SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR SENATE BILL 563

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

AN ACT

RELATING TO WATER; REQUIRING THE STATE ENGINEER TO MAKE
FINDINGS REGARDING THE TRANSFER OF WATER OUT OF A GROUND WATER
BASIN THAT IS DESIGNATED AS A CRITICAL MANAGEMENT AREA.

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

SECTION 1. A new section of Chapter 72, Article 12 NMSA 1978 is enacted to read:

"[NEW MATERIAL] OUT-OF-BASIN TRANSFERS--FINDINGS.--

A. When acting upon an application for a change of place of use of a ground water right having a point of diversion located within a critical management area, as designated by the state engineer, to a location outside of that critical management area, the state engineer shall consider and make findings regarding the critical management area status and the effect of the proposed transfer on that status.

.193530.1

underscored material = new
[bracketed material] = delete

B. If changed conditions result in the state engineer removing a critical management area designation, the provisions of Subsection A of this section shall not apply to subsequent ground water right applications to transfer use of water out of that formerly designated critical management area."

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