proposals, managing engineering services contracts, reviewing project deliverables and managing construction contracts to address the design and construction rehabilitation of existing dams that receive capital outlay funds.
▪ Evaluate Operation and Maintenance (O&M) Manuals and Emergency Action Plans submitted by owners of dams classified as high hazard and significant hazard potential. If O&M Manual is acceptable and all construction conditions have been met, issue a License to Operate the Dam.
▪ Evaluate the results from the Extreme Precipitation Analysis Tool for central NM to determine if the tool can be used for spillway design in New Mexico.

WATER RESOURCE ALLOCATION PROGRAM Goal 6. Plan for New Mexico's future water needs.		
Objective	**Measure**	**Target**
A. Enforce the restrictions contained in Article 72-1-9 (NMSA) on entities eligible for protection under the statute.	See Strategies below.	
B. Address non-use of water rights.	See Strategies below.	
C. Promote government-to-government relationships with New Mexico's Indian nations, tribes and pueblos concerning water resource issues.		
D. Comply with the review requirement for county subdivision proposals as defined by 47.6.11.F. (1) within the 30-days required by 47.6.22.A.		
E. Comply with the response requirement to the county board of commissioners as defined within 47.6.11.H.3.		
F. Engage and collaborate with New Mexico's Indian Tribes, Pueblos, and Nations concerning water rights issues to find the best approaches and /or alternative processes in order to streamline water planning, negotiations and adjudications.		

WATER RESOURCE ALLOCATION PROGRAM – Goal 6 Continued.
Strategies for Objective A
▪ Require 40-year plans from covered entities applying for water rights appropriations or transfers.
▪ Evaluate and act on applications for new appropriations or water rights transfers into covered entities' systems from the perspective of there being a maximum amount allowable under the 40-year planning statute.
▪ Conjunctively manage groundwater and surface water in groundwater basins that are stream-connected. Promote, through Basin Guidelines, Rules and Regulations or through WRD "policy" the acquisition of pre-1907 surface water rights for municipal use in groundwater basins that are stream-connected.
Strategies for Objective B
▪ Perform annual "windshield" surveys and investigations of irrigated land within priority basins to determine which lands have been irrigated v. not irrigated. To maintain a record of irrigated land and land that has not been irrigated.
▪ Issue Notices of Non-User when appropriate to an owner of a water right that has not been legally and beneficially used for more than 4 consecutive years.

Interstate Stream Commission

Interstate Compact Compliance and Water Development Program [P552]

Statutory or Constitutional Authority:

72-15-1 through 72-15-28 NMSA 1978
72-14-1 through 72-14-44 NMSA 1978

Purpose Statement:

The purpose of the Interstate Stream Compact Compliance and Water Development Program is to ensure New Mexico's continued compliance with its interstate stream compacts, to resolve federal and interstate water issues; to develop water resources and stream systems in an environmentally sound manner; and to plan for the future use of water so that the people of New Mexico can have maximum sustained beneficial use of available water resources.

Users:

Program users are the public but more specifically all water right owners in New Mexico.

Program Summary

The New Mexico Interstate Stream Commission, created by Chapter 25 of the 1935 legislative session laws, has broad powers to investigate, protect, conserve and develop New Mexico's waters, including both interstate and intrastate stream systems. The Commission has eight unsalaried members appointed by the Governor. The ninth member is the State Engineer, who under state law is the secretary of the Commission. The Commission director serves as the deputy state engineer.

The Commission's authority under state law includes negotiating with other states to settle interstate stream controversies. New Mexico is a signatory to eight interstate stream compacts including: the Colorado River; Upper Colorado River Basin; La Plata River; Animas-La Plata Project; Rio Grande; Costilla Creek; Pecos River; and Canadian River compacts.

Commission staff is also responsible for compliance with provisions of the U.S. Supreme Court decisions governing water allocations on the Pecos, Canadian and Gila rivers. To assure compact compliance, staff analyzes, reviews, and implements projects in New Mexico, and evaluates potential water-supply impacts in New Mexico of projects in other states. Staff also analyzes stream flow, reservoir level, snowpack and other data on stream systems in New Mexico and neighboring states.

The Commission is also authorized by statute to investigate and develop the water supplies of the state and to plan, conserve, protect, and develop its public waters. Under a 1987 law, the Commission promotes and funds the development of regional water plans and is responsible for statewide water planning that integrates and reconciles the regional plans. Under the State Water Plan Act, enacted in 2003, the Commission was directed to coordinate with the Office of the State Engineer and the Water Trust Board to develop a comprehensive state water plan and to review and update it periodically.

The Commission is responsible for programming, budgeting, and directing expenditures from several sources: the Commission operating budget; the Ute Dam Construction Fund, (the Commission owns and operates Ute Dam and Reservoir); the Pecos Land Management Fund, created in 2005 to allow revenues generated from Commission-owned land to be used for land management, and for maintenance and operation of augmentation wells; special appropriations; and two state land trust funds – the Improvement of the Rio Grande Income Fund and the Irrigation Works Construction Fund. Both trust funds were created by the Ferguson Act of 1898, which set aside grants of trust land in what was then the Territory of New Mexico to generate income for specified beneficiaries.

Goals

INTERSTATE STREAM COMMISSION PROGRAM **Goal 1. Promote the effective administration, distribution, protection, conservation and development of the State's surface and groundwater.**		
Objective	**Measure**	**Target**
A. Comply with interstate compacts, court decrees, federal law, and interstate obligations.	See Strategies below.	
B. Promote conservation and efficient use of water.	See Strategies below.	
C. Preserve and strengthen the State's administrative authority over the State's waters.	See Strategies below.	

INTERSTATE STREAM COMMISSION PROGRAM − Goal 1 Continued.

Strategies for Objective A

- Protect water releases from reservoirs for delivery in accordance with applicable interstate stream compacts, federal law, decree requirements, settlements (e.g., Pecos Settlement) or for the benefit of endangered species. Review and evaluate deliveries using appropriate modeling tools.
- Facilitate agreements between water users and federal agencies on water operations and river administration.
- Collaborate with federal water management agencies to more effectively manage water resources, including meeting flow requirements for endangered species, and maximize operational flexibility for New Mexico's water users.
- Participate in projects and planning processes to meet requirements of interstate agreements as well as to reduce the likelihood of interstate litigation against New Mexico. A few examples of such projects or processes are:
    - High priority Middle Rio Grande projects include continuing the cooperative agreement for river maintenance work with Reclamation and the river and reservoir gaging agreement with the USGS, maintaining and expanding, as warranted, the Elephant Butte Reservoir pilot channel, developing and utilizing numerical models to plan for, evaluate, and refine current and future water operations, and implementation of the Strategic Water Reserve.
    - High priority Lower Rio Grande projects include supporting and coordinating with the Attorney General's Office for potential litigation, conducting priority monitoring activities, maintaining and improving databases, developing and utilizing numerical models, evaluating current and future operations, coordinating with the New Mexico Environment Department, and working cooperatively to implement solutions.
- Continue Pecos Settlement implementation.
- Continue to implement the Gila River/Arizona Water Settlement Act planning process, assess project proposals and conduct studies as approved or directed by the Commission.
- Participate in the development of operating and accounting protocols for the Animas/La Plata Project.

Strategies for Objective B

- Continue promoting irrigation efficiency and agricultural conservation through use of the Re-Loan Program with controls to ensure net water depletions are reduced, not increased.
- Investigate, in concert with the OSE Water Conservation Bureau and stakeholders, technologic advances that conserve water for all types of uses.
- Support/conduct and evaluate evapo-transpiration research to better understand the impact on water budgets from non-native and native vegetation.
- Develop and use numerical models to better understand, assess, and promote the efficient use of water.
- Participate in projects that are designed to conserve the state's water (e.g., Elephant Butte pilot channel).
- Participate with the other six Colorado River Basin states in the development of the Colorado River Basin Study to identify strategies to meet long term water supply needs.

INTERSTATE STREAM COMMISSION PROGRAM − Goal 1 Continued.
Strategies for Objective C
▪ Actively participate in water related federal NEPA and ESA consultations and collaborative processes. Priority examples include: the San Juan River Basin Recovery Implementation Program, the Middle Rio Grande Endangered Species Collaborative Program; consultation on Middle Rio Grande Water Operations, Middle Rio Grande Project Maintenance and Elephant Butte Reservoir Pilot Channel compliance projects, and potential Rio Grande Project Operations ESA consultation.
▪ Actively participate in multi-state, multi-agency programs dealing with water management and administration.
▪ Support/conduct basic hydrologic data collection of stream flow, reservoir storage water quality (e.g., salinity on the Rio Grande and Colorado River), and snowpack to ensure accurate and timely measurement and accounting of New Mexico's water resources.
▪ Support/conduct quality assurance/quality control procedures for basic hydrologic data collection programs administered by federal agencies.
▪ Aggressively pursue/conduct technical and legal investigations to defend New Mexico's water uses and surface water entitlement.
▪ Continue evaluation of the 2008 Rio Grande Project Operating Agreement, work aggressively to modify the agreement to protect New Mexico interests, evaluate all options to improve the Agreement.

INTERSTATE STREAM COMMISSION PROGRAM
Goal 2. Develop and use available water resources in an environmentally responsible manner consistent with state and federal laws.

Objective	Measure	Target
A. Provide renewable water supply for east central New Mexico communities.	Support acquisition of land use agreements by Eastern New Mexico Water Utility Authority to allow pipeline construction to begin. See Strategies below.	Begin intake structure construction by end of FY13.
B. Promote sustainable and environmental responsible development of the groundwater of the Salt Basin for the benefit of NM communities.	See strategies below.	

INTERSTATE STREAM COMMISSION PROGRAM − Goal 2 Continued.		
C. Optimize the benefits to NM of the 2004 Arizona Water Settlement Act.	Complete the planning process adopted by the ISC. See Strategies below.	Provide set of environmentally acceptable proposals for use of the water and monies available to NM from the 2004 AWSA by end of FY 2014.
D. Promote use of San Juan-Chama project water for its intended purpose.	See Strategies below.	
E. Participate in the development of the Animas-La Plata project to assist NM water users on getting the benefits of the project.	See Strategies below.	
F. Support full development of the Navajo-Gallup Water Supply project.	See Strategies below.	
G. Ensure continued availability of reliable water supply for Eagle Nest Reservoir.	See Strategies below.	
H. Understand and develop environmental protections for stream systems, including river restoration projects and participate in programs for the benefit and protection of threatened and endangered species to provide compliance or avoid additional listings.	See Strategies below.	
I. Evaluate new sources of water such as brackish water, aquifer storage and recovery, non-tributary groundwater, and produce water.	See Strategies below.	

INTERSTATE STREAM COMMISSION PROGRAM − Goal 2 Continued.		
J. Continue implementation of the Strategic Water Reserve (SWR) (72-14-3.3).	See Strategies below.	
Strategies for Objective A		
▪ Implement the shoreline management plan for Ute Reservoir adopted by the Commission.		
▪ Provide technical, legal, policy and lobbying support to New Mexico's legislature, Water Trust Board and Congressional delegation for construction funding for Eastern New Mexico Rural Water Authority Pipeline Project.		
Strategies for Objective B		
▪ Investigate the water resources of the Salt basin to reduce uncertainty in amount, quality, and location of water supplies to the degree that will allow optimal development of the resource.		
▪ Investigate the possibility of collaboration to develop water supply with others.		
▪ Determine what markets are available for the use of the Salt Basin water.		
▪ Investigate legal issues associated with pending water rights appropriation applications, including resolution of protests.		
Strategies for Objective C		
▪ Complete the ecologic, hydrologic, demand, conservation and socio-economic studies necessary to determine if and how water might be developed in the Gila and San Francisco stream systems and reap the benefits of the 2004 Arizona Water Settlement Act while minimizing adverse environmental impacts.		
▪ Implement the planning process for the 2004 AWSA adopted by the Commission including the public website, quarterly meetings, evaluation of stakeholder proposals, and technical, ecologic, legal, and economic evaluation of a suite of development projects and water utilization alternatives chosen by the Commission.		
Strategies for Objective D		
▪ Aid San Juan-Chama Project (SJCP) contractors in their efforts to utilize their San Juan-Chama water.		
▪ Monitor/Review U.S. Bureau of Reclamation San Juan-Chama Project operations and SJCP accounting.		
▪ Work with OSE District 1 to administer the Middle Rio Grande groundwater pumping offset program.		
Strategies for Objective E		
▪ Support New Mexicans' efforts to utilize Animas-La Plata Project water.		
▪ Participate in the development of procedures for the delivery of the Animas-La Plata Project water to users in New Mexico.		
Strategies for Objective F		
▪ Provide technical, legal, policy and lobbying support to New Mexico's Congressional delegation, the New Mexico legislature and Water Trust Board for appropriations to construct the authorized Navajo-Gallup Water Supply Project and for implementing the Navajo Nation Water Rights Settlement Agreement.		
▪ Participate in the development of the Navajo-Gallup Water Supply Project water and repayment contracts, and of project operations and maintenance agreements.		

INTERSTATE STREAM COMMISSION PROGRAM – Goal 2 Continued.
Strategies for Objective G
▪ Provide technical support to the Eagle Nest dam operation to support dam safety.
▪ Continue compliance with and implementation of Eagle Nest settlement.
▪ Properly operate reservoir releases in accordance with agreed upon reservoir operations manual.
Strategies for Objective H
▪ Actively participate in activities of the San Juan River Basin Recovery Implementation Program, including cost share funding of capital recovery projects, evaluation of flow recommendations for conservation of endangered fish species, and developing operating rules and plans for Navajo Reservoir to meet water contract demands and endangered fish habitat needs.
▪ Actively participate in activities of the Middle Rio Grande Endangered Species Collaborative Program, including transitioning into a Recovery Implementation Program, conducting projects and applying state funds towards program cost share, and supporting the federal government efforts to develop a new biological assessment and biological opinion.
▪ Continue support of the Arkansas Shiner Canadian River Management Plan, including fish monitoring and provision of existing base flow below Ute Dam, in lieu of designation of critical habitat for the listed Arkansas River Shiner.
▪ Provide the fish monitoring and flow measurement infrastructure required in the biological opinion for the ENRWS.
▪ Appropriate and designate for inclusion in the Strategic Water Reserve those flows below Ute Dam required in the biological opinion.
▪ Continue to support the Pecos River to better understand the habitat needs of the Pecos Bluntnose Shiner and help ensure its recovery. Support habitat restoration projects as appropriate in concert with federal water management agencies.
▪ Continue efforts to attain a Cooperative Conservation Agreement with Assurances on the Rio Costilla in lieu of listing of the Rio Grande Cutthroat Trout as threatened or endangered.
▪ Support the U.S. Bureau of Reclamation and Elephant Butte Irrigation District in their efforts relative to Southwest Willow Flycatcher in the Elephant Butte Reservoir delta.
▪ Make available Strategic Water Reserve (SWR) water rights to offset depletions associated with habitat restoration activities in the middle Rio Grande.
▪ Seek funding from the federal government, State legislature, Water Trust Board, etc. to conduct ESA compliance purposes in the middle Rio Grande.
▪ Lease Rio Grande Compact “relinquishment” water to the U.S. Bureau of Reclamation for ESA compliance purposes in the middle Rio Grande.
Strategies for Objective I
▪ Review, comment and if appropriate**,** support brackish water development, ASR, non-tributary groundwater and produced water development proposals.
▪ Investigate potential brackish water and non-tributary groundwater sources with respect to compact compliance and regional/state water planning.

INTERSTATE STREAM COMMISSION PROGRAM – Goal 2 Continued.
Strategies for Objective J
▪ Develop and implement plans for the Strategic Water Reserve-in the Middle Rio Grande and Lower Rio Grande.
▪ Continue bulk sales of SWR water to the U.S. Bureau of Reclamation for its ESA compliance purposes on the Pecos River, primarily utilizing ISC's Vaughan conservation well field and pipeline near Fort Sumner. Acquire additional water rights as practicable to augment existing supplies, and help ensure operational flexibility for New Mexico water users.
▪ Pursue additional resources for the acquisition of surface water to assist with the Interstate Compact deliveries and Endangered Species Act compliance.
▪ Utilize the water rights available under a lease agreement between the NMISC and the Village of Los Lunas to promote biological opinion objectives in the middle Rio Grande.
▪ Continue efforts to appropriate surface waters of the Canadian River below Ute Reservoir for the SWR for the benefit of the endangered Arkansas River shiner.

INTERSTATE STREAM COMMISSION PROGRAM

Goal 3. Protect and maximize the State's ability to develop and utilize the waters apportioned to it under interstate compacts and decrees.

Objective	Measure	Target
A. Comply with the Pecos Compact and the 1988 Amended Decree in Texas v. New Mexico.	Cumulative state-line delivery credit per the Pecos river compact and amended decree at the end of calendar year, in acre feet.	Greater than or equal to zero acre-feet
B. Maintain Long-Term Rio Grande Compact Compliance.	NM cumulative Rio Grande Compact delivery credit at end of calendar year, in acre feet.	Greater than or equal to zero acre-feet.
C. Administer the Costilla Creek system in accordance with the 1963 Costilla Creek Compact.	Accurately make deliveries in compliance with the Costilla Creek Compact. See Strategies below.	Make compact-required deliveries with less than 10% error.

INTERSTATE STREAM COMMISSION PROGRAM – Goal 3 Continued		
D. Defend, administer and comply with interstate compacts, international agreements, court decrees and other applicable laws to protect New Mexico's utilization of its consumptive use apportionments on the Colorado River and its tributaries.	See Strategies below.	
E. Develop, monitor, account and administer the consumptive uses of water apportioned to New Mexico by compact in the Upper Colorado River Basin.	See Strategies below.	
F. Maximize the water available to New Mexico under the La Plata River Compact.	See Strategies below.	
G. Maximize and administer the water available to New Mexico under the Animas-La Plata Project Compact.	See Strategies below.	
H. Maintain compliance with the Canadian River Compact & U.S. Supreme Court Decree.	See Strategies below.	
I. Protect, develop and manage the water resources of the Gila River Basin to maximize the amount of water legally and physically available for beneficial use in New Mexico.	See Strategies below.	
J. Maximize New Mexico's surface water supply in the Lower Rio Grande basin.	See Strategies below.	
Strategies for Objective A		
▪ Ensure full compliance with the terms of the Pecos Settlement including making regular projections of Carlsbad Project water supply, and operating ISC's augmentation well fields to supplement the Project supply as prescribed by the Settlement.		
▪ Continue work to fulfill the Pecos Settlement's water-rights acquisition program; i.e., acquire up to a total of 18,000 water-right acres in the Lower Pecos Basin.		

INTERSTATE STREAM COMMISSION PROGRAM − Goal 3 Continued
▪ Acquire and install data acquisition equipment at ISC's augmentation well fields to provide remote access to real-time data.
▪ Provide mechanisms for federal environmental law compliance on the Pecos within the state law framework.
▪ Monitor populations of threatened and endangered species in the Pecos Basin.
▪ Collect and analyze data and collaborate with other water management entities to define further actions needed either to prevent further species' listings or to protect and recover threatened or endangered species in the Pecos Basin, while minimizing adverse impacts to New Mexico water-rights owners.
▪ Maintain active participation in Reclamation decisions regarding operations at Sumner Dam.
▪ Obtain remaining State Engineer permits authorizing, as appropriate, a change in place and purpose of use and points of diversions of ISC's acquired water rights.
▪ Continue lease of water acquired for the Strategic Water Reserve to the U.S. Bureau of Reclamation for ESA compliance purposes on the Pecos River.
▪ Prepare a River Master Plan to address a net deficit in cumulative state line delivery credit, should one occur.
Strategies for Objective B
▪ Construct and maintain the Elephant Butte delta pilot channel.
▪ Support, participate, and/or take a lead role in planning, design, compliance, construction and maintenance of Middle Rio Grande Project and Rio Grande Project infrastructure that aids in compact compliance (maintaining drain structures, levees, removing river sediment plugs, maintaining areas previously cleared of non-native vegetation etc.).
▪ Participate in Rio Grande flood control projects and activities.
▪ Improve measurement of water resources and water uses, including oversight of the cooperative gaging Program with the U.S. Geological Survey on the Rio Grande.
▪ Seek to maintain a Rio Grande Compact accrued credit such that credit water can be relinquished to assist in water management during times of drought to aid water users in the Middle Rio Grande.
▪ Monitor and assist in augmentation and maintenance of populations of threatened and endangered species in the Rio Grande Basin.
▪ Collect data, conduct studies, and produce reports and peer reviewed papers, as appropriate, to further define actions needed to protect and recover threatened or endangered species in the Rio Grande Basin.

INTERSTATE STREAM COMMISSION PROGRAM − Goal 3 Continued.
▪ Actively participate in development and refinement of the Rio Grande Silvery Minnow and Southwestern willow flycatcher Recovery Implementation Programs.
▪ Provide mechanisms for compliance with federal environmental laws within the state law framework: o Evaluate and coordinate with the OSE to insure depletions from habitat restoration and changing operations of federal reservoirs are offset. o Utilize the SWR and relinquished Rio Grande credit water to provide sources of water that will help meet federal environmental demands. o Lease water acquired for the SWR and relinquished credit water to the U.S. Bureau of Reclamation for their ESA compliance purposes on the Rio Grande.
▪ Support/conduct quality assurance/quality control procedures of hydrologic data collected by federal agencies used in the Rio Grande Compact accounting.
▪ Actively participate in interstate and intrastate, multi-agency programs dealing with water planning, management and administration.
▪ Cooperate in the development of hydrologic models for use in water resources planning, environmental assessments, water project development and operations, water use accounting, and ESA compliance.
▪ Actively and effectively participate in Rio Grande basin water accounting procedures.
▪ Continue Rio Grande technical investigations to serve as the scientific basis of groundwater and surface water conjunctive use administration.
▪ Investigate and protest, as appropriate, proposed water rights transfers that could affect compact compliance (focus on identifying and reviewing projects that may pose a threat to New Mexico's continued compliance with the Rio Grande Compact).
▪ Develop and implement strategies to minimize the threat of interstate litigation in coordination with New Mexico Office of the Attorney General and New Mexico Environment Department: o Develop, support and participate in the Rio Grande project salinity control program. o Protect New Mexico interests and identify and define interstate and Rio Grande Project entitlements and New Mexico's delivery obligations of the waters in Elephant Butte Reservoir and downstream.
Strategies for Objective C
▪ Administer the use of waters of the Costilla Creek system to New Mexico and Colorado water users as provided in the Compact and Rules of the Costilla Creek Compact Commission.
▪ Work with federal and state agencies to resolve conflicts between the ESA and the Costilla Creek Compact.
Strategies for Objective D
▪ Actively participate in multi-state, multi-agency programs dealing with water management and administration such as the Colorado River Management Work Group.
▪ Support review and potential implementation of weather modification projects and phreatophyte control projects to augment Colorado River system stream flows as contemplated under the 2007 Seven Basin States Agreement.

INTERSTATE STREAM COMMISSION PROGRAM − Goal 3 Continued.
▪ Support and actively participate in activities of the Colorado River Basin Salinity Control Forum and Advisory Council to ensure compliance with salinity standards on the Colorado River.
▪ Actively participate in activities of the Glen Canyon Dam Adaptive Management Program and the Long-term Experimental Management Plan and EIS to ensure Lake Powell is operated consistent with interstate compacts so as to protect New Mexico's Upper Basin apportionment and to provide incidental clean hydropower generation for customers in New Mexico as well as power revenues for operation of federal irrigation projects in New Mexico and elsewhere.
▪ Actively administer the Colorado River Compact, the Upper Colorado River Basin Compact, the La Plata River Compact, and the Animas-La Plata Project Compact.
▪ Develop, promote and defend positions related to the 1944 Mexican Water Treaty.
▪ Actively participate in the Colorado River Basin Study evaluating water supplies, water demands, and potential areas of shortage in the basin, and for identifying supply augmentation opportunities to avoid or mitigate possible future shortages.
▪ Actively participate with the Seven Colorado River Basin states in the United States-Mexico discussions regarding opportunities for water conservation and management activities in Mexico for the joint benefits of both countries.
Strategies for Objective E
▪ Actively monitor water uses in and from the San Juan River stream system in New Mexico, including metering irrigation and other diversions, surveying irrigated crop acreages, and maintaining databases of irrigation and other consumptive uses.
▪ Maintain projections of anticipated future water demands and uses in the San Juan river basin in New Mexico.
▪ Actively monitor and participate in the planning of operations of Navajo Dam and Reservoir to meet water demands in New Mexico and to support recovery of populations of endangered fish species in the San Juan River.
▪ Assist the Bureau of Reclamation in the development of rules and regulations for the operation and administration of a top water bank in the Navajo Reservoir as authorized by Public Law 111-11.
▪ Work with the Upper Colorado River Commission, the Colorado River Energy Distributors Association and the Upper Colorado River Basin States to protect Colorado River Storage Project power revenues available to the upper basin fund and expand opportunities for funding non-irrigation projects in the upper division states from the fund, including implementation of the 2011 Basin Fund Memorandum of Understanding.
▪ Assist in completion and implementation of NEPA and ESA compliance related to federal water projects and permitting in the San Juan River Basin in New Mexico, including Navajo Reservoir operations, the Hammond Project, the Navajo Indian Irrigation Project, San Juan-Chama Project diversions, the Animas-La Plata Project, the Navajo-Gallup Water Supply Project, and Corps of Engineers' Section 404 permitting for irrigation ditch and other diversion maintenance activities in stream channels.

INTERSTATE STREAM COMMISSION PROGRAM − Goal 3 Continued.
▪ Support completion and rehabilitation of irrigation projects in the San Juan Basin.
▪ Support implementation of the Navajo-Gallup Water Supply Project including implementation of the cost share agreement between the State and U.S.
▪ Cooperate in the development of hydrologic models for use in water resources planning, environmental assessments, water project development and operations, water use accounting, and Endangered Species Act compliance.
▪ Research and develop methods for accounting for the possible effects of climate change in hydrologic models and water resources management in the San Juan River basin in New Mexico, and participate in similar activities for the Colorado River Basin.
▪ Actively participate in the San Juan River Basin Recovery Implementation Program and fund fish recovery actions to protect New Mexico's interests in developing the water resources of the San Juan River Basin while complying with the Endangered Species Act.
▪ Support federal agencies in obtaining favorable Biological Opinions in Endangered Species Act Section 7 consultations on federal water development projects and water management activities in the San Juan River Basin.
▪ Monitor the development or revision of recovery plans for endangered and threatened species in the San Juan River Basin.
▪ Assist federal agencies and water users to comply with federal environmental laws while developing water resources in the San Juan River Basin for beneficial uses in New Mexico.
▪ Monitor the implementation of the Clean Water Act in the San Juan River Basin to avoid or minimize conflicts between water quality standards and water development and use.
Strategies for Objective F
▪ Actively monitor water deliveries from Colorado to New Mexico in the La Plata River and seek the proper administration of the provisions of Article II of the La Plata River Compact.
▪ Monitor irrigation demands and diversions from the La Plata River for uses in New Mexico.
Strategies for Objective G
▪ Support completion of the remaining Animas-La Plata Project facilities, particularly the Navajo Nation Municipal Pipeline.
▪ Support implementation of the Animas-La Plata Project through participation in the development of procedures for protecting project water deliveries from Colorado to New Mexico consistent with the Animas-La Plata Project Compact.
Strategies for Objective H
▪ Administer, develop, and improve New Mexico water related interests in the Canadian River Basin.
▪ Support Eastern New Mexico Water Utility Authority's planning, funding requests, and construction of facilities to convey water from Ute Reservoir to eastern New Mexico communities.
▪ Administer Canadian River Compact.
▪ Continue Arkansas River Shiner studies to reinforce the Canadian River Management Plan in lieu of designation of critical habitat.

INTERSTATE STREAM COMMISSION PROGRAM − Goal 3 Continued.
Strategies for Objective I
▪ Coordinate with the Office of the State Engineer, District III to actively measure diversions, monitor irrigated crop acreage and other uses, and account consumptive uses of water in the Gila River Basin in New Mexico, and report such annually as per the U.S. Supreme Court decree in Arizona v. California.
▪ Apply the best available science to protect the environment and fully assess and mitigate the ecological impacts on Southwest New Mexico, the Gila River, its tributaries and associated riparian corridors, while also considering the historic uses of and future demands for water in the Basin and the traditions, cultures and customs affecting those uses.
▪ Maintain existing water uses and State of New Mexico jurisdiction over the uses of groundwater and surface water in the Gila River Basin apportioned to New Mexico by Arizona v. California.
▪ Continue data development to inventory and assess water resources in the Gila River Basin to facilitate water administration.
▪ Optimize water and monetary benefits to New Mexico obtained in the 2004 Arizona Water Settlements Act.
▪ Develop basic scientific information necessary to fully plan for environmental compliance activities and environmental mitigation and restoration to allow utilization of New Mexico's apportionment of water in the 2004 Arizona Water Settlements Act.
▪ Support activities to protect and recover endangered and threatened species in the Gila River Basin, including participation in the Recovery Team for the spikedace and loach minnow.
Strategies for Objective J
▪ Continue review and assessment of the 2008 Operating Agreement and the operations manual.
▪ Work aggressively to modify the agreement to protect New Mexico interests, evaluate all options to improve the agreement, and explore a possibility of a new operating agreement.
▪ Support and coordinate the legal efforts with the New Mexico Office of Attorney General in the lawsuit against the U. S. Bureau of reclamation over the 2008 Operating Agreement.
▪ Continue evaluation of Texas pumping impact on the Rio Grande Project water.

INTERSTATE STREAM COMMISSION PROGRAM **Goal 5. Promote the safety and efficiency of New Mexico's water resource infrastructure.**		
Objective	**Measure**	**Target**
A. Safely operate and maintain dams and infrastructure including: Ute Dam, Eagle Nest Dam, Pecos River augmentation well fields and pipeline systems.	Safely operate Ute and Eagle Nest Dams and infrastructure. See Strategies below.	No deficient inspection notices from OSE dam safety.
B. Support owner's efforts to safely operate and maintain Costilla Dams infrastructure.	Costilla Dam safely operated. See Strategies below.	No deficient inspection notices from OSE dam safety.
C. Implement and support Rio Grande floodway projects that assist in compact compliance.	See Strategies below.	
D. Serve as the focal point for State assistance when dealing with Acequia renovation and construction projects.	See Strategies below.	
E. Support implementation of ditch efficiency improvement projects.	See Strategies below.	
Strategies for Objective A		
▪ Develop operating procedures as needed and coordinate with the Office of the State Engineer Dam Safety Bureau.		
▪ Operate and maintain those facilities in accordance with established operating procedures.		
▪ Maintain membership with NM One Call and register all subsurface utility infrastructure owned by ISC.		
Strategies for Objective B		
▪ Cooperate with the owners of Costilla Reservoir (RCCLA) to find legal means to get public financing assistance for Dam rehabilitation.		
Strategies for Objective C		
▪ Continue the MRG Water Salvage and Vegetation Management Cooperative Agreements with Reclamation.		
▪ Continue to seek funding to support the Corps of Engineers San Acacia Levee Rehabilitation Project and other Middle Rio Grande levee improvement/repair projects.		
▪ Cooperate with Federal agencies to plan, design, conduct compliance, and construct projects that maintain and/or improve the intended functions of the floodway in a manner that provides environmental benefits.		

INTERSTATE STREAM COMMISSION PROGRAM − Goal 5 Continued.
Strategies for Objective D
▪ Process all outstanding acequia capital appropriations.
▪ Conduct workshops to assist acequias in administering capital improvement projects.
▪ Coordinate funding and projects with NRCS, COE (when funding is available), NMAC, NMAA and the acequias themselves.
Strategies for Objective E
▪ Provide technical and policy support to the Bureau of Reclamation to implement the improvement program for Non-Navajo ditches as authorized by Public Law 111-11, and to provide lobbying support to the New Mexico Congressional delegation and the New Mexico legislature for federal and state cost share appropriations for the program.
▪ Provide lobbying support to the New Mexico Congressional delegation for appropriations for rehabilitation of the Hogback and Fruitland irrigation projects per the Navajo Nation Water Rights Settlement Agreement.

INTERSTATE STREAM COMMISSION PROGRAM Goal 6. Plan for New Mexico's future water needs.		
Objective	**Measure**	**Target**
A. Promote and Fund Regional Water Plan updates.	See Strategies below.	
B. Coordinate with OSE and Water Trust Board to develop a comprehensive State Water Plan and update and review it periodically per statute.	Complete SWP update. See Strategies below.	In FY 2013
C. Engage and collaborate with New Mexico's Indian Tribes, Pueblos, and Nations concerning water rights issues to find the best approaches and /or alternative processes in order to streamline water planning, negotiations and adjudications.	See Strategies below.	
D. Continue to reconcile regional and state water plans.		
Strategies for Objective A		
▪ Assist planning regions in updating RWP's as funding allows.		
▪ Revise regional water planning template in cooperation and coordination with regional and state water planning stakeholders (e.g. water dialog, RWPAC, etc.) for improved plan consistency.		
▪ Work with Water Dialog and regional steering committees to increase representation of stakeholders on Regional Water Planning Advisory Council.		

INTERSTATE STREAM COMMISSION PROGRAM − Goal 6 Continued.
Strategies for Objective B
▪ Complete a draft of State Water Plan Update.
▪ Provide opportunity for public and other state agencies with water related responsibilities to comment on a plan.
Strategies for Objective C
▪ Continue to convene RWPAC to identify differences between regional and state water plans
▪ Work with RWPAC and other interested stakeholders to integrate regional plans with state water plan.
▪ Continue coordination efforts with the agency water planners and the NM water planning regions on those elements to integrate ISC priorities for main river basins with the priorities of each of the basins' regional plans, to identify areas of potential agreement for implementation of projects, to identify areas of potential conflict, and to develop basin-specific information for use in the SWP update.

Litigation and Adjudication Program

Litigation and Adjudication Program [P553]

Statutory or Constitutional Authority:

Sections: 72-2-10, 72-4-1, through 72-4-20, 72-5-39 and 72-8-1 through 72-8-6, 72-12-11, 72-12-14 and 72-12-15 NMSA 1978

Purpose Statement:

The purpose of the Litigation and Adjudication Program is to obtain a judicial determination and definition of water rights within each stream system to support effective water rights administration and promote the State's ability to meet its interstate stream obligations; resolve disputes arising out of permits issued by the State Engineer governing the diversion and use of the State's water; represent the Water Rights Division in application proceedings; initiate legal proceedings to ensure compliance with the water code, rules and regulations, permits, licenses, and adjudications; and represent the state engineer in all suits filed in either state or federal courts.

Users:

Program users are the State Engineer, water right owners, and the other programs within the Office of the State Engineer.

Program Summary

The Chief Counsel serves as the legal advisor to the State Engineer. Litigation and Adjudication Program (LAP) attorneys are commissioned as Special Assistant Attorneys General to represent the State Engineer in all matters in the state and federal courts and represent the State of New Mexico in all pending water rights adjudications. LAP is divided into five bureaus. The Administrative Litigation Bureau represents the Water Rights Division of the Water Resource Allocation Program in all water-related administrative hearings, and represents the State Engineer in appeals of his decisions to the courts and in legal proceedings to prevent illegal uses of water. The remaining four bureaus (Northern New Mexico Adjudication Bureau, Pecos River Adjudication Bureau, Lower Rio Grande Adjudication Bureau, and Hydrographic Survey and Mapping Bureau) are dedicated to prosecuting water rights adjudications on behalf of the State of New Mexico in the state and federal courts. Technical staff in these bureaus have degrees and backgrounds in GIS, surveying, and engineering. They perform hydrographic

surveys to provide the foundation documents for all adjudications and work closely with legal staff to provide technical support for ongoing adjudications and other water rights related matters.

The main LAP office is located in Santa Fe. LAP also maintains a Lower Rio Grande adjudication survey office in Las Cruces, which is staffed with engineers, surveyors and other technical personnel to support the Lower Rio Grande adjudication, and serves as a local point of contact for water rights owners involved in that adjudication.

Goals

LITIGATION AND ADJUDICATION PROGRAM **Goal 1. Promote the effective administration, distribution, protection, conservation and development of the State's surface and groundwater.**		
Objective	**Measure** **(Note: LAP's support activities are not quantitative)**	**Target**
A. Develop capability to enforce water rights permit conditions, court decrees, court orders, shortage-sharing agreements, etc. in AWRM priority basins so as to prevent impairment to senior water rights and to prevent illegal and over-diversions.	See Strategies below.	
B. Ensure that water is available for the continued and future economic vitality of the State.	See Strategies below.	
C. Protect Senior water rights.	See Strategies below.	
D. Promote conservation and the efficient use of water.	See Strategies below.	
E. Manage for the effects of hydrologic variability associated with warming temperatures or drought.	See Strategies below.	
F. Preserve state administrative authority over the State's waters.	See Strategies below.	
Strategies for Objectives A-F		
▪ Provide legal and litigation support to WRAP for challenges to the activities of water masters.		

LITIGATION AND ADJUDICATION PROGRAM − Goal 1 Continued.
▪ Provide legal and litigation support to WRAP for challenges to metering implementation.
▪ Provide legal and litigation support for challenges to AWRM framework and district-specific regulations.
▪ Provide legal and litigation support to State Engineer in appeals of State Engineer actions and decisions.

LITIGATION AND ADJUDICATION PROGRAM **Goal 3. Protect and maximize the State's ability to develop and utilize the waters apportioned to it under interstate compacts and decrees.**		
Objective	**Measure**	**Target**
A. Quantify and define valid existing rights to the use of water from streams subject to interstate compacts and decrees through the adjudication and licensing processes.	See Strategy below and Goal 4.	
Strategies for Objective A		
▪ Obtain additional court orders adjudicating water rights in the Lower Rio Grande, Pecos, and San Juan stream adjudications.		
▪ Expedite the licensing of water rights in the Middle Rio Grande and other areas of the State subject to interstate compacts and decrees.		

LITIGATION AND ADJUDICATION PROGRAM **Goal 4. Complete the licensing and/or adjudication of all water rights in the state.**		
Objective	**Measure**	**Target**
A. Adjudicate all water rights in the Pecos River Stream System and related underground basins.	Number of offers to defendants. Percent of water rights in ongoing adjudications that have a judicial determination. See Strategies below.	Baseline data source: Water Rights Adjudication Tracking System (WRATS) FY 12: 1,000& 50% FY13: 800 & 51% FY14: 500 & 54%

LITIGATION AND ADJUDICATION PROGRAM − Goal 4 Continued.		
B. Adjudicate all water rights in the Lower Rio Grande Stream System and related underground basins.	Number of offers to defendants. Percent of state water rights in ongoing adjudications that have a judicial determination. See Strategies below.	Baseline data source: WRATS FY12: 1000 & 50% FY13: 800 & 51% FY14:500 & 54%
C. Adjudicate all water rights in the entire Upper Rio Grande Stream System & related underground basins, including all tributary adjudications.	Number of offers to defendants. Percent of water rights in ongoing adjudications that have a judicial determination. See Strategies below.	Baseline data source: WRATS FY12: 1000 & 50% FY13: 800 & 51% FY14: 500 & 54%
D. Adjudicate all water rights in the San Juan River Stream System and related underground basins.	Number of offers to defendants. Percent of water rights in ongoing adjudications that have a judicial determination. See Strategies below.	Baseline data source: WRATS FY12: 1000 & 50% FY13: 800 & 51% FY14: 500 & 54%
E. Expedite licensing and adjudication of water rights in the Middle Rio Grande Stream System and related underground basin.	See Strategies below.	
F. Expedite licensing of water rights in remaining stream systems of the state.	See Strategies below.	
Strategies for Objective A		
▪ Complete the Pecos River water rights adjudication.		
Strategies for Objective B		
▪ Complete the Lower Rio Grande water rights adjudication.		
Strategies for Objective C		
▪ Complete water rights adjudications pending in Upper Rio Grande tributaries.		
Strategies for Objective D		
▪ Complete the San Juan River water rights adjudication.		
Strategies for Objective E		
▪ Develop and implement with WRAP a collaborative action plan for licensing water rights in the Middle Rio Grande stream system and related underground water basin.		
▪ Develop with the Administrative Office of the Courts an action plan for the adjudication of water rights in the Middle Rio Grande stream system and related underground water basin.		

LITIGATION AND ADJUDICATION PROGRAM − Goal 4 Continued.
Strategies for Objective F
▪ Develop and implement with WRAP a collaborative pilot program to license water rights in the Animas Valley Underground Water Basin.
▪ Develop and implement with WRAP a collaborative action plan for licensing water rights in remaining stream systems of the state.

LITIGATION AND ADJUDICATION PROGRAM Goal 6. Plan for New Mexico's future water needs.		
Objective	**Measure**	**Target**
A. Engage and collaborate with New Mexico's Indian Tribes, Pueblos, and Nations concerning water rights issues to find the best approaches and /or alternative processes in order to streamline water planning, negotiations and adjudications.	See Strategies below.	

Program Support

Program Support [P554]

Purpose Statement:

The purpose of the Program Support is to provide necessary administrative support to the Office of the State Engineer to support the agency personnel in achieving the goals and objectives of the agency.

Users:

The Office of the State Engineer employees, contractors, other state and federal agencies and public.

Program Summary

Program Support provides administrative and management support services to the Office of the State Engineer to allow for the smooth functioning of all other programs. The program has four bureaus – Finance, Budget Services, Information Technology Systems, and Human Resources – which handle the agency's payroll and human capital needs, budget planning, contract preparation, fixed assets, accounting, procurement, property management and control, personnel management, workforce development and computer systems and communication systems development and support. Additionally, the Hearing Unit, which falls within Program Support, conducts administrative hearings on protested and aggrieved water rights applications.

Goals

PROGRAM SUPPORT **Goal 1. Promote the effective administration, distribution, protection, conservation and development of the State's surface and groundwater.**		
Objective	**Measure**	**Target**
A. Conduct administrative hearings in accordance with law and procedural due process & make timely determinations concerning: (a) disputed applications for permits to appropriate, transfer or use the waters of the state of NM; (b) enforcement actions; (c) disputed licensing actions.	See Strategies below.	
B. Facilitate negotiated resolution of disputed applications, enforcement actions and licensing actions; incorporate ADR methodologies into the administrative hearing process.	See Strategies below.	Refer 15–20% of docketed cases to ADR. Resolve 75–80% of cases referred to ADR.
Strategies for Objective A		
▪ Continue to schedule administrative hearings concerning protested and aggrieved applications in a timely and efficient manner that provides for development of a complete record addressing availability and beneficial use of water, impacts to existing water rights, conservation of water and public welfare.		
▪ Expedite the hearing of enforcement & licensing actions as appropriate to protect the water resources and public welfare of the state.		
▪ Develop a protocol for hearings concerning applications with large numbers of protestants.		
▪ Support & facilitate rulemaking.		
Strategies for Objective B		
▪ Continue to refine ADR processes based on mediation results and feedback from mediation participants.		
▪ Create and maintain data to evaluate ongoing effectiveness of ADR process.		

PROGRAM SUPPORT **Goal 7. Develop, deliver and continuously improve the value of Human Resource, Financial, Information Technology and Budget Services provided to the Agency Programs, state and federal agencies and business partners.**		
Objective	**Measure**	**Target** Baseline data source: FY13: FY14:
A. Provide the quality services necessary for the agency to achieve its short and long-term objectives.	See Strategies below.	
B. Recruit and hire a highly skilled and diverse workforce aligned with business goals and objectives.	See Strategies below.	
C. Retain a highly performing workforce and maintain an environment conducive to a high level of employee satisfaction.	See Strategies below.	
D. Develop a workforce dedicated to our mission and strengthened by its diversity, able and willing to meet and exceed the highest standards of conduct and performance.	See Strategies below.	
E. Provide governance and ensure compliance and accountability with the highest integrity and accuracy.	See Strategies below.	
F. Provide timely and accurate information that is used by management to direct agency resources towards achieving the agency's programmatic goals and objectives.	See Strategies below.	
G. Provide comprehensive fiscal, administrative, personnel, budget and IT support focused on enhancing workforce capabilities.	See Strategies below.	

PROGRAM SUPPORT − Goal 7 Continued.		
H. Ensure all vendors who contract with OSE/ISC have clear-cut performance measures written into all professional service contracts.	Percent of department contracts that include performance measures. See Strategies below.	100%
Information Technology Objectives in Support of Goal 7		
Objective	**Measure**	**Target**
I. Make water resource and management information more accessible to internal users and to the public.	See Strategies below.	
J. Use state of the art technology to automate and improve agency business processes.	See Strategies below.	
K. Continuously improve agency planning processes to align and integrate IT priorities and strategies with program priorities and strategies.	See Strategies below.	
L. Continuously improve IT service delivery processes by meeting or exceeding IT work order service level targets	Percent of critical problems impacting multiple users resolved within 4 hours Percent of critical problems impacting a single user resolved within 8 hours.	
M. Improve Agency work products, processes and decisions through use of GIS tools, technologies, and resources.	See Strategies below.	
N. Improve the Agency's information security posture.	% critical software and hardware security patches installed within 15 days of release.	90%

PROGRAM SUPPORT − Goal 7 Continued.
Strategies for Objectives A through H
▪ Provide valuable, high quality, outcome-based services to the Agency's programs.
▪ Utilize and explore new or enhanced uses of technology or business processes including the implementation of integrated software solutions to increase the agency's ability to improve operations and work flow.
▪ Treat all employees as valued customers to maximize employee performance, productivity and job satisfaction.
▪ Ensure a strong performance management system is utilized within the agency to create strategic alignment between the employee's responsibilities, and the Agency's mission; one that establishes a pattern of direct communication between the supervisor and the employee, and clearly defines expectations and performance measures.
▪ Ensure that strong retention systems are invested i.e., a rewards and recognition system, competitive salary structure, opportunities for growth and advancement.
▪ Provide training to foster a greater knowledge base for staff and supervisors.
▪ Lead efforts to define and implement statewide visions.
▪ Participate in senior management meetings to identify program needs and issues.
▪ Foster frequent communication with program personnel to address needs and concerns.
Strategies for Objective I
▪ Improve the Agency web sites to provide easy access to available information.
▪ Improve the Agency intranet (iDrop) to provide easy access to available information.
Strategies for Objective J
▪ Use Business Process Management software and management techniques to improve key agency processes through increased automation; improved collaboration, and enhanced facilitation of employee and customer interactions.
Strategies for Objective K
▪ Continue to engage the Agency IT Governance Committee in IT resource management, planning and performance management processes.
Strategies for Objective L
▪ Analyze problems and service management data within the Track-IT system to continuously identify and act upon service delivery improvement opportunities.
Strategies for Objective M
▪ Work with programs to deploy applications that are able to easily publish and exchange GIS data.
Strategies for Objective N
▪ Continue to implement best practices and tools to mitigate information security vulnerabilities within the agency.