

SANTA FE COUNTY

Resolution No. 2009 - 37

A Resolution Supporting House Bill 19, Extending the Authority of the Office of the State Engineer to Regulate Aquifers below Two Thousand Five Hundred Feet

WHEREAS, HB 19 is an act relating to water, providing the office of the State Engineer jurisdiction over certain non-potable underground aquifers; and

WHEREAS, currently NMSA 1978, sections 72-12-25 through 72-12-28 established the limits of the office of the State engineer jurisdiction over the appropriation of ground water from deep saline aquifers; and

WHEREAS, HB 19 amends NMSA 1978, section 72-12-25 to grant the Office of the State Engineer jurisdiction over aquifers encountered below 2,500 feet that include deep non-potable water; and

WHEREAS, HB 19 would improve the Office of the State Engineer's performance by allowing general supervision of groundwater of the State of New Mexico including non-potable water in aquifers that are deeper than 2,500 feet; and

WHEREAS, HB 19 provides that water which is intended for oil and gas exploration and production, prospecting, mining, road construction, agriculture, generation of electricity, use in an industrial process or geothermal use shall remain subject to NMSA 1978 sections 72-12-25 through 72-12-28.

WHEREAS, by bringing those waters under the State Engineer's jurisdiction, the State Engineer can apply existing administrative processes to deeper aquifers for purposes of use related to protecting the public's health, welfare, and safety; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County:

That Santa Fe County supports House Bill 19 introduced by Representative Mimi Stewart at the 49th Legislature – State of New Mexico- First Session, 2009 and which would result in more consistent, efficient and effective administration and protection of groundwater across the state.

PASSED, APPROVED AND ADOPTED this 10th of Feb., 2009.

BOARD OF COUNTY COMMISSIONERS

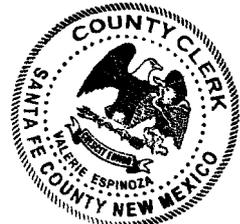
Michael D. Anaya
MICHAEL D. ANAYA, CHAIRMAN



Valerie Espinoza
VALERIE ESPINOZA, SANTA FE COUNTY CLERK

APPROVED AS TO FORM:

Stephen C. Ross
STEPHEN C. ROSS, COUNTY ATTORNEY



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
BCC RESOLUTIONS
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I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of February, 2009 at 03:29:05 PM
And Was Duly Recorded as Instrument # 1552121
Of The Records Of Santa Fe County

Deputy *Marcella*)
Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM