

**FORTY-EIGHTH LEGISLATURE  
SECOND SESSION, 2008**

February 11, 2008

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**SENATE BILL 227**

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

1. On page 3, lines 2 through 7, strike "the purchase of water rights or rights to the delivery of water authorized by this section and the subsequent use of the land to which the rights are appurtenant comply with the provisions of Section 5D(1) and (2) of the settlement agreement dated March 25, 2003 entered in *State v. Lewis*" and insert in lieu thereof:

"land from which water rights or the rights to the delivery of water are severed shall be subject to deed restrictions to ensure that no new water development or use, including the drilling of domestic wells pursuant to Sections 72-12-1.1, 72-12-1.2 and 72-12-1.3 NMSA 1978, occurs on the land without transfer of valid, existing water rights and that notice of such deed restrictions shall be recorded in the real property records of the county in which the land is located and provided to the state engineer".

2. On page 3, line 18, after the first occurrence of "sale", insert ", in accordance with state law".

3. On page 4, line 2, after the period, insert:

"Land sold pursuant to this section shall be subject to deed restrictions to ensure that no new water development or use, including the drilling of domestic wells pursuant to Sections 72-12-1.1, 72-12-1.2 and 72-12-1.3 NMSA 1978, occurs on the land without transfer of valid, existing water rights and that notice of such deed restrictions shall be recorded in the real property records of the county in which the land is located and provided to the state engineer.".

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Respectfully submitted,

\_\_\_\_\_  
Al Park, Chairman

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

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

Date \_\_\_\_\_

The roll call vote was 9 For 0 Against  
Yes: 9  
No: 0  
Excused: Foley, Martinez, K., Rehm, Stewart  
Absent: None

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