



## **Senate Bill 561/SJCS -- Page 2**

proceedings which was a concern of SEO in their critique of the original bill. Beneficial use will still be the basis, the measure, and the limit of a water right.

NMAA and SWCD should support the aims of the bill because it serves to protect the intent of the original bill which was to provide for involvement by district officials to assist individual landowners in dealing with water rights issues with SEO. In addition, the process of informal negotiations and mediation may speed water rights adjudications by resolving issues outside the judicial process.

### **FISCAL IMPACTS**

While there are no direct fiscal impacts in this bill, there may be added costs to SEO in providing technical materials to subfile claimants and irrigation or conservancy districts and acequias. Costs will be incurred in the mediation effort; however, these may be less than would have occurred in formal judicial proceedings should the informal or mediation efforts be successful.

### **DUPLICATION**

This bill is same as HB 645 as substituted by the House Judiciary Committee.

### **TECHNICAL ISSUES**

The bill does not specify where the new statute will be located in NMSA 1978.

### **POSSIBLE QUESTIONS**

1. SEO, AG, NMAA, and SWCD representatives should be asked if this substitute bill addresses their concerns with and the intent of the original bill.

GAC/ar