

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

2 **RESOLUTION NO. 2015-79**

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, § 72-12-24 SUPPLEMENTAL**
12 **WELL, AND § 72-12-22, REPLACEMENT WELLS.**

13
14 **WHEREAS**, the Office of the State Engineer (OSE) has indicated that it is changing its
15 long established policy with respect to supplemental and replacement wells;

16 **WHEREAS**, in reliance on the longstanding policy of the OSE, municipalities have
17 invested millions of dollars in acquiring water rights and developing physical sources of supply to
18 serve their citizenry;

19 **WHEREAS**, a shift in policy would jeopardize the ability of municipalities to perfect the
20 unused portion of a permitted or declared water right and undermine millions of dollars of
21 investment in a diversified portfolio of water rights and physical sources of supply;

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

24 **WHEREAS**, SB 665 proposed to amend NMSA 1978, § 72-12-24 regarding
25 Supplemental Wells and § 72-12-22 regarding Replacement Wells.

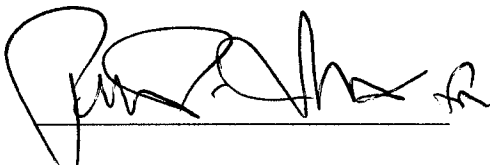
1 **WHEREAS**, in Resolution 2015-26, the City of Santa Fe supported the legislature's
2 effort to protect municipalities' investment in and reliance upon the long-established policy of the
3 OSE, which allowed a municipality to grow into a declared or permitted water right; and

4 **WHEREAS**, the City continues to support legislation, which will protect a
5 municipality's ability to perfect its unused water rights.

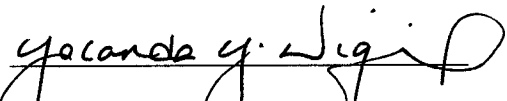
6 **NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
7 **CITY OF SANTA FE** that the Governing Body supports legislation relating to amending NMSA
8 1978, § 72-12-24 and § 72-12-22 to ensure that local governments that have invested in
9 groundwater as part of a conjunctive use strategy with surface water, will continue to be able to
10 develop their ground water rights as these municipalities grow.

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

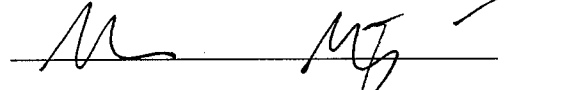
13 PASSED, APPROVED AND ADOPTED this 9th day of September, 2015.

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16 JAVIER M. GONZALES, MAYOR

17 ATTEST:

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19 
20 YOLANDA Y. VIGIL, CITY CLERK

21 APPROVED AS TO FORM:

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23 
24 KELLEY A. BRENNAN, CITY ATTORNEY