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Statutory Agricultural Lien Rapid Finder Chart: *New Mexico*

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Statutory Agricultural Lien Rapid Finder Chart: New Mexico

TYPE OF LIEN/CLAIMANT	LIEN CLAIMANT	ATTACHED PROPERTY	POSSESSION REQUIRED	FILING REQUIRED	DATE LIEN ATTACHES	EXPRESS STATUTORY PRIORITY
MECHANICS' AND MATERIALMEN'S LIENS N.M. STAT. ANN. §§ 48-2-1 – 48-2-17	PERSON PERFORMING LABOR, EQUIPMENT, TOOLS OR MACHINERY, OR FURNISHING MATERIALS FOR ALTERATIONS, REPAIRS, OR IMPROVEMENTS ON REAL PROPERTY	REAL PROPERTY PROVIDED WITH THE WORK OR MATERIALS, AND IMPROVEMENTS ON THE ATTACHED REAL PROPERTY	NO	LIEN CLAIMANT MUST PROVIDE NOTICE TO LANDOWNER OF RIGHT TO CLAIM A LIEN WITHIN SIXTY DAYS AFTER INITIALLY FURNISHING WORK OR MATERIALS CLAIMANT MUST FILE A LIEN CLAIM WITH THE COUNTY CLERK OF THE COUNTY WHERE THE PROPERTY IS LOCATED	THE DATE THAT THE LIEN CLAIM IS FILED	CONTRACTOR CLAIMING A LIEN HAS SUBSEQUENT PRIORITY TO SUBCONTRACTORS UNDER THE CONTRACTOR WHO HAVE FILED LIENS CONTRACTORS AND SUBCONTRACTORS CLAIMING A LIEN HAVE SUBSEQUENT PRIORITY TO OTHERS WITH LIENS ATTACHED TO THE SAME REAL PROPERTY
LIEN FOR LABOR ON HORSE-DRAWN VEHICLE N.M. STAT. ANN. §§ 48-3-2; 48-3-9 – 48-3-15	PERSON WHO PERFORMS LABOR ON A WAGON, BUGGY OR OTHER VEHICLE	WAGON, BUGGY OR OTHER VEHICLE FURNISHED WITH LABOR	YES	NO	NOT SPECIFIED	PRIORITY AMONG LIENS CREATED BY N.M. STAT. §§ 48-3-1 – 48-3-15 IS FIXED BY THE DATE NOTICE IS SERVED OR A SUIT IS FILED
BLACKSMITH'S LIEN N.M. STAT. ANN. §§ 48-3-4; 48-3-9 – 48-3-15	PERSON WHO SHOES, OR HAS EMPLOYEES SHOE, AN ANIMAL	ANIMAL SHOD	YES	NO	NOT SPECIFIED	PRIORITY AMONG LIENS CREATED BY N.M. STAT. §§ 48-3-1 – 48-3-15 IS FIXED BY THE DATE NOTICE IS SERVED OR A SUIT IS FILED
LIEN FOR BOARD, FEED, SHELTER, OR PASTURE N.M. STAT. ANN. §§ 48-3-7; 48-3-9 – 48-3-15	PERSON WHO BOARDS THE PROPERTY OR LIVESTOCK OF OTHERS	PROPERTY AND LIVESTOCK FURNISHED FEED AND SHELTER	NO, BUT CLAIMANT MAY PRESERVE THE LIEN BY FILING	IF POSSESSION IS LOST, THE LIEN IS PRESERVED BY FILING A LIEN STATEMENT WITH THE CLERK OF THE COUNTY IN WHICH THE LIVESTOCK ARE LOCATED	NOT SPECIFIED	PRIORITY AMONG LIENS CREATED BY N.M. STAT. §§ 48-3-1 – 48-3-15 IS FIXED BY THE DATE NOTICE IS SERVED OR A SUIT IS FILED SUBJECT TO PRIOR RECORDED CHATTEL MORTGAGES



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LIEN OF COMMON CARRIERS N.M. STAT. ANN. §§ 48-3-8 – 48-3-15	COMMON CARRIERS, DEFINED AS PERSONS CARRYING GOODS OF ANOTHER FOR HIRE OR PAY	THINGS CARRIED	YES	NO	NOT SPECIFIED	PRIORITY AMONG LIENS CREATED BY N.M. STAT. §§ 48-3-1 – 48-3-15 IS FIXED BY THE DATE NOTICE IS SERVED OR A SUIT IS FILED
THRESHING LIEN N.M. STAT. ANN. §§ 48-5-1 – 48-5-3	OWNER OR LESSEE OF A THRESHING MACHINE	GRAIN THRESHED FOR ANOTHER PERSON	NO	YES, WITH THE CLERK OF THE COUNTY WHERE THE GRAIN WAS GROWN	COMMENCE-MENT OF THRESHING	PRIORITY OVER ALL LIENS AND ENCUMBRANCES
HARVESTER'S LIEN N.M. STAT. ANN. §§ 48-5A-1 – 48-5A-3	INDIVIDUAL OR COMPANY WHO HARVESTS A CROP FOR ANOTHER	HARVESTED CROPS	NO	YES, WITH THE CLERK OF THE COUNTY WHERE THE CROP WAS GROWN	DATE OF HARVEST	NONE
AGRICULTURAL LANDLORD'S LIEN N.M. STAT. ANN. §§ 48-6-1 – 48-6-16	PERSONS LEASING OR RENTING AGRICULTURAL LANDS	CROPS GROWN ON RENTED PREMISES AND ANIMALS, TOOLS AND PROPERTY FURNISHED TO THE TENANT FOR GROWING AND PREPARING THE CROP FOR MARKET	NO	NO	NOT SPECIFIED	DESIGNATED AS A "PREFERENCE" LIEN
WAREHOUSE LIEN N.M. STAT. ANN. §§ 55-7-209 – 55-7-210	WAREHOUSE	GOODS COVERED BY WAREHOUSE RECEIPT, STORAGE AGREEMENT, OR ON PROCEEDS THEREOF	YES, LIEN IS LOST IF WAREHOUSE VOLUNTARILY DELIVERS OR UNJUSTIFIABLY REFUSES TO DELIVER	ENFORCABLE BY COMMERCIALY REASONABLE SALE	THE DATE OF THE WAREHOUSE RECEIPT OR STORAGE AGREEMENT	ENFORCABLE BY COMMERCIALY REASONABLE SALE
CARRIER'S LIEN N.M. STAT. ANN. §§ 55-7-307 – 55-7-308	CARRIER	GOODS COVERED BY A BILL OF LADING OR ON THE PROCEEDS THEREOF	YES, LIEN IS LOST IF CARRIER VOLUNTARILY DELIVERS OR UNJUSTIFIABLY REFUSES TO DELIVER	ENFORCABLE BY COMMERCIALY REASONABLE SALE	AFTER THE DATE OF THE CARRIER'S RECEIPT OF THE GOODS FOR STORAGE OR TRANSPORTATION	ENFORCABLE BY COMMERCIALY REASONABLE SALE



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LIEN FOR COSTS OF CONTROLLING SURFACE WATER WASTE N.M. STAT. ANN. § 72-13-8	STATE ENGINEER, ARTESIAN WELL SUPERVISOR OR ARTESIAN CONSERVANCY DISTRICT; WHICHEVER OFFICIALS INCURRED COSTS TO CONTROL OR PREVENT WATER WASTE FROM WELL	REAL PROPERTY WHERE THE WELL IS LOCATED AND ALL REAL PROPERTY OF THE WELL OWNER THAT USES THE WELL WATER	NO	OFFICIAL MUST PROVIDE NOTICE TO THE LANDOWNER BEFORE TAKING ACTION TO CONTROL WATER WASTE OFFICIAL MUST FILE A CLAIM OF LIEN IN THE OFFICE OF THE COUNTY CLERK OF THE COUNTY WHERE THE WELL IS LOCATED WITHIN FIVE DAYS FROM COMPLETING THE WORK	IMPLIED THE DATE OF FILING THE CLAIM OF LIEN	SUBJECT ONLY TO REGULARLY ASSESSED TAXES AND LIENS OF RECORD PRIOR TO THE TIME THE COMMENCEMENT OF LABOR TO CONTROL OR PREVENT WATER WASTE
LIEN FOR COSTS INCURRED FROM ABATING TREE AND PLANT PESTS N.M. STAT. ANN. §§ 76-3-2 – 76-3-6	COUNTY BOARD OF HORTICULTURAL COMMISSIONERS	REAL PROPERTY WHICH THE BOARD INCURRED COSTS TO ERADICATE OR PREVENT THE SPREAD OF PESTS	NO	BOARD MUST PROVIDE NOTICE TO LANDOWNER BEFORE TAKING ACTION TO ERADICATE PESTS BOARD MUST FILE THE LIEN WITH THE COUNTY CLERK OF THE COUNTY WHERE THE PROPERTY IS LOCATED	TEN DAYS AFTER THE COMPLETION OF THE WORK NECESSARY TO ABATE THE PEST NUISANCE	LIEN HAS PRIORITY OVER ANY MORTGAGE, ATTACHMENT, OTHER LIEN OR OTHER CLAIM AGAINST THE PROPERTY
COTTON BOLL WEEVIL CONTROL DISTRICT ASSESSMENT LIEN N.M. STAT. ANN. §§ 76-6A-11 – 76-6A-12	NEW MEXICO DEPARTMENT OF AGRICULTURE	ALL REAL PROPERTY OF PARTICIPATING COTTON PRODUCERS WITHIN THE COTTON BOLL WEEVIL CONTROL DISTRICT	NO	NO	UPON THE COTTON PRODUCER'S RECEIPT OF THE ASSESSMENT STATEMENT	NOT SPECIFIED
PINK BOLLWORM CONTROL DISTRICT ASSESSMENT LIEN N.M. STAT. ANN. §§ 76-6B-9 – 76-6B-10	NEW MEXICO DEPARTMENT OF AGRICULTURE	ALL REAL PROPERTY OF PARTICIPATING COTTON PRODUCERS WITHIN THE PINK BOLLWORM CONTROL DISTRICT	NO	NO	UPON THE COTTON PRODUCER'S RECEIPT OF THE ASSESSMENT STATEMENT	NOT SPECIFIED
LIEN ON ILLEGALLY IMPORTED CATTLE N.M. STAT. ANN. §§ 77-3-17 – 77-3-18	NEW MEXICO LIVESTOCK BOARD ENTITY INJURED BY TRANSMISSION OF DISEASE BY ILLEGALLY IMPORTED CATTLE	CATTLE ILLEGALLY IMPORTED INTO NEW MEXICO	NO	NO	NOT SPECIFIED	PRECEDENCE AND PRIORITY OVER OTHER LIENS AND ENCUMBRANCES



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LIVESTOCK INSPECTION FEE LIEN N.M. STAT. ANN. § 77-9-38	NEW MEXICO LIVESTOCK BOARD	LIVESTOCK INSPECTED	NO	NO	NOT SPECIFIED	NOT SPECIFIED
LIVESTOCK HIDE INSPECTION FEE LIEN N.M. STAT. ANN. § 77-9-54	NEW MEXICO LIVESTOCK BOARD	LIVESTOCK HIDES INSPECTED	NO	NO	NOT SPECIFIED	NOT SPECIFIED
LIEN ON LIVESTOCK FOR TRESPASS IN A HERD LAW DISTRICT N.M. STAT. ANN. § 77-12-5	OWNER, LESSEE OR CONTRACT PURCHASER OF LAND IN A HERD LAW DISTRICT, WHOSE PROPERTY IS DAMAGED BY TRESPASSING LIVESTOCK	LIVESTOCK, INCLUDING ALL LIVESTOCK OF THE SAME KIND OR BRAND OWNED BY THE OWNER OF THE TRESPASSING LIVESTOCK	NO	NO	NOT SPECIFIED	NONE
LIEN FOR IMPOUNDMENT OF TRESPASSING LIVESTOCK N.M. STAT. ANN. § 77-14-36	NEW MEXICO LIVESTOCK BOARD	LIVESTOCK IMPOUNDED	YES	IF THE BOARD DIRECTOR DOES NOT DETERMINE THAT IT IS IMPRACTICAL TO PUBLISH NOTICE, LIVESTOCK BOARD MUST PROVIDE NOTICE TO LIVESTOCK OWNER OF IMPOUNDMENT	IMPLIED THE DATE LIVESTOCK IS IMPOUNDED BY A BOARD AGENT	PRIORITY OVER OTHER LIENS ON THE LIVESTOCK
LIEN FOR RODENT PEST REPRESSION UNDER CONTRACT N.M. STAT. ANN. § 77-15-4	NEW MEXICO STATE TREASURY	REAL PROPERTY FURNISHED WITH RODENT PEST REPRESSION WORK	NO	MUST FILE LIEN WITH THE COUNTY ASSESSOR OF THE COUNTY IN WHICH THE REAL PROPERTY IS LOCATED	NOT SPECIFIED	EQUAL TO AND COLLECTED IN THE SAME MANNER AS OTHER TAXES LEVIED ON THE REAL PROPERTY
LIEN FOR DESTRUCTION OF PRAIRIE DOGS N.M. STAT. ANN. § 77-15-5	STATE RODENT INSPECTOR FOR EXPENSES OF DESTROYING PRAIRIE DOGS	REAL PROPERTY THE INSPECTOR DESTROYED PRAIRIE DOGS	NO	MUST FILE LIEN WITH THE COUNTY ASSESSOR OF THE COUNTY IN WHICH THE REAL PROPERTY IS LOCATED	NOT SPECIFIED	EQUAL TO AND COLLECTED IN THE SAME MANNER AS OTHER TAXES LEVIED ON THE REAL PROPERTY



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LIEN ON LIVESTOCK FOR TRESPASS ON FENCED LANDS N.M. STAT. ANN. § 77-16-3	PERSON WHOSE PROPERTY IS DAMAGED BY LIVESTOCK TRESPASSING ON CULTIVATED OR ENCLOSED GROUND SURROUNDED BY A LEGAL FENCE	LIVESTOCK, INCLUDING ALL LIVESTOCK OF THE SAME KIND AND BRAND OWNED BY THE OWNER OF THE TRESPASSING LIVESTOCK	NO	NO	NOT SPECIFIED	NONE

