

**STATE OF NEW MEXICO
INTERSTATE STREAM COMMISSION**

**IN THE MATTER OF
PROPOSED NEW RULE 19.25.16
NMAC – Regional Water Security Planning**

No. NMISC 25-01 (R)

**New Mexico Interstate Stream
Commission, Water Planning
Program,**

Movant.

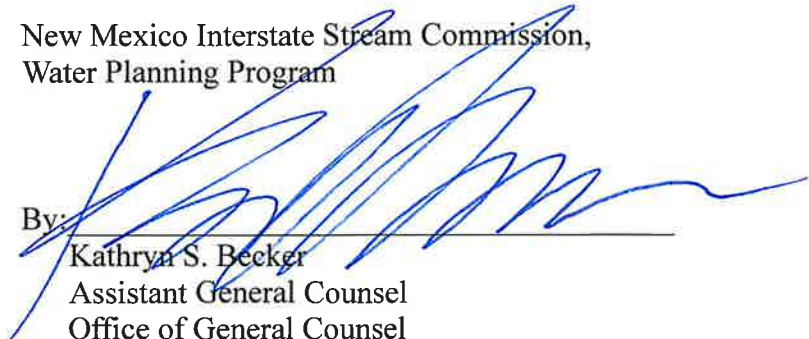
**SUPPLEMENTAL NOTICE OF FILING THE CONCISE EXPLANATORY
STATEMENT AT THE TIME OF FILING THE NEW RULE WITH THE NEW MEXICO
STATE RECORDS CENTER AND ARCHIVES**

The Water Planning Program (“Program”) of the New Mexico Interstate Commission hereby submits the attached Cover letter, Transmittal Form and Concise Explanatory Statement that accompanied the filing of the New Rule, 19.25.16 NMAC with the State Records Center and Archives on February 18th, 2026, and which was published in the New Mexico Register on March 10th, 2026, and will become effective on April 9th, 2026.

DATED this 16th day of March 2026.

Respectfully submitted,

New Mexico Interstate Stream Commission,
Water Planning Program

By: 

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NEW MEXICO INTERSTATE STREAM COMMISSION

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Via electronic mail to: Pamela Lujan
Pamela.lujan@srca.nm.gov

February 18, 2026

To the attention of the State Records Administrator,

Pursuant to 1.24.10.10 NMAC the New Mexico Interstate Stream Commission informs the State Records Administrator of the title, name and signature of the designee for the agency for purposes of submitting the concise explanatory statement to be filed in the New Mexico Register noting the date and hour of filing of a new rule, 19.25.16 NMAC, in the upcoming edition.

The New Mexico Interstate Stream Commission recently voted to adopt the new rule, 19.25.16 NMAC. The New Mexico Interstate Stream Commission is the issuing authority. I am the Chair of the New Mexico Interstate Stream Commission. My name is Mark Sanchez. My signature is below.

Sincerely,

DocuSigned by:
A handwritten signature in black ink, appearing to read "Mark Sanchez".

1ABF4A290197405...

Mark Sanchez, Chair

New Mexico Interstate Stream Commission

NMAC

Transmittal Form



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Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address:

Agency DFA code:

Contact person's name:

Phone number:

E-mail address:

Type of rule action:

(ALD Use) Recent filing date:

New ☒ Amendment ☐ Repeal ☐ Emergency ☐ Renumber ☐

Title number:

Title name:

Chapter number:

Chapter name:

Part number:

Part name:

Amendment description (If filing an amendment):

Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference?

Please list attachments or Internet sites if applicable.

Yes ☒ No ☐

If materials are attached, has copyright permission been received?

Yes

No

Public domain

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Specific statutory or other authority authorizing rulemaking:

Notice date(s):

Hearing date(s):

Rule adoption date:

Rule effective date:

Concise Explanatory Statement For Rulemaking Adoption:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

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19.25.16 NMAC (Part 16) adopts a new regional water security planning framework that provides for the formation of regional councils to develop regional water security plans. Part 16 establishes nine regional water security planning regions and allows for sub-regions based on criteria to be approved by the Commission. The rule will apply statewide and requires New Mexico Interstate Stream Commission (NMISC) staff to assist with invitations to governmental entities and to assist with facilitating other forms of membership and participation. The rule structures coordinated communication and involvement between the regional councils and the Water Security Tribal Advisory Council, regional stakeholders, the public, acequias and rural New Mexicans, Nations, Pueblos, and Tribes, and state agencies. Part 16 describes the necessary considerations and criteria to be reviewed and relied upon in accordance with the best available science, data, and models to advance regional water security. Part 16 will allow for councils to create plans and submit them for approval by the Commission after review and assistance from NMISC staff. Ultimately, approved plans will have a sponsor identified and be ready to showcase for funding and implementation. Part 16 is protective of existing water rights, recognizes the bedrock principle of prior appropriation and is in conformance with statewide objectives and water law.

Part 16 was adopted by a 9-0 vote of a quorum of the Commission after a properly noticed public hearing conducted in accordance with the procedural rules in 1.24.25 NMAC and NMSA1978, Section 14-4-1. Notice of the Proposed Rule was published in the Register on August 26, 2025. The public hearing was held from October 15 to 17, 2025. The hearing was conducted by a hearing officer and transcribed by a court reporter. The Rule was adopted on February 3, 2026, after two days of deliberations by the Commission. The effective date of the rule is April 9, 2026. Changes were made to the published Proposed Rule in response to some of the 73 written comments submitted and 35 verbal comments made by members of the public, state, local, and tribal officials, and representatives of political subdivisions of the state. The Commission did not accept wholesale alternative language made through public comment because the weight of the witness testimony by NMISC staff favored adoption of the rule that was subject to robust public engagement and would have resulted in a rewrite of Part 16. Rather, the Commission did amend the Proposed Rule to provide for more considerations for councils during the planning process, with resources provided by NMISC staff, they did accept edits to affirm water rights, to make sure water utilities, flood authorities, and water commissions and artesian conservancy districts were included as representative members in the composition of regional water security planning councils. Further, the Commission deliberated and made amendments to the Proposed Rule to provide for public welfare values for the region and the needs of future generations of New Mexicans to be discussed and developed and to provide for a process to address the Commission if there are issues and concerns relating to the public welfare of the water planning region. Finally, the Commission amended the Proposed Rule to allow for appeals by proposed sub-regions to form if a council does not advance that request.

The Commission will next adopt guidelines that address the development of projects, plans, and policies, and identify the breadth and scope of NMISC staff to aid regional councils with the planning work. In summary, the Commission found that Part 16 is both technically practicable, legally supportable, and socially responsible as outlined in the framework to form, convene, and educate members in understanding the hydrologic realities of each of the nine regions. Further, the Commission found that Part 16 is outcome driven and will result in regional plan that prioritize planning efforts in the region for funding and support.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Mark Sanchez

Check if authority has been delegated

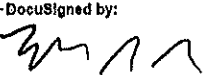
☐

Title:

NM Interstate Stream Commission, Chairman

Signature: (BLACK ink only OR Digital Signature)

Date signed:

DocuSigned by:

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2/17/2026