

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

2 **RESOLUTION NO. 2015-78**

3 **INTRODUCED BY:**

4
5 Councilor Joseph M. Maestas

6 Councilor Peter Ives

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9
10 **A RESOLUTION**

11 **SUPPORTING LEGISLATION AMENDING NMSA 1978, § 72-12-3(D) AND 72-5-5(B),**
12 **TO DEFINE THE STANDING OF PROTESTANTS.**

13
14 **WHEREAS**, the Office of the State Engineer (OSE) applies inconsistent criteria to
15 determine whether persons have standing to protest an application to change the purpose, place,
16 or use of a water right;

17 **WHEREAS**, some persons who protest a water right application will suffer no harm
18 based on the proposed application.

19 **WHEREAS**, a protested application to change the purpose, place, or use of a water right
20 is far more costly and takes many more years to complete than an unprotested application;

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

23 **WHEREAS**, SB 665 imposed clearer criteria on persons who seek to protest applications
24 to change the purpose, place, or use of a water right.

25 **WHEREAS**, the City of Santa Fe supported the legislature's effort to address standing

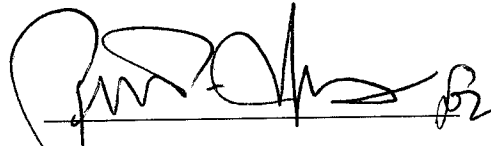
1 issues in Resolution 2015-26; and

2 **WHEREAS**, the City continues to support legislation, which reduces the administrative
3 burden on water right applicants and imposes clearer standards on protestants objecting to water-
4 right applications.

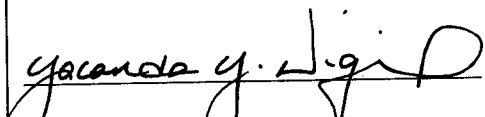
5 **NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
6 **CITY OF SANTA FE** that the Governing Body supports legislation relating to amending NMSA
7 1978, § 72-12-3(D) and NMSA 1978, § 72-5-5(B) to reduce the administrative burdens on water
8 right applicants who face persons who protest while suffering no harm.

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

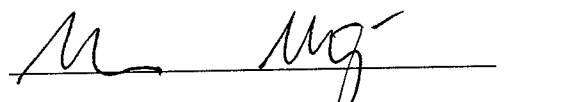
11 PASSED, APPROVED AND ADOPTED this 9th day of September, 2015.

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13 _____
14 JAVIER M. GONZALES, MAYOR

15 ATTEST:

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17 
18 _____
19 YOLANDA Y. VIGIL, CITY CLERK

19 APPROVED AS TO FORM:

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21 
22 _____
23 KELLEY A. BRENNAN, CITY ATTORNEY

24
25 *M/Legislation/Resolutions 2015/2015-78 Standing of Protestants*