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## FISCAL IMPACT REPORT



SPONSOR: Jennings DATE TYPED: 01/26/02 HB \_\_\_\_\_

SHORT TITLE: Study Recharge to Pecos River SB 291

ANALYST: Chabot

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	\$150.0			Non-Recurring	General Fund

Duplicates HB 140

### SOURCES OF INFORMATION

LFC Files  
 Energy, Minerals and Natural Resources Department (EMNRD)  
 Municipal League  
 Office of the State Engineer (OSE)

### SUMMARY

#### Synopsis of Bill

This bill appropriates \$150.0 from the general fund to interstate stream commission (ISC) for the purpose of conducting a study and an analysis of watershed conditions affecting the recharge to the Roswell/Artesia ground water basin and the effect on the Pecos river flow. The appropriation is to be matched by the Pecos valley artesian conservancy district (PVACD).

#### Significant Issues

The state is obligated to meet compact water delivery requirements to Texas and is under a United States Supreme Court decree since 1988 to do so. The state has been able to meet these requirements; however, it has been barely able to do. The River Master will issue an accounting by May 2002 for calendar year 2001. The state expects that they will meet the requirement but will have used all reserves in doing so. OSE states that water depletions in the Pecos river basin must be reduced or water flow increased in order to meet the compact requirements.

The study funded by this appropriation would quantify the recharge to the underground basin from which groundwater is pumped by PVACD. This information could be used to determine if the water system is in balance in the Roswell/Artesia area. If the basin's water supply could be increased from watershed improvement, that supply could eventually be used to offset any reductions in beneficial uses that are required to ensure compact compliance. As an additional benefit, EMNRD states they think the study will provide information to assist in their management of Bottomless Lakes State Park and the Cottonwood/Walnut administrative area.

**FISCAL IMPLICATIONS**

The appropriation of \$150.0 contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2003 shall revert to the general fund.

**DUPLICATION**

This bill duplicates HB 140

**TECHNICAL ISSUES**

The bill contains no requirement for the ISC to report the findings of the study to the legislature.

**GAC/njw**