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_____ BILL

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO WATER RIGHTS NOTIFICATIONS; REQUIRING THE OFFICE OF THE STATE ENGINEER TO POST NOTICES ONLINE.

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

SECTION 1. A new section of Chapter 72, Article 2 NMSA 1978 is enacted to read:

"[NEW MATERIAL] NOTICE FOR APPLICATION--ONLINE PUBLICATION.--

A. Within five days of issuing a notice to an applicant for publication pursuant to Section 72-5-4, 72-5A-5, 72-6-6, 72-12-3 or 72-12B-1 NMSA 1978, the state engineer shall post the notice on the website of the office of the state engineer. The posting shall remain on the website of the office of the state engineer for six months.

B. Posting of a notice on the office of the state

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1 engineer's website shall be for public service purposes only.
2 The posting shall neither replace a required public notice nor
3 constitute an additional requirement of public notice pursuant
4 to Section 72-5-4, 72-5A-5, 72-6-6, 72-12-3 or 72-12B-1 NMSA
5 1978. The posting shall have no effect on the legal
6 sufficiency of any public notice provided by an applicant or on
7 deadlines established by operation of law pursuant to Chapter
8 72 NMSA 1978 for the filing of protests to an application."

9 SECTION 2. EFFECTIVE DATE.--The effective date of the
10 provisions of this act is July 1, 2019.