

**FORTY-SIXTH LEGISLATURE
SECOND SESSION**

February 18, 2004

Madam President:

Your **CONFERENCE COMMITTEE**, to whom has been referred

**SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 89, as amended**

has had it under consideration and reports same with the following recommendations:

1. The following items of Senate Floor Amendment 1 be APPROVED:

Nos. 1 through 6, 16 and 17.

2. The following items of Senate Floor Amendment 1 be DISAPPROVED:

Nos. 7 through 15.

3. The following House Floor Amendment 1 items be APPROVED:

Nos. 1 and 3.

4. The following item of House Floor Amendment 1 be DISAPPROVED:

No. 2.

and that the bill be amended further as follows:

5. On page 6, strike lines 17 through 19 in their entirety and insert in lieu thereof the following new subsections:

"C. The state engineer may condition domestic well permits in critical management areas if wells permitted pursuant to this section will impair existing domestic well rights, senior water rights or interstate compact delivery requirements.

D. The state engineer shall approve a domestic well for use of water in an amount equal to the amount of:

(1) water rights transferred to that well pursuant to Subsection F of this section; or

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(2) water under an existing domestic well permit issued pursuant to Section 72-12-1.1 NMSA 1978 in the critical management area and for which the applicant has certified to the state engineer that the existing use has been discontinued and the existing well has been capped.

E."

Respectfully submitted,

Carlos R. Cisneros

Roman M. Maes, III

Clinton D. Harden, Jr.

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____