HOUSE JOINT RESOLUTION 8
52ND LEGISLATURE - STATE OF NEW MEXICO - FIRSt SESSION, 2015
INTRODUCED BY
Bill McCamley

A JOINT RESOLUTION
PROPOSING TO AMEND ARTICLE 16, SECTION 2 OF THE CONSTITUTION OF NEW MEXICO TO REMOVE THE REQUIREMENT THAT PRIORITY OF APPROPRIATION SHALL BE GIVEN THE BETTER RIGHT WITH REGARD TO THE ADMINISTRATION OF WATER RIGHTS IN THE STATE AND TO REQUIRE PRO RATA ALLOCATION OF WATER FOR AGRICULTURAL USES BASED ON THE AVAILABILITY OF WATER.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
SECTION 1. It is proposed to amend Article 16, Section 2 of the constitution of New Mexico to read:
"A. The unappropriated water of every natural stream, perennial or torrential, within the state of New Mexico, is hereby declared to belong to the public and to be subject to appropriation for beneficial use, in accordance with the laws of the state. [Priority of appropriation shall give .198255 .2
the better right.]
B. The amount of water available for beneficial use in each stream system of the state shall be estimated annually prior to the beginning of the irrigation season, and the amount of water available for current agricultural beneficial uses based upon that estimate shall be allocated on a pro rata per acre basis to each owner of a water right used for agricultural purposes as provided by law."

SECTION 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

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