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HOUSE JOINT MEMORIAL 98

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

PAULINE K. GUBBELS

A JOINT MEMORIAL

**REQUESTING THE APPROPRIATE INTERIM COMMITTEE CONSIDERING WATER
ISSUES TO INCLUDE CONSIDERATION OF BENEFICIAL USE AND WATER
RIGHTS CONSERVATION.**

**WHEREAS, New Mexico is a dry state, receiving as little as
six inches of precipitation a year in some areas, which had
particularly acute consequences during the drought of 1996,
resulting in wildfires and crop losses; and**

**WHEREAS, the state has nine times the population it had in
1900, and in recent years, the state has had several of the
fastest-growing communities in the country, with the population
of Santa Fe alone increasing more than thirty percent since
1980; and**

**WHEREAS, increasing population puts severe stress on the
state's natural resources, especially water, and the only source**

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1 of new water in New Mexico is derived from conserved water or by
2 watershed management to achieve increased yield; and

3 WHEREAS, water rights conservation is not encouraged under
4 New Mexico law, which is based on the sparser population and
5 cultural practices in New Mexico under territorial governments
6 in the early centuries of settlement; and

7 WHEREAS, the rights to use water are based on the concept
8 of beneficial use and water rights are subject to forfeiture for
9 non-use; and

10 WHEREAS, several measures were introduced during the 1997
11 legislative session to address water management, including House
12 Bill 928, which would have redefined beneficial use to include
13 water rights conservation; and

14 WHEREAS, House Joint Memorial 90 requests the continuation
15 of an interim committee to review water policy;

16 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
17 STATE OF NEW MEXICO that any interim committee directed by the
18 New Mexico legislative council to review water policy include in
19 its work plan the review of state water law that deals with
20 beneficial use, diversion rights, consumptive rights and
21 conservation; and

22 BE IT FURTHER RESOLVED that copies of this memorial be
23 transmitted to the co-chairs of the New Mexico legislative
24 council.