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NEW MEXICO FARM & LIVESTOCK BUREAU

DECRIES SUPREME COURT STREAM ACCESS DECISION

Trespassing is an issue that many farmers and ranchers deal with all too often, that's why, in 2015, the New Mexico Legislature passed Senate Bill 226 which prevents people from accessing private land by walking or wading in stream beds. This legislation gave rise to a rule approved by the New Mexico State Game Commission, whereby landowners can submit an application certifying that water on their property is non-navigable and trespass is unlawful unless prior written permission is received from the landowner.

Anti-private land groups, partnering with the New Mexico Wildlife Federation, petitioned the New Mexico Supreme Court to invalidate laws passed by elected officials and disregard rules made by the New Mexico Game Commission. Today the Supreme Court disregarded the rights of landowners in their decision to overturn the anti-trespass rule.

"Trespass laws are for the protection of both landowners and trespassers to prevent liability issues such as an incident with livestock," says Chad Smith, NMF&LB CEO. "SB 226 was passed by our legislature to prevent people who are hunting, fishing, trapping, camping or hiking from entering private property through public water unless the landowner has given their permission. The Supreme Court has taken away the right of property owners, who live along bodies of water, to control who has access to their land. This is a direct violation of private property rights."

New Mexico Farm & Livestock Bureau is a 20,000 member organization comprised of farmers and ranchers, and those who are interested in private property rights and a local food supply. NMF&LB is the state's largest, private agricultural organization and was founded in 1917. For information about joining us, please call 575-532-4703 or visit www.nmflb.org.