

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE BILL 860

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

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
PROVIDING FOR ADJUDICATION OF THE PLACE OF USE OF WATER RIGHTS
WITHIN IRRIGATION DISTRICTS; AMENDING A SECTION OF THE NMSA
1978.

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

Section 1. Section 72-4-19 NMSA 1978 (being Laws 1907,
Chapter 49, Section 23, as amended) is amended to read:

"72-4-19. ADJUDICATION OF WATER RIGHTS- - DECREE. -- [~~Sec-~~
~~24.~~] Upon the adjudication of the rights to the use of the
waters of a stream system, a certified copy of the decree
shall be prepared and filed in the office of the state
engineer by the clerk of the court at the cost of the parties.
Such decree shall in every case declare, as to the water right
adjudged to each party, the priority, amount, purpose, periods

1 and place of use, and as to water used for irrigation, except
2 as otherwise provided in this article, the specific tracts of
3 land to which it shall be appurtenant, together with such
4 other conditions as may be necessary to define the right and
5 its priority. Adjudication of the place of use of water
6 rights of landowner members within irrigation districts
7 organized pursuant to Chapter 73, Articles 10 and 11 NMSA 1978
8 who have put project water to beneficial use shall be based on
9 the assessed acreage as carried on the irrigation district's
10 assessment roll. "