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SENATE BILL 639

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Phil A. Griego

AN ACT

RELATING TO WATER RIGHTS; PROVIDING FOR FORFEITURE EXEMPTIONS
OF WATER RIGHTS OWNED BY AN ACEQUIA OR COMMUNITY DITCH
ASSOCIATION.

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

Section 1. Section 73-2-22.1 NMSA 1978 (being Laws 1987,
Chapter 352, Section 1) is amended to read:

"73-2-22.1. ACEQUIA AND COMMUNITY DITCH ASSOCIATIONS--
ADDITIONAL POWERS--WATER RIGHTS ACQUISITION--NONFORFEITURE. --

A. [~~Any~~] An acequia or community ditch association
has the power to acquire and hold property and water rights
and transfer and use the property and water rights so acquired
pursuant to law.

B. The rights of an acequia or community ditch
association to the waters of the acequia or association or

underscored material = new
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1 their use or the lands and property owned by the acequia or
2 association shall not be lost by the acequia or community
3 ditch association by prescription or adverse possession or for
4 nonuse of waters [~~except as provided in Section 72-5-28 NMSA~~
5 ~~1978~~]. "

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