

House Memorial 42 Meeting 4: Summary of Comments

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Stakeholder Comments on: Proposed Elements Of A Water Development Plan Template

- Received comments from 10 entities
- Comments are summarized
- Reflecting back what we heard

Relationship between Water Development Plans and Water Rights Application

- Water Rights Applications and Water Development Planning are or should be separate processes
- Approve Water Development Plans prior to or at the same time as approving applications
- Validity of water rights more appropriate placed in a Water Rights Application
- Planning without adjudications of rights uncertain

Content of Template

- Should be more detailed, specific
- Specificity creates financial burden
- Template duplicates water code
- Subjective standards for both information provided and evaluation of content

Coverage

- Who?
 - No new entities in 72-1-9
 - Does the template apply to anyone?
- How Long?
 - Limit to 40 Years
 - 100 Years
- How are existing water rights covered?

NMOSE's Role

- Growth is the purview of municipalities not OSE
- Public input is responsibility of municipalities
- There needs to be a greater public input component
- Economic, financial and infrastructure analysis outside the OSE's jurisdiction and expertise
- Political, financial, technical, social, cultural, environmental, physical and hydrological impacts should be reviewed and analyzed by OSE

Other Comments

- Consistent with Regional Water Plans
- Condemnation should be considered and/or restricted
- “...effect on tribal, pueblo, and native water rights interest”
 - Request for additional information
 - Request to exclude statement
 - Request for additional interest to be included in statement

Other Comments

- Flexibility in use of Template
- Require monitoring and reporting
- Adopted by governing body
- Submitted for comment and approval to
 - appropriate irrigation or conservancy districts
 - local soil and water conservation districts
 - water rights holders in planning jurisdiction
- Potential impairment issues (i.e. deep wells, domestic wells and other users)

Corrections and Comments made at meeting

- The following was missing from the Summary of Comments:
 - Proposed template must address the NM State Constitution, Article XVI, Section 1.
- The following was a correction of a previous bullet:
 - Water Development Plans should be
 - Submitted prior to and at the same time as an application
 - Submitted prior to application process
 - Submitted as part of application process