**Water Advocates’ 2025 Legislative Recommendations**

Our recommendations focus on implementing the landmark 2023 Water Security Planning Act and modernization of water governance to address the state’s most pressing water challenges.

**1. Fully Fund the Water Security Planning Act (WSPA)**

The 2023 WSPA empowers regions to develop water resilience plans, but its success depends on funding. The Governor’s FY26 budget includes no funding for regional planning grants—three years after the Act’s passage. We recommend:

* **$30 million in nonrecurring funding** for grants to regions and public education and outreach, both statewide and within regions.

Developing robust regional water security plans across New Mexico will require an estimated $80 million over the next decade. This investment is essential to enable decentralized, community-led planning based on accurate data and hydrologic realities.

**2. Invest in Aquifer Research and Monitoring**

Aquifers are New Mexico’s most vital water reserves, yet they are severely threatened. To protect them, we support the Governor’s recommendation:

* **$28.7 million in nonrecurring funding** for the NM Bureau of Geology’s Aquifer Mapping Program, covering the first three years of a 12-year, $175 million plan.

**3. Modernize Water Governance and Data Systems**

Effective water management requires modern tools and expertise. We recommend:

* **$30 million in nonrecurring funding** to upgrade OSE and ISC technology and implement the Water Data Act.
* **$7.05 million in recurring funding** to recruit and retain skilled staff, as included in the Governor’s FY26 budget.

These investments will enhance public trust, improve data transparency, and support informed decision-making.

**4. Implement Active Water Resource Management (AWRM) where it was intended**

The AWRM framework, upheld by the New Mexico Supreme Court, seeks to ensures water use matches actual, legal water availability. Yet, it remains unutilized on the mainstem Rio Grande. We recommend:

* **$2 million in funding** to establish water master districts and basin-specific rules for enforcement and water banking in the Middle and Lower Rio Grande.
* Passage of the OSE Enforcement Bill to allow practical enforcement against illegal water use, well drillers, illegal wells, etc. The only lawful enforcement mechanisms now are limited to a small fine and district court litigation to seek an injunction against the illegal

activity.

**5. Address “New Water” Resources with Explicit Conditions**

The Governor’s FY26 budget prioritizes $75 million for private-sector brackish water projects and $4 million for NMSU research on oilfield produced water treatment. While innovative solutions are important, these projects come with significant opportunity costs and risks if essential planning and governance initiatives remain underfunded.

We recommend funding these projects only under strict conditions:

* **$30 million for brackish water development**, contingent on oversight and accountability.
* **$2 million for produced water research**, with conditions ensuring compliance with the 2022 audit of the NM Produced Water Research Consortium.
* Transparent and scientifically rigorous public reporting by the NMED Secretary’s Office and the Consortium, replacing the current practices of misinformation and opacity and mandating “scientific integrity and adherence to principles of honesty, objectivity, transparency, and professionalism” as now is required by the state of regional water planning entities receiving state funding.

These safeguards are crucial to avoid repeating mistakes based on visions unsupported by facts and science, such as the $17 million in state funds wasted on the politically inspired and authorized Gila Diversion Project.

**LWVNM positions**

**Water Resources/Supply**

(Adopted 2010)

The League of Women Voters of New Mexico believes that consumptive use of water in New Mexico must be in balance with renewable supply. Healthy ecosystems naturally perform services that benefit both people and nature, such as cleaning water, reducing floods, and creating fish and wildlife habitat. To secure the benefits of functioning ecosystems and to conserve New Mexico's biodiversity, sufficient water must be budgeted for environmental flows. The creation and adherence to comprehensive water budgets is essential to preserve public lands, water, and open space, and to ensure that there will be enough water for future generations of New Mexicans. The state, water regions, and local governments must

1. monitor and measure all water resources and uses, and publish this information;
2. use a public process to create and follow water budgets;
3. educate citizens on their responsibilities as well as their rights;
4. promote strategies to reduce demand;
5. minimize water contamination in order to promote the health and safety of all life;
6. preserve and restore rivers and watersheds.

Conservation of water and efficiency of use must be encouraged to enable New Mexico to meet its interstate compact obligations, to help balance use with supply, to relieve stress on the physical system, and to reduce net depletion.

**Regional Water Planning**

The League supports continued funding for regional planning. Using a public process, regional planning should

1. gather and publish data on supply and demand, and provide regular updates;
2. create a balanced water budget;
3. identify critical and emerging issues.

Local land use plans should be required to be consistent with applicable regional water plans.

The public welfare statements of a regional water plan should be considered by the State Engineer when reviewing applications for transfer of water rights.

**Land Use and Water**

Land use and development must be tied to water availability. To encourage this

1. Compliance with water availability determinations by the Office of the State Engineer (OSE) under the Subdivision Act should be mandatory.
2. Review of subdivision applications pursuant to the Subdivision Act should be expanded to encompass all divisions of land.
3. Long-term cumulative impacts as well as short-term water requirements of development should be taken into consideration by the local permitting authority.
4. The applicant must be required to acquire water rights before development can proceed.
5. The impact of any transfer of water rights on the area of origin must be assessed.
6. The permitting authority should evaluate the impact of proposed developments on "public welfare" as defined by the applicable regional water plan and be able to demonstrate that the proposed development is consistent with the plan.
7. New residential and commercial developments should be water-efficient.
8. Growth should not be permitted where water is not available.

Local zoning and subdivision statutes should be updated. State and local governments should collaborate in addressing the problem of antiquated subdivisions in order to facilitate planning and to make the water budget process meaningful.

**Role of Government**

State government and the legal process must work to reconcile the many claims on New Mexico water in a manner that is open and as fair as possible. Among other considerations

1. Communal as well as private interests must be respected in applying water law;
2. Maintenance of in-stream flow and general ecological health must be recognized as a "beneficial use" of water.

The Office of the State Engineer should be adequately funded to execute its functions. In addition

1. The OSE must be given more authority to regulate domestic well permits. Improved regulation and monitoring of domestic wells and septic systems is essential to protect groundwater supplies and should be adequately funded.
2. The effort to gather data must be coordinated and adequately funded by the state, which should establish consistent protocols, accounting methods, and terminology.
3. The state should also help implement the regional water plans and provide coordination among planning activities at the different levels of government and across river basins.

Government should support research on water-related issues including

1. methods to manage and store water that lose less to evaporation,
2. best agricultural practices that optimize the use of water for both farmers and downstream users, while sustaining the natural flow;
3. urban systems that maximize water re-use;
4. health of the state's rivers and watersheds.

Governments at every level must educate citizens by developing and disseminating data about water resources. Local governments must promulgate and enforce regulations promoting conservation, including positive incentives and rate structures.