

AN ACT

RELATING TO WATER; PROVIDING FOR MUNICIPAL WATER USERS'  
ASSOCIATIONS' CONTRACTS WITH IRRIGATION DISTRICTS; DECLARING  
AN EMERGENCY.

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

Section 1. A new section of Chapter 73, Article 10  
NMSA 1978 is enacted to read:

"MUNICIPAL WATER USERS' ASSOCIATIONS--CONTRACTUAL  
AUTHORITY WITH IRRIGATION DISTRICTS.--

A. Municipalities, counties, state universities, member-owned community water systems and public utilities supplying water to municipalities or counties, which supply water to lands within the boundaries of irrigation districts organized pursuant to Chapter 73, Articles 10 and 11 NMSA 1978; and the interstate stream commission, with approval of the irrigation district, may establish municipal water users' associations within the boundaries of irrigation districts organized pursuant to Chapter 73, Articles 10 and 11 NMSA 1978.

B. Municipal water users' associations may lease the use of annual allotments of project water from owners of tracts of land within the irrigation district boundaries pursuant to the provisions of this section.

C. An irrigation district organized pursuant to Chapter 73, Articles 10 and 11 NMSA 1978 may contract with a municipal water users' association to:

(1) consolidate assessments to district

members participating in an association;

(2) assess an association for the total assessed acreage of district members participating in the association;

(3) coordinate the delivery of project water for all assessed acreage participating in the association; and

(4) place the association as the record owner on the irrigation district's tax statement for the duration of the participation by district members in an association.

D. An irrigation district organized pursuant to Chapter 73, Articles 10 and 11 NMSA 1978 may:

(1) make assessments and levies on land within a municipal water users' association;

(2) impose reasonable administrative fees on a municipal water users' association; and

(3) adopt rules to carry out the provisions of this section."

Section 2. Section 72-1-9 NMSA 1978 (being Laws 1985, Chapter 198, Section 1, as amended) is amended to read:

"72-1-9. MUNICIPAL, COUNTY, MEMBER-OWNED COMMUNITY WATER SYSTEMS AND STATE UNIVERSITY WATER DEVELOPMENT PLANS-- PRESERVATION OF MUNICIPAL, COUNTY 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 to municipalities or counties to plan for the reasonable development and use of water resources. The state further recognizes the state engineer's administrative policy of not allowing municipalities, member-owned community water systems, counties and state universities to acquire and hold, unused, water rights in an amount greater than their reasonable needs within forty years.

B. Municipalities, counties, state universities, member-owned community water systems, municipal water users' associations and public utilities supplying water to municipalities or counties shall be allowed a water use planning period not to exceed forty years, and water rights for municipalities, counties, state universities, member-owned community water systems, municipal water users' associations and public utilities supplying water to such municipalities or counties shall be based upon a water development plan the implementation of which shall not exceed a forty-year period from the date of the application for an appropriation or a change of place or purpose of use pursuant to a water development plan or for preservation of a municipal, county, member-owned community water system or state university water supply for reasonably projected additional needs within forty years."

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Section 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.\_\_\_\_\_

