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FISCAL IMPACT REPORT

ORIGINAL DATE 1-17-2008

SPONSOR Papen LAST UPDATED _____ HB _____

SHORT TITLE Improve Water Rights Adjudications SB SJM 8

ANALYST Woods

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Office of the State Engineer (OSE)

SUMMARY

Synopsis of Bill

During the 2007 interim session, staff from the Administrative Office of the Courts worked with staff from the Office of the State Engineer to address issues associated with the water adjudication process in New Mexico. This legislation recites the importance of continuing this collaborative work.

SIGNIFICANT ISSUES

AOC notes that determining water rights through stream adjudications is important for the purposes of promoting an efficient water rights market, complying with the federal Endangered Species Act and ensuring the State Engineer's ability to administer water rights within New Mexico. Further, that this legislation acknowledges the high cost and complexity of stream adjudications. To address these issues, the Memorial requests that the AOC and the OSE continue to work collaboratively in an effort to improve and expedite the stream adjudication process.

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OSE indicates that the joint work conducted by the AOC and the OSE will require the OSE to utilize funds out of the agency's FY08 and FY09 operating budgets for contractors to assist with the work, as well as for travel and other costs that may be required. Further, that during the 2007 interim, the AOC and the OSE reported to the Interim Water and Natural Resources Committee on their joint efforts to study ways to improve the process for adjudicating water rights in New Mexico and this joint memorial would express legislative support for continuing agency efforts.

ADMINISTRATIVE IMPLICATIONS

The legislation resolves that the AOC and OSE report their progress to the appropriate committee of the legislature by December 1, 2008.

BFW/nt