

**FORTY-FIFTH LEGISLATURE
FIRST SESSION, 2001**

March 3, 2001

Mr. Speaker:

Your **AGRICULTURE AND WATER RESOURCES COMMITTEE**, to whom has been referred

HOUSE BILL 834

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 3, strike Subsection C in its entirety and insert in lieu thereof a new Subsection C to read:

"C. The state engineer shall approve an application for a well permit as a change in the point of diversion of an existing surface right, not to exceed the vested right, if:

(1) the right has a priority date prior to 1907;

(2) the natural flow of the stream and the underground water supply are hydrologically connected as demonstrated by the applicant; and

(3) a public hearing is held pursuant to Chapter 72, Article 2 NMSA 1978.",

and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

Joe M Stell, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

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The roll call vote was 6 For 0 Against

Yes: 6

Excused: Gubbels, Regensberg, Begaye

Absent: None

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