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AN ACT
RELATING TO WATER; AMENDING THE GROUND WATER STORAGE AND
RECOVERY ACT TO PROVIDE ELIGIBILITY FOR THE INTERSTATE
STREAM COMMISSION TO STORE AND RETRIEVE WATER PURSUANT TO
THAT ACT.

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

Section 1. Section 72-5A-3 NMSA 1978 (being Laws 1999,
Chapter 285, Section 3) is amended to read:

"72-5A-3. DEFINITIONS. --As used in the Ground Water
Storage and Recovery Act:

A. "aquifer" means a geologic formation that
contains sufficient saturated material to be capable of
storing and transmitting water in usable quantities to a
well;

B. "area of hydrologic effect" means the
underground area where the water is stored and located,
hydrologically connected surface waters, adjacent
underground areas in which water rights exist that may be
impaired, the land surface above the underground areas and
any additional land surface used for seepage or
infiltration;

C. "governmental entity" means the interstate
stream commission, an Indian nation, tribe or pueblo or
state political subdivision, including a municipality,

1 county, acequia, irrigation district or conservancy
2 district;

3 D. "project" means a permitted, engineered
4 facility designed specifically, constructed and operated
5 pursuant to the Ground Water Storage and Recovery Act, to
6 add measured volumes of water by injection or infiltration
7 to an aquifer or system of aquifers, to store the water
8 underground and to recover it for beneficial use pursuant to
9 the Ground Water Storage and Recovery Act but shall not
10 include in situ leach mining operations or water flood
11 operations for petroleum recovery that require approval by
12 the state engineer outside the Ground Water Storage and
13 Recovery Act; and

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14 E. "stored water" means water that has been
15 stored underground for the purpose of recovery and permitted
16 pursuant to the Ground Water Storage and Recovery Act. "=====

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