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SENATE BILL 113

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Steven P. Neville

AN ACT

RELATING TO WATER; AUTHORIZING IRRIGATION DISTRICTS CREATED AND OPERATING PURSUANT TO CHAPTER 73, ARTICLE 9 NMSA 1978 TO ESTABLISH WATER BANKS FOR THE TEMPORARY REALLOCATION OF WATER.

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

Section 1. A new section of Chapter 73, Article 9 NMSA 1978 is enacted to read:

"[NEW MATERIAL] WATER BANKS--TEMPORARY REALLOCATION OF WATER.--An irrigation district created and operating pursuant to the provisions of Chapter 73, Article 9 NMSA 1978 may establish a water bank for the purpose of temporarily reallocating water without change of purpose of use or point of diversion to augment the water supplies available for the places of use served by the district. The district's water bank may make temporary transfers of place of use without

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1 formal proceedings before the state engineer, and water rights  
2 placed in the district's water bank shall not be subject to  
3 loss for nonuse during the period the rights are placed in the  
4 water bank. A water bank established pursuant to this section  
5 is not subject to recognition or approval by the interstate  
6 stream commission or the state engineer."

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