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HOUSE BILL 301

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

WILLIAM E. PORTER

AN ACT

RELATING TO WATER; AMENDING SECTION 72-1-9 NMSA 1978 (BEING LAWS 1985, CHAPTER 198, SECTION 1, AS AMENDED BY LAWS 1990, CHAPTER 11, SECTION 1 AND ALSO BY LAWS 1990, CHAPTER 40, SECTION 1) TO PROVIDE FOR A FORTY-YEAR WATER USE PLANNING PERIOD.

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

Section 1. Section 72-1-9 NMSA 1978 (being Laws 1985, Chapter 198, Section 1, as amended by Laws 1990, Chapter 11, Section 1 and also by Laws 1990, Chapter 40, Section 1) is amended to read:

"72-1-9. MUNICIPAL, COUNTY, NONPROFIT COMMUNITY WATER SYSTEMS AND STATE UNIVERSITY WATER DEVELOPMENT PLANS--PRESERVATION OF MUNICIPAL, COUNTY AND STATE UNIVERSITY WATER SUPPLIES. --

A. It is recognized by the state of New Mexico that

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1 it promotes the public welfare and the conservation of water
2 within the state for municipalities, counties, nonprofit
3 community water systems, state universities and public utilities
4 supplying water to municipalities or counties to plan for the
5 reasonable development and use of water resources. The state
6 further recognizes the state engineer's administrative policy of
7 not allowing municipalities, counties, nonprofit community water
8 systems and state universities to acquire and hold, unused,
9 water rights in an amount greater than their reasonable needs
10 within forty years [~~and recognizes that this administrative~~
11 ~~policy was incorporated into law by Chapter 2 of Laws 1983~~].

12 B. Municipalities, counties, nonprofit community
13 water systems, state universities and public utilities supplying
14 water to municipalities or counties shall be allowed a water use
15 planning period not to exceed forty years, and water rights for
16 municipalities, counties, nonprofit community water systems,
17 state universities and public utilities supplying water to such
18 municipalities or counties shall be based upon a water
19 development plan the implementation of which shall not exceed a
20 forty-year period from the date of the application for an
21 appropriation or a change of place or purpose of use pursuant to
22 a water development plan or for preservation of a municipal,
23 county, nonprofit community water system or state university
24 water supply for reasonably projected additional needs within
25 forty years.

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C. As used in this section, "nonprofit community water system" means a nonprofit water system serving twenty or more users or a nonprofit water system comprised of thirty or more members. "

**State of New Mexico
House of Representatives**

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

February 25, 1997

Mr. Speaker:

**Your AGRICULTURE AND WATER RESOURCES COMMITTEE,
to whom has been referred**

HOUSE BILL 301

**has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
APPROPRIATIONS AND FINANCE COMMITTEE.**

Respectfully submitted,

G. X. McSherry, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HAGC/HB 301

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Abeyta, Townsend

Absent: None

M \H0301

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State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 1, 1997

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred

HOUSE BILL 301

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Max Coll, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 12 For 0 Against

Yes: 12

Excused: Garcia, M H. , Knowles, Marquardt, Picraux, Varela

Absent: None

M \H0301

Underscored material = new
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