

**Opinion No. 48-5153**

May 21, 1948

**BY:** C. C. McCULLOH, Attorney General

**TO:** R. F. Apodaca Superintendent of Insurance State Corporation Commission Santa Fe, New Mexico

{\*151} We are in receipt of your letter of May 20, 1948 in which you state that the Village of Des Moines has made a request to spend \$ 2,000.00 from the Fire Protection Fund for {\*152} cleaning out a well and providing a water storage tank. You state that the village has plenty of firefighting equipment, but that their greatest problem is water.

Section 60-402 of the 1941 Compilation, as amended, provides that the money shall be expended only for the maintenance of such fire departments and purchase and repair of fire apparatus and equipment.

As it appears to me that an adequate water system is necessarily an integral part of any fire department, it is my opinion that the village may properly spend fire protection money for such purpose.

By ROBERT W. WARD,

Asst. Atty. General