

1 AN ACT

2 RELATING TO WATER; REQUIRING SUBDIVIDERS OF LAND TO POSSESS A
3 PERMIT FOR OR PROOF OF ACCESS TO A SUFFICIENT AMOUNT OF WATER
4 TO MEET THE NEEDS OF A PROPOSED SUBDIVISION BEFORE FINAL PLAT
5 APPROVAL.

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

8 SECTION 1. Section 47-6-11.2 NMSA 1978 (being Laws
9 1995, Chapter 212, Section 13) is amended to read:

10 "47-6-11.2. WATER PERMIT REQUIRED FOR FINAL PLAT
11 APPROVAL.--Before approving the final plat for a subdivision
12 containing ten or more parcels, any one of which is two acres
13 or less in size, the board of county commissioners shall
14 require that the subdivider provide proof of a service
15 commitment from a water provider and an opinion from the
16 state engineer that the subdivider can fulfill the
17 requirements of Paragraph (1) of Subsection F of Section
18 47-6-11 NMSA 1978 or provide a copy of a permit obtained from
19 the state engineer, issued pursuant to Section 72-5-1,
20 72-5-23, 72-5-24, 72-12-3 or 72-12-7 NMSA 1978 for the
21 subdivision water use. In acting on the permit application,
22 the state engineer shall determine whether the amount of water
23 permitted is sufficient in quantity to fulfill the maximum
24 annual water requirements of the subdivision, including water
25 for indoor and outdoor domestic uses. The board of county

1 commissioners shall not approve the final plat unless the
2 state engineer has so issued a permit for the subdivision
3 water use or the subdivider has provided proof of a service
4 commitment from a water provider and the state engineer has
5 provided an opinion that the subdivider can fulfill the
6 requirements of Paragraph (1) of Subsection F of Section
7 47-6-11 NMSA 1978. The board of county commissioners shall
8 not approve the final plat based on the use of water from any
9 permit issued pursuant to Section 72-12-1.1 NMSA 1978."

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