

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2015-76**

3 **INTRODUCED BY:**

4
5 Councilor Joseph M. Maestas

6 Councilor Peter Ives

7
8
9
10 **A RESOLUTION**

11 **SUPPORTING LEGISLATION AMENDING NMSA 1978, § 72-6-4 LESSEE'S**
12 **APPLICATION, USE BEFORE APPROVAL.**

13
14 **WHEREAS**, the Office of the State Engineer (OSE) has interpreted the application
15 process for water rights leases to be the same as that used for emergency applications;

16 **WHEREAS**, under the present practice, the OSE can approve these applications and the
17 applicant can use the water prior to public notice, an opportunity to protest, and a hearing;

18 **WHEREAS**, there are instances in which this administrative procedure is efficient and
19 cost effective, but in other instances, this process is being abused to divert thousands of acre-feet
20 of water for a longer period of time prior to public review and due process;

21 **WHEREAS**, in the 2015 Regular Session of the Legislature, Senator Griggs introduced
22 Senate Bill 665;

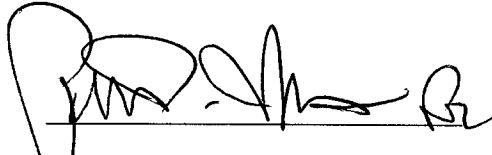
23 **WHEREAS**, SB 665 proposed to amend NMSA 1978, § 72-6-4 to provide a balance
24 between an efficient administrative process for short-term leases that do not involve significant
25 quantities of water and longer-term leases that involve large quantities of water;

1 **WHEREAS**, in Resolution 2015-26, the City of Santa Fe supported the legislature's
2 effort to revise the water right leasing statute; and

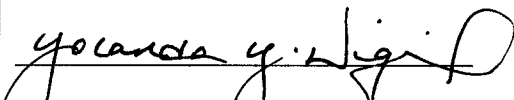
3 **NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
4 **CITY OF SANTA FE** that the Governing Body supports legislation relating to amending NMSA
5 1978, § 72-6-4 regarding a lessee's use of water rights prior to approval.

6 **BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the State
7 legislative delegation serving the City of Santa Fe.

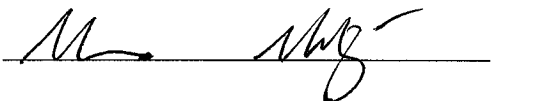
8 PASSED, APPROVED AND ADOPTED this 9th day of September, 2015.

9
10 
11 JAVIER M. GONZALES, MAYOR

12 ATTEST:

13
14 
15 YOLANDA Y. VIGIL, CITY CLERK

16 APPROVED AS TO FORM:

17
18 
19 KELLEY A. BRENNAN, CITY ATTORNEY