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HOUSE BILL 576

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Stephanie Garcia Richard

AN ACT

RELATING TO WATER; REQUIRING RETURN FLOWS DURING THE IRRIGATION SEASON FOR THE USE OF DOWNSTREAM USERS WHEN THE NATURAL SURFACE FLOWS OF A STREAM ARE DIVERTED IN THEIR ENTIRETY BY UPSTREAM USERS.

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

SECTION 1. A new section of Chapter 72, Article 5 NMSA 1978 is enacted to read:

"[NEW MATERIAL] RETURN FLOWS DURING IRRIGATION SEASON.--

A. When the flow of natural surface waters is fully diverted from a stream for a beneficial use and can be recycled by the appropriator, the appropriator shall be required to return flow to the stream as treated effluent and recycled water during the growing seasons in May, June, July, August and September to avoid disruption of use by acequias and livestock

.191162.1

underscoring material = new
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1 and the flow of domestic springs and sumps and to avoid harm to
2 the natural riparian habitat and native wildlife.

3 B. The state engineer shall include conditions on
4 return flow permits to ensure compliance with provisions of
5 Subsection A of this section as provided by rule."

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