

AN ACT

RELATING TO WATER; AMENDING A SECTION OF THE NMSA 1978 TO ALLOW APPOINTMENT OF A WATER MASTER ONLY UPON APPLICATION BY A MAJORITY OF WATER RIGHTS OWNERS IN A DISTRICT.

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

Section 1. Section 72-3-2 NMSA 1978 (being Laws 1907, Chapter 49, Section 14, as amended) is amended to read:

"72-3-2. WATER MASTERS--APPOINTMENT--REMOVAL--DUTIES.--

A. The state engineer shall, upon the written application of a majority of the water rights owners of any district in this state, appoint a water master for such district in the state, who may, for cause, be removed by the state engineer and shall be removed upon a petition of a majority of the water rights owners of the district. The water master shall have immediate charge of the apportionment of waters in the water master's district under the general supervision of the state engineer, and the water master shall so appropriate, regulate and control the waters of the district as will prevent waste. The state engineer may, if in the state engineer's opinion the public safety or interests of water users in any district in the state require it, appoint such water master for temporary or permanent service in such district in the absence of the application above provided for in this article.

B. In instances where the state engineer's appointment of a water master is not in response to a written application of a majority of the water rights owners of a district, the provisions of Section 72-3-4 NMSA 1978 shall not apply."

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