



HB 131 Water Data Act Implementation

[Read the bill language at nmlegis.gov here.](https://www.nmlegis.gov/bills/131)

Summary: Sponsored by Reps. Andrea Romero and Tara Lujan, HB 131 aims to fully fund the four state agencies — Office of the State Engineer (OSE), Interstate Stream Commission (ISD), Environment Dept. (NMED), and Energy, Minerals & Natural Resources (ENMRD)— required by State Law (the Water Data Act) to identify key water data, information and tools needed to support State-wide water management and planning. As called out in the Water Data Act, the agencies are coordinated in this effort by NM Tech’s Bureau of Geology and Mineral Resources (NMBGMR). Water Data means measurements of basic properties of water resources, including streamflow, precipitation, ground water, water quality and water use in agriculture, industry and municipal uses and natural systems.

The bill would resurrect the intention of the 2019 Water Data Act to develop an integrated water data and information platform among the four agencies, providing stable funding and staffing over five years, FY23-27, so that the State Water Management and Planning can be done with 21st century water databases, to avert a slide to disaster.

History

The Water Data Act was passed unanimously in 2019 by the House (62-0) but that version failed in the Senate (included among the nay votes were 4 Senate DINO’s that were defeated the next year in 2020 Primaries; the 3 other DINO’s remain). After much gutting, including a \$500K authorization, the Senate amended version was apparently agreed upon by the House -- it passed the Senate 37-0. But the amount authorized later to implement it was pitiful, amounting to only \$110K. It was essentially an unfunded mandate, by the actions of the Senate.

Still, the agency identified to coordinate the effort, the New Mexico Bureau of Geology and Mineral Resources (NMBGMR), persevered to set up the data and information platform to carry out the purposes of the Water Data Act. The following is based on a [1/14/22 article in SearchlightNM.org](#).

The impetus of the 2019 Water Data Act was due in large part to the efforts of the NMBGMR over the previous five years, starting with a crisis situation in Magdalena, where the town’s well had run dry. Magdalena’s well crisis was a wake-up call for Stacy Timmons, associate director of hydrogeology programs at the New Mexico Bureau of Geology. Timmons is based at New Mexico Tech in Socorro, the “big city” closest to Magdalena, and when the town started having water trouble it called her in to help. Timmons soon realized that the problem wasn’t isolated to Magdalena: All over the state there were huge gaps in water data. There was no centralized database with records or measurements. The state does little to track how much water flows in and out of its rivers and aquifers. There wasn’t a state agency charged with tracking how many wells go dry each year, or a single office that could provide a firm answer on how much water is used throughout the state.

It all adds up to a severe lack of water information, which means that no one in the state of New Mexico knows how much water the state has or how much time remains before it disappears. Many water

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experts say that assembling this information is the critical first step in planning for a future with even less water.

Why HB 131 is Important for New Mexico

Passing this bill intact would finally enable the four agencies mentioned — five including NMBG’s office of Hydrogeology — to upgrade obsolete IT and implement data tools to begin to gather the suite of water data statewide (there are water bureaus in different regions of the State) that is necessary for robust community, regional, and state water planning and management. It would allow the agencies to nail down “exactly how much (water) we have and make sure we can be fair and equitable about everybody getting some.”

HB 131 would:

1. Fund the four agencies plus NMBG at \$18.3M over five years (FY23-27), which is an average of about \$3.7M per year, for IT upgrades, staffing, data tools, and implementation.
2. Allow the ISC to organize and document multiple datasets in different bureaus across the state for improved data sharing, including application programming interface development; digitize data, including historical records; and improve network monitoring and data collection efforts.

Additional talking points:

“Data is what fundamentally underlies and supports that type of decision making,” says Stacy Timmons, associate director of hydrogeology programs at the New Mexico Bureau of Geology. “In times when a community runs out of water we can’t spend a month and a half trying to find data about it.”

Even with this data, climate change means that over the next few decades New Mexican society will need to make tough choices about who gets water and who goes without. By ignoring knowledge gaps now, there might be no future choices. Instead, climate and geology will decide who wins and who loses the water lottery.