

1 SENATE BILL 366

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Mary Kay Papen

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10 AN ACT

11 RELATING TO WATER; AMENDING A SECTION OF CHAPTER 72 NMSA 1978
12 TO PROVIDE FOR A SINGLE DUTY OF WATER FOR ALL IRRIGATED CROPS
13 IN A STREAM SYSTEM.

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

16 SECTION 1. Section 72-4-19 NMSA 1978 (being Laws 1907,
17 Chapter 49, Section 23, as amended) is amended to read:

18 "72-4-19. ADJUDICATION OF WATER RIGHTS--DECREE.--[~~Sec-~~
19 ~~24.~~]

20 A. Upon the adjudication of the rights to the use
21 of the waters of a stream system, a certified copy of the
22 decree shall be prepared and filed in the office of the state
23 engineer by the clerk of the court at the cost of the parties.
24 Such decree shall in every case declare, as to the water right
25 adjudged to each party, the priority, amount, purpose, periods

.184503.2

underscored material = new
[bracketed material] = delete

underscored material = new
~~[bracketed material] = delete~~

1 and place of use, and as to water used for irrigation, except
2 as otherwise provided in this article, the specific tracts of
3 land to which it shall be appurtenant, together with such other
4 conditions as may be necessary to define the right and its
5 priority.

6 B. The decree shall specify a single duty of water
7 for all irrigated crops within an established irrigation or
8 conservancy district. In areas outside of and adjacent to
9 established irrigation or conservancy districts, the duty shall
10 conform to the duty within the district, and in other areas
11 within that stream system, the duty shall be based upon
12 hydrographic survey findings."

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