

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR  
SENATE BILL 128

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

AN ACT

RELATING TO WATER; PROVIDING PROTECTION FOR WATER RIGHTS  
CONSERVED AS A RESULT OF PUTTING WATER- SAVING TECHNIQUES INTO  
PRACTICE.

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

Section 1. Section 72-5-18 NMSA 1978 (being Laws 1907,  
Chapter 49, Section 43, as amended) is amended to read:

"72-5-18. WATER ALLOWANCE. --In the issuance of permits to  
appropriate water for irrigation or in the adjudication of the  
rights to the use of water for [~~such purposes~~] that purpose,  
the amount allowed shall be based upon beneficial use and in  
accordance with good agricultural practices and the amount  
allowed shall not exceed such amount. The state engineer shall  
permit the amount allowed to be diverted at a rate consistent  
with good agricultural practices and [~~which~~] that will result

. 145907. 1

underscored material = new  
[bracketed material] = delete

1 in the most effective use of available water in order to  
2 prevent waste. Improved irrigation methods resulting in the  
3 conservation of water shall not affect an owner's water  
4 rights."