



## **SIGNIFICANT ISSUES**

Section 72-2-16 NMSA 1978 currently creates a statutory right for a person to have a hearing before the state engineer enters a decision, acts or refuses to act. The bill would no longer require those hearings be held in the county in which the water right at issue is adjudicated, licensed or permitted. Instead, the hearings would be held in Santa Fe or via video conference at the hearing examiner's discretion, unless the parties and state engineer stipulate another site for the hearing.

## **OTHER SUBSTANTIVE ISSUES**

The bill may result in fewer public forum discussions. Also, not everyone is comfortable with or has the same access to technology. The use of the term "stipulate" in the existing statute is also unclear as to how parties come to agreement on another venue or which party makes the decision.

AHO/rl