

FORTY-FIFTH LEGISLATURE  
FIRST SESSION, 2001

March 10, 2001

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred  
HOUSE BILL 834, as amended

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

1. Strike House Agriculture and Water Resources  
Committee Amendment 1.

2. 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 natural flow of the stream and the  
underground water supply are hydrologically connected as  
demonstrated by the applicant and the water at the new point  
of diversion is water from the same source of the applicant's  
surface diversion except for a change in the geomorphology of  
the streambed above the original point of diversion; and

(2) an application is submitted in a form  
approved by the state engineer and filed pursuant to Chapter  
72, Article 2 NMSA 1978."

Respectfully submitted,

\_\_\_\_\_  
W. Ken Martinez, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

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The roll call vote was 10 For 0 Against

Yes: 10

Excused: Ri os

Absent: None

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