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SENATE BILL 102

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

William E. Sharer

AN ACT

RELATING TO WATER; ESTABLISHING REPORTING REQUIREMENTS FOR USE
OF UNDERGROUND WATER; PRESCRIBING PENALTIES.

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

Section 1. UNDERGROUND WELLS--INFORMATION REQUIRED--
ENFORCEMENT--PENALTY.--

A. A person holding a permit for a well issued pursuant to Section 72-12-1 NMSA 1978 shall meter the amount of water produced by the well and report quarterly to the state engineer the amount of water produced by the permitted well. Reports shall be in a form determined by the state engineer.

B. The state engineer shall adopt rules for determining the amount of water that may be produced by a well in accordance with the well's permit and for verification of water use. The state engineer may conduct audits of reports to

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1 ensure their accuracy.

2 C. The state engineer shall notify a permit holder
3 of the amount of water that may be produced by the permit
4 holder's well.

5 D. If the state engineer determines that a well is
6 exceeding its permit limit, the state engineer may impose a
7 fine of up to three cents (\$.03) per gallon for the amount of
8 overuse.

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