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HOUSE BILL 279

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Joni Marie Gutierrez

AN ACT

RELATING TO WATER; AMENDING A SECTION OF CHAPTER 72 NMSA 1978  
TO PROVIDE FOR A SINGLE DUTY OF WATER FOR ALL IRRIGATED CROPS  
IN A STREAM SYSTEM.

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

**SECTION 1.** Section 72-4-19 NMSA 1978 (being Laws 1907,  
Chapter 49, Section 23, as amended) is amended to read:

"72-4-19. ADJUDICATION OF WATER RIGHTS--DECREE.-- [~~Sec-~~  
~~24.~~]

A. Upon the adjudication of the rights to the use  
of the waters of a stream system, a certified copy of the  
decree shall be prepared and filed in the office of the state  
engineer by the clerk of the court at the cost of the parties.  
Such decree shall in every case declare, as to the water right  
adjudged to each party, the priority, amount, purpose, periods

underscored material = new  
~~[bracketed material] = delete~~

underscored material = new  
~~[bracketed material] = delete~~

1 and place of use, and as to water used for irrigation, except  
2 as otherwise provided in this article, the specific tracts of  
3 land to which it shall be appurtenant, together with such other  
4 conditions as may be necessary to define the right and its  
5 priority.

6 B. The decree shall specify a single duty of water  
7 for all irrigated crops within an established irrigation or  
8 conservancy district. In areas outside of and adjacent to  
9 established irrigation or conservancy districts, the duty shall  
10 conform to the duty within the district, and in other areas  
11 within that stream system, the duty shall be based upon  
12 hydrographic survey findings."

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