

# Change of Ownership

- It is important to have a change of ownership per New Mexico State Statute §72-1-2.1 This document shows how much water right your property has.
- A change of ownership is **NOT** your Deed and is **NOT** part of closing when you purchase property.

## To obtain a Change of Ownership

- Call the State Engineers Office stating you need a change of Ownership. 505-383-4571. This is a long distance (Santa Fe) number but will ring into your local SEO in Aztec. The SEO will tell you what you need to bring in to start the process. You will need your deed and they are charging \$5 for your Change of Ownership
  - 100 Gossett Drive, Suite A, Aztec, NM
- If it is determined that the property was adjudicated water in 1938 they will research to see if the water was ever retained, transferred or sold off the land before completing the form.
- Once you have your Change of Ownership take it to the County Clerks office to get it recorded. This will be done on the spot and cost \$25.00
  - 100 South Oliver Drive #300, Aztec, NM
- Now that your Change of Ownership has been recorded bring a copy to our office as soon as possible. There is no filing fee in our office but it is very important that we have a copy as proof of your water rights and to ensure you are being assessed correctly.

## **New Mexico State Statute 72-1-2.1.**

### **Water rights; change in ownership; filing and recording; constructive notice.**

In the event of any changes of ownership of a water right, whether by sale, gift or any other type of conveyance, affecting the title to a water right that has been permitted or licensed by the state engineer, has been declared with the state engineer or has been adjudicated and is evidenced by a subfile order, partial final decree, final decree or any other court order, the new owner of the water right shall file a change of ownership form with the state engineer. The form shall include all information conforming with water rights of record filed with the state engineer and shall be accompanied by a copy of a warranty deed or other instrument of conveyance. The new owner shall record a copy of the change of ownership form filed with the state engineer with the clerk of the county in which the water right will be located. The filing shall be public notice of the existence and contents of the instruments so recorded from the time of recording with the county clerk.

**History:** Laws 1991, ch. 34, § 1; [1996, ch. 32, § 1](#).