

**Opinion No. 19-2251**

April 2, 1919

**BY:** NICHOLAS D. MEYER, Assistant Attorney General

**TO:** Mr. Evaristo Abrego, San Marcial, New Mexico.

Acequia Officers Not Responsible for Expenses of Officers of Previous Years.

**OPINION**

Answering your letter of April first, I beg to say that it is my opinion that the present Acequia Commissioners do not have to provide or be responsible for the payment of compensation to the Mayordomo and Commissioners of the previous year.

The law provides that Commissioners upon assuming their duties, as such, shall make such assessment upon the land owner as will be sufficient to pay the expenses of the administration for that year, unless they prefer to do fatigue work. They, and the mayordomo are charged with the duty of the collection of fines and money in lieu of fatigue work. If they do not do their duty and collect what they have assessed, I don't see why the succeeding board should do this work for them. The law also provides that if anybody fails to pay or do fatigue work, that the water shall be taken away from them.

Summing everything up, it appears to me that each Board of Acequia Commissioners and Mayordomo are charged with doing the work and providing payment for the expenses of the administration for the year for which they serve and for no other year or years. I hope this answers your question.