

The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 37

SENATE BILL 276

Introduced by

SENATOR CLIFF R. PIRTLE AND REPRESENTATIVE BOB WOOLEY



CHAPTER 37

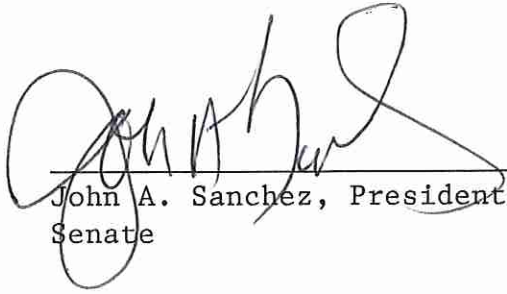
AN ACT

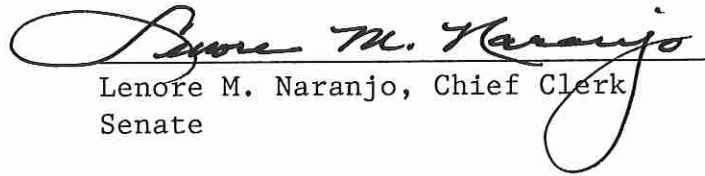
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2 RELATING TO ADMINISTRATIVE HEARINGS; REQUIRING ADMINISTRATIVE
3 HEARINGS HELD BY THE OFFICE OF THE STATE ENGINEER TO BE HELD
4 IN THE COUNTY IN WHICH THE WATER RIGHT AT ISSUE IS LOCATED.

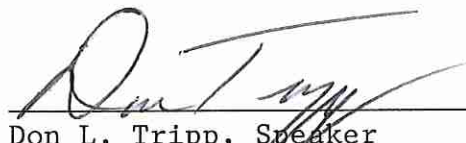
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6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:


7 SECTION 1. Section 72-2-16 NMSA 1978 (being Laws 1965,
8 Chapter 285, Section 4, as amended) is amended to read:

9 "72-2-16. HEARINGS REQUIRED BEFORE APPEAL.--The state
10 engineer may order that a hearing be held before the state
11 engineer enters a decision, acts or refuses to act. If,
12 without holding a hearing, the state engineer enters a
13 decision, acts or refuses to act, any person aggrieved by the
14 decision, act or refusal to act is entitled to a hearing if a
15 request for a hearing is made in writing within thirty days
16 after receipt by certified mail of notice of the decision, act
17 or refusal to act. Hearings shall be held before the state
18 engineer or the state engineer's appointed examiner. Hearings
19 shall be held in the county in which the water right at issue
20 is adjudicated, licensed or permitted, unless the parties and
21 the state engineer stipulate another site for the hearing. A
22 record shall be made of all hearings. An appeal shall not be
23 taken to the district court until the state engineer has held
24 a hearing and entered a decision in the hearing." _____



John A. Sanchez, President
Senate


Lenore M. Naranjo, Chief Clerk
Senate


Don L. Tripp, Speaker
House of Representatives


Denise Ramonas, Chief Clerk
House of Representatives

Approved by me this 3rd day of April, 2015


Governor Susana Martinez
State of New Mexico