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SENATE BILL 61

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Cynthia Nava

FOR THE WATER AND NATURAL RESOURCES COMMITTEE AND
THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO WATER; AMENDING A SECTION OF THE NMSA 1978 TO
EXTEND ELIGIBILITY FOR THE FORTY-YEAR WATER USE PLANNING PERIOD
TO SCHOOL DISTRICTS.

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

Section 1. Section 72-1-9 NMSA 1978 (being Laws 1985,
Chapter 198, Section 1, as amended) is amended to read:

"72-1-9. MUNICIPAL, COUNTY, MEMBER-OWNED COMMUNITY WATER
SYSTEMS, SCHOOL DISTRICT AND STATE UNIVERSITY WATER DEVELOPMENT
PLANS--PRESERVATION OF MUNICIPAL, COUNTY AND STATE UNIVERSITY
WATER SUPPLIES.--

A. It is recognized by the state that it promotes
the public welfare and the conservation of water within the
state for municipalities, counties, school districts, state
universities, member-owned community water systems, special

.159153.2

underscored material = new
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1 water users' associations and public utilities supplying water
2 to municipalities, schools or counties to plan for the
3 reasonable development and use of water resources. The state
4 further recognizes the state engineer's administrative policy
5 of not allowing municipalities, member-owned community water
6 systems, counties and state universities to acquire and hold
7 unused water rights in an amount greater than their reasonable
8 needs within forty years.

9 B. Municipalities, counties, school districts,
10 state universities, member-owned community water systems,
11 special water users' associations and public utilities
12 supplying water to municipalities, schools or counties shall be
13 allowed a water use planning period not to exceed forty years,
14 and water rights for municipalities, counties, school
15 districts, state universities, member-owned community water
16 systems, special water users' associations and public utilities
17 supplying water to such municipalities, schools or counties
18 shall be based upon a water development plan the implementation
19 of which shall not exceed a forty-year period from the date of
20 the application for an appropriation or a change of place or
21 purpose of use pursuant to a water development plan or for
22 preservation of a municipal, county, school district, member-
23 owned community water system or state university water supply
24 for reasonably projected additional needs within forty years."