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FISCAL IMPACT REPORT

SPONSOR: SFL DATE TYPED: 03/08/01 HB _____
 SHORT TITLE: Change of Location or use of Domestic Wells SB 245/SFLS
 ANALYST: Dotson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	None				None

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in The General Appropriation Act _____

SOURCES OF INFORMATION

Office of the State Engineer and the New Mexico Environment Department.

SUMMARY

Synopsis of Bill

SB 245/SFLS provides for the change in location or use of a water right from a domestic well to a domestic water consumer association. The owner of a well permit may transfer 7/10 of an acre-foot to the mutual domestic water consumer association per year if conditions allowing the transfer are met and the members well is plugged.

Significant Issues

The conditions of a transfer are as follows:

- (1) the water association shall be organized pursuant to the Sanitary Projects Act;
- (2) the transferred permit's point of diversion is the well of the water association;
- (3) the permit is within the service area of the water association;
- (4) the amount of water diverted shall not exceed seven-tenths acre-feet per year;
- (5) upon being issued a permit pursuant to this subsection a member of the mutual domestic water consumer association cannot obtain any other permit pursuant to Section 72-12-1 NMSA 1978 for the same household; and
- (6) the uses of water permitted under the permit shall be the same as the uses permitted for any well issued pursuant to Section 72-12-1 NMSA 1978.

FISCAL IMPLICATIONS

SB 245 contains no appropriations and the no increase in appropriations is anticipated. The Office of the State Engineer's Water Rights Division estimates that last year they processed fewer than 10 changes in well locations or changes to the use or location of the use of water to mutual domestic water consumers' associations.

PD/njw