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SENATE BILL 693

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO SUBDIVISIONS; REQUIRING, FOR CERTAIN SUBDIVISIONS,  
THAT A SUBDIVIDER PROVIDE A COPY OF A PERMIT ISSUED BY THE  
STATE ENGINEER.

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

Section 1. Section 47-6-11.2 NMSA 1978 (being Laws 1995,  
Chapter 212, Section 13) is amended to read:

"47-6-11.2. WATER PERMIT REQUIRED FOR FINAL PLAT  
APPROVAL.--~~[A. Until July 1, 1997]~~ Before approving the final  
plat for a subdivision containing [~~twenty~~] five or more  
parcels, any one of which is two acres or less in size, the  
board of county commissioners shall require that the subdivider  
provide a copy of a permit obtained from the state engineer,  
issued pursuant to Section 72-5-1, 72-5-23 or 72-5-24 NMSA  
1978, or if the subdivision is located within a declared

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1 underground water basin, provide a copy of a permit obtained  
2 from the state engineer issued pursuant to those sections or to  
3 Section 72-12-3 or 72-12-7 NMSA 1978 for the subdivision water  
4 use. In acting on the permit application, the state engineer  
5 shall determine whether the amount of water permitted is  
6 sufficient in quantity to fulfill the maximum annual water  
7 requirements of the subdivision, including water for indoor and  
8 outdoor domestic uses. The board of county commissioners shall  
9 not approve the final plat unless the state engineer has so  
10 issued a permit for the subdivision water use.

11 ~~[B. On or after July 1, 1997, before approving the~~  
12 ~~final plat for a subdivision containing twenty or more parcels,~~  
13 ~~any one of which is two acres or less in size, the board of~~  
14 ~~county commissioners may require that the subdivider provide a~~  
15 ~~copy of a permit obtained from the state engineer, issued~~  
16 ~~pursuant to Section 72-5-1, 72-5-23 or 72-5-24 NMSA 1978, or if~~  
17 ~~the subdivision is located within a declared underground water~~  
18 ~~basin, provide a copy of a permit obtained from the state~~  
19 ~~engineer issued pursuant to those sections or to Section~~  
20 ~~72-12-3 or 72-12-7 NMSA 1978 for the subdivision water use. In~~  
21 ~~acting on the permit application, the state engineer shall~~  
22 ~~determine whether the amount of water permitted is sufficient~~  
23 ~~in quantity to fulfill the maximum annual water requirements of~~  
24 ~~the subdivision, including water for indoor and outdoor~~  
25 ~~domestic uses. The board of county commissioners may elect not~~

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1 ~~to approve the final plat if the state engineer has not issued~~  
2 ~~a permit for the subdivision water use.]"~~

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