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A MEMORIAL

REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AND  
STRENGTHENING REQUIREMENTS FOR CAPPING ABANDONED WATER WELLS  
ON PRIVATE AND PUBLIC PROPERTY.

WHEREAS, many uncapped, abandoned water wells are  
located throughout the state; and

WHEREAS, abandoned water wells on private and public  
property create a potential safety risk; and

WHEREAS, currently, there are insufficient laws  
requiring landowners to cap abandoned water wells on private  
or public property; and

WHEREAS, many abandoned water wells in the state were  
constructed before water basins were declared and rules were  
implemented to require filing of water well records with the  
office of the state engineer; and

WHEREAS, in 2012, the life of Samuel Jones, a vibrant  
and beloved four-year-old from Carlsbad, was tragically cut  
short when he fell into an open, abandoned water well; and

WHEREAS, identification of abandoned water well sites on  
private and public property and requirements for capping  
those wells are crucial to prevent such tragedies in the  
future; and

WHEREAS, the state could most suitably honor the memory  
of Samuel Jones by taking the actions necessary to establish

1 and improve safety requirements with regard to abandoned  
2 water wells;

3 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
4 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the  
5 legislative interim committee that studies issues pertaining  
6 to water and natural resources be requested to conduct a  
7 study of the feasibility of establishing and strengthening  
8 requirements for capping abandoned water wells on private and  
9 public property; and

10 BE IT FURTHER RESOLVED that as part of its study, the  
11 legislative interim committee obtain information and  
12 testimony from the New Mexico municipal league, the New  
13 Mexico association of counties and the office of the state  
14 engineer; and

15 BE IT FURTHER RESOLVED that the legislative interim  
16 committee provide recommendations regarding its findings from  
17 the study by December 1, 2023; and

18 BE IT FURTHER RESOLVED that copies of this memorial be  
19 transmitted to the co-chairs of the New Mexico legislative  
20 council, the New Mexico municipal league, the New Mexico  
21 association of counties and the office of the state engineer. =

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