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SENATE BILL 443

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO WATER; PROVIDING FOR WATER DEVELOPMENT PLANNING BY PUBLIC UTILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 72-1-9 NMSA 1978 (being Laws 1985, Chapter 198, Section 1, as amended) is amended to read:

"72-1-9. MUNICIPAL, COUNTY, PUBLIC UTILITY, MEMBER-OWNED COMMUNITY WATER SYSTEMS AND STATE UNIVERSITY WATER DEVELOPMENT PLANS--PRESERVATION OF MUNICIPAL, COUNTY, PUBLIC UTILITY AND STATE UNIVERSITY WATER SUPPLIES. --

A. It is recognized by the state [~~of New Mexico~~] that it promotes the public welfare and the conservation of water within the state for municipalities, counties, state universities, member-owned community water systems, municipal water users' associations and public utilities supplying water

underscored material = new
[bracketed material] = delete

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1 ~~[to municipalities or counties]~~ to plan for the reasonable
2 development and use of water resources. The state further
3 recognizes the state engineer's administrative policy of not
4 allowing municipalities, member-owned community water systems,
5 counties and state universities to acquire and hold unused
6 water rights in an amount greater than their reasonable needs
7 within forty years.

8 B. Municipalities, counties, state universities,
9 member-owned community water systems, municipal water users'
10 associations and public utilities supplying water ~~[to~~
11 ~~municipalities or counties]~~ shall be allowed a water use
12 planning period not to exceed forty years, and water rights
13 for municipalities, counties, state universities,
14 member-owned community water systems, municipal water users'
15 associations and public utilities supplying water ~~[to such~~
16 ~~municipalities or counties]~~ shall be based upon a water
17 development plan the implementation of which shall not exceed
18 a forty-year period from the date of the application for an
19 appropriation or a change of place or purpose of use pursuant
20 to a water development plan or for preservation of a
21 municipal, county, public utility, member-owned community
22 water system or state university water supply for reasonably
23 projected additional needs within forty years. "

24 Section 2. EFFECTIVE DATE. -- The effective date of the
25 provisions of this act is July 1, 2001.

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