



Online Notice of Water Applications

Presentation to the Water and Natural Resources Legislative Interim Committee
November 30, 2018

Synopsis

This legislation promotes **transparency** relating to water right applications before the State Engineer. The bill amends existing statute, which currently requires newspaper publication, by requiring that the same notices be posted online on the State Engineer's website.

Rationale for Policy Change

The purpose of the bill is to ensure that the public has **improved access to notice** about applications for water appropriations or water transfers. Current law requires that an applicant publish notice in the newspaper in each county affected for three consecutive weeks. The deadline for filing objections to the application is ten days after the last publication. This bill does not change the newspaper publication notice requirement.

This bill addresses the need to improve notice by making the same notice that is published in newspapers also available on the State Engineer website. It is important that the online notice provide a deadline so that anyone wishing to object to the application has the proper information to file a timely objection. Additionally, the bill requires that the application and supporting documentation be posted as part of the notice.

Although the State Engineer does have a website, the notice about applications is not a thorough source of information for purposes of filing timely objections because there is no information about deadlines. This bill not only improves notice with online notices but also provides a deadline for the public for those who may want to file timely objections to the application.

Recommendation

The New Mexico Acequia Association requests that the Water and Natural Resources Legislative Interim Committee endorse the attached draft legislation to require that notice of water applications be posted online on the website of the State Engineer.