

SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 271

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

AN ACT

RELATING TO WATER; CHANGING THE PURPOSE OF AND EXTENDING THE
EXPENDITURE PERIOD FOR CERTAIN APPROPRIATIONS FROM THE NEW
MEXICO IRRIGATION WORKS CONSTRUCTION FUND TO PURCHASE WATER
RIGHTS IN THE PECOS RIVER BASIN FOR COMPLIANCE WITH THE PECOS
RIVER COMPACT.

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

Section 1. PECOS RIVER WATER RIGHTS--CHANGE IN PURPOSE
AND EXTENSION OF EXPENDITURE PERIOD.--

A. The period of time for expending the balances
in the following appropriations from the New Mexico irrigation
works construction fund to the interstate stream commission
may be extended through fiscal year 2004 for the purpose of
retiring water rights along the Pecos river basin, including
pumping ground water, and taking other appropriate actions

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1 that would effectively aid New Mexico in compliance with the
2 United States supreme court amendeded decree in *Texas v. New*
3 *Mexico*, 96 L. Ed. 2nd 105 (1987):

4 (1) Laws 1998, Chapter 81, Section 2 for
5 retiring water rights along the Pecos river basin and taking
6 other appropriate actions that would effectively aid New
7 Mexico in compliance with the United States supreme court
8 amended decree in *Texas v. New Mexico*, 96 L. Ed. 2nd 105
9 (1987);

10 (2) Laws 1998, Chapter 81, Section 3 for the
11 purchase of water rights along the Pecos river basin;

12 (3) Laws 1999 (1st S.S.), Chapter 2, Section
13 84 for the purchase of water rights along the Pecos river;

14 (4) Laws 1998, Chapter 81, Section 4 for
15 preparing a long-term strategy for the state's compliance with
16 the Pecos River Compact and other matters; and

17 (5) Laws 2000 (2nd S.S.), Chapter 23, Section
18 95.

19 B. Any unexpended or unencumbered balance
20 remaining at the end of fiscal year 2004 shall revert to the
21 New Mexico irrigation works construction fund.

22 C. The interstate stream commission shall, before
23 any purchase of water rights is made using the money
24 appropriated, obtain professionally prepared market or
25 economic valuations or appraisals. The valuations or

1 appraisals along with other relevant considerations shall be
2 the basis for any purchase.

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