

**ORDINANCE NO. 2013- 01**

**AN ORDINANCE AMENDING ORDINANCE  
NO. 2011-13 REGARDING INDUSTRIAL  
WATER USERS AND SETTING THE RATES  
FOR THE SALE OF WATER FROM THE CITY  
OF CARLSBAD MUNICIPAL WATER SYSTEM  
TO SUCH USERS**

WHEREAS, the highest and best use of municipal water is for treated drinking water and other domestic purposes; and

WHEREAS, recent events in the oil and gas industry have created a significant demand on Carlsbad Basin waters for non-domestic purposes; and

WHEREAS, the municipal water system cannot support both the growth in domestic water consumption and the large volume demands of the oil and gas industry; and

WHEREAS, the City desires to implement a rate structure for its municipal water system to minimize the use of treated drinking water for non-domestic purposes; and

WHEREAS, in Ordinance No. 2011-13, the City of Carlsbad had previously established the classification of Industrial Water User and the rate therefore; and

WHEREAS, now the City finds it desirable to clarify the definitions and increase the rate for Industrial Water Users.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, NEW MEXICO, that Ordinance No. 2011-13 is amended as follows:

Paragraph 1 is amended to add the following definition:

*Domestic Purposes* shall mean the use of water for household or other domestic use.

In Paragraph 1, the definition of Industrial Water User is deleted and replaced with the following:

*Industrial Water User* shall mean any person who, in the City's sole and final determination, used or uses City Water for the following non-Domestic Purposes:

1. Water hauling;
2. Brine production;
3. Oilfield servicing and oil and gas production; or
4. Resale of water for non-domestic purposes.

