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HOUSE MEMORIAL 59

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

Cathrynn N. Brown

A MEMORIAL

REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AND
STRENGTHENING REQUIREMENTS FOR CAPPING ABANDONED WATER WELLS ON
PRIVATE AND PUBLIC PROPERTY.

WHEREAS, many uncapped, abandoned water wells are located
throughout the state; and

WHEREAS, abandoned water wells on private and public
property create a potential safety risk; and

WHEREAS, currently, there are insufficient laws requiring
landowners to cap abandoned water wells on private or public
property; and

WHEREAS, many abandoned water wells in the state were
constructed before water basins were declared and rules were
implemented to require filing of water well records with the
office of the state engineer; and

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1 WHEREAS, in 2012, the life of Samuel Jones, a vibrant and
2 beloved four-year-old from Carlsbad, was tragically cut short
3 when he fell into an open, abandoned water well; and

4 WHEREAS, identification of abandoned water well sites on
5 private and public property and requirements for capping those
6 wells are crucial to prevent such tragedies in the future; and

7 WHEREAS, the state could most suitably honor the memory of
8 Samuel Jones by taking the actions necessary to establish and
9 improve safety requirements with regard to abandoned water
10 wells;

11 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
12 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the legislative
13 interim committee that studies issues pertaining to water and
14 natural resources be requested to conduct a study of the
15 feasibility of establishing and strengthening requirements for
16 capping abandoned water wells on private and public property;
17 and

18 BE IT FURTHER RESOLVED that as part of its study, the
19 legislative interim committee obtain information and testimony
20 from the New Mexico municipal league, the New Mexico
21 association of counties and the office of the state engineer;
22 and

23 BE IT FURTHER RESOLVED that the legislative interim
24 committee provide recommendations regarding its findings from
25 the study by December 1, 2023; and

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BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the co-chairs of the New Mexico legislative council, the New Mexico municipal league, the New Mexico association of counties and the office of the state engineer.