

Hci-53300
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File Number: E 10010

NEW MEXICO STATE ENGINEER OFFICE
APPLICATION FOR PERMIT TO USE UNDERGROUND WATERS
IN ACCORDANCE WITH SECTION 72-12-1 NEW MEXICO STATUTES

1. APPLICANT

Name: JAMES A AYERS Work Phone: _____
Contact: _____ Home Phone: 5053844128
Address: PO BOX 232
City: ESTANCIA State: NM Zip: 87016

2. LOCATION OF WELL (D thru I optional)

A. East 395623.5 meters, North 3836099.0 meters, UTM_Zone 13, Datum NAD83

B. X = 1673754.0 feet, Y = 1332131.0 feet,
Coord System 5 - NAD 1983 SP FT NM Central
in the NON Grant.
U.S.G.S Quad Map _____

C. Latitude _____ Longitude _____

D. SW 1/4 SW 1/4 NE 1/4 Section: 18 Township: 05N Range: 08E N.M.P.M.
in Torrance County
Other _____

E. Lot No. NA Block No. NA of Unit/tract NA of the
NA Subdivision recorded in Torrance County.

F. Tract No. NA Map No. NA of the NA

G. Is this well within a municipality? if yes, where? _____

H. Give State Engineer File Number if existing well _____

I. On land owned by _____

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STATE ENGINEER OFFICE
TOLSON

3. USE OF WATER

STK: Livestock watering.

Trn Desc: E 10010 POD1
Log Due Date: 12/15/2015
Form: wr-01

File Number: E 10010
Trn Number: 559406

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4. WELL INFORMATION (Change, Repair, Drill, Test, Supplement)

Name of well driller and driller license number:

Approximate depth _____ feet, Outside diameter of casing _____ inches.

Replacement well

Repair or Deepen:

Clean out well to original depth

Deepen well from _____ to _____ feet

Other _____

Supplemental well

5. ADDITIONAL STATEMENTS OR EXPLANATIONS

ACKNOWLEDGEMENT FOR NATURAL PERSONS

I, James Ayes affirm that the foregoing statements are true to
(Please Print)
the best of my knowledge and belief, By: _____

James Ayes _____
Signature Signature

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NEW MEXICO STATE ENGINEER OFFICE

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GENERAL CONDITIONS OF APPROVAL (A thru P)

- 06-A The maximum amount of water that may be appropriated under this permit is 3.000 acre-feet in any year.
- 06-B The well shall be drilled by a driller licensed in the State of New Mexico in accordance with Section 72-12-12 New Mexico Statutes Annotated. A licensed driller shall not be required for the construction of a driven well; provided that the casing shall not exceed two and three-eighths (2 3/8) inches outside diameter (Section 72-12-12).
- 06-C Driller's well record must be filed with the State Engineer within 20 days after the well is drilled or driven. Well record forms will be provided by the State Engineer upon request.
- 06-D The casing shall not exceed 7 inches outside diameter except under specific conditions in which reasons satisfactory to the State Engineer are shown.
- 06-E To request a change to the use of water authorized under this permit, the permittee shall file an application with the State Engineer.
- 06-F An application for a new 72-12-1.1 domestic well permit where the proposed point of diversion is to be located on the same legal lot of record as an operational 72-12-1.1 domestic well shall be treated as an application for a supplemental well.
- 06-G If artesian water is encountered, all rules and regulations pertaining to the drilling and casing of artesian wells shall be complied with.
- 06-H The drilling of the well and amount and uses of water permitted are subject to such limitations as may be imposed by a court or by lawful municipal or county ordinance which are more restrictive than the conditions of this permit and applicable State Engineer regulations.
- 06-I The permittee shall utilize the highest and best technology available to ensure conservation of water to the maximum extent practical.

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GENERAL CONDITIONS OF APPROVAL (Continued)

- 06-J The well shall be set back a minimum of 50 ft. from an existing well of other ownership unless a variance has been granted by the State Engineer. The State Engineer may grant a variance for a replacement well or to allow for maximum spacing of the well from a source of groundwater contamination. The well shall be set back from potential sources of contamination in accordance with rules and regulations of the NM Environment Department.
- 06-K Pursuant to section 72-8-1 NMSA, the permittee shall allow the State Engineer and his representatives entry upon private property for the performance of their respective duties, including access to the well for meter reading and water level measurement.
- 06-L The permit is subject to cancellation for non-compliance with the conditions of approval or if otherwise not exercised in accordance with the terms of the permit.
- 06-M The right to divert water under this permit is subject to curtailment by priority administration as implemented by the State Engineer or a court.
- 06-N In the event of any change of ownership to this permit the new owner shall file a change of ownership form with the State Engineer in accordance with Section 72-1-2.1 NMSA.
- 06-O This well permit shall automatically expire unless the well is completed and the well record is filed with the State Engineer within one year of the date of issuance of the permit. It is the responsibility of the permit holder to ensure that the well record has been properly filed with the State Engineer.
- 06-P The well shall be constructed, maintained, and operated to prevent inter-aquifer exchange of water and to prevent loss of hydraulic head between geologic zones.
- 06-Q The State Engineer retains jurisdiction over this permit.

SPECIFIC CONDITIONS OF APPROVAL

- 06-14 This permit authorizes the diversion of water for watering livestock. The total diversion of water under this permit shall not exceed 3.000 acre-feet per year.

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SPECIFIC CONDITIONS OF APPROVAL (Continued)

06-18 Any diversion of water made in excess of the authorized maximum diversion amount shall be repaid with twice the amount of the over-diversion during the following calendar year. Repayment shall be made by either: (a) reducing the diversion from the well that is the source of the over-diversion; or (b) acquiring or leasing a valid, existing consumptive use water right in an amount equal to the repayment amount and submitting to the State Engineer for his approval a plan for the proposed repayment.

LOG This permit will automatically expire unless the well E 10010 POD1 is completed and the well record filed on or before 12/15/2015.

SEE GENERAL CONDITIONS OF APPROVAL

ACTION OF STATE ENGINEER

This application is approved for the use indicated, subject to all general conditions and to specific conditions listed above.

Witness my hand and seal this 15 day of Dec A.D., 2014

Tom Blaine, P.E., State Engineer

By: Theresa Salas

WARRANTY DEED

VIRGINIA F. AYERS, a widow, for consideration paid, grants to JAMES A. AYERS, a married man as his sole and separate estate, and his successor Trustees, the following described real estate in Torrance County, New Mexico.

N1/2 of Section 18 (Less E1/2 W1/2 NW1/4 NE1/4) T5N, R8E, N.M.P.M., Torrance County, New Mexico, including all water right associated with the property.

Subject to reservations, restrictions and easements of record, if any.

With warranty covenants.

WITNESS my hand and seal this 4th day of September, 1999.

2014 DEC 15 PM 4: 34

FILED FOR RECORD IN THE COUNTY OF TORRANCE NEW MEXICO

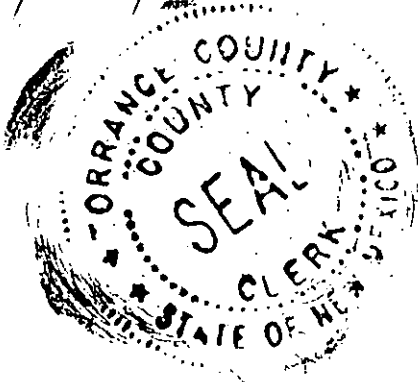
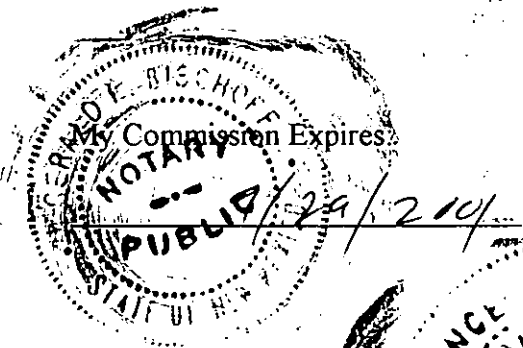
Virginia F. Ayers
VIRGINIA F. AYERS

ACKNOWLEDGMENT:

STATE OF NEW MEXICO)
)ss.
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me this 4th day of September, 1999, by VIRGINIA F. AYERS, a widow.

Gale E. Bischoff
NOTARY PUBLIC



County of Torrance
I hereby certify that this instrument was filed for record on the 26 day of Oct A.D., 19 99 at 11:50 o'clock A.M and duly recorded in book 285 at page 299
Witness my hand and Seal of Office
Marna J. [Signature]
County Clerk, Torrance Co., N.M.
Marna J. [Signature]

Locator Tool Report

General Information:

Application ID: 26 Date: 12-15-2014 Time: 16:25:04

WR File Number: E 10010
Purpose: POINT OF DIVERSION

Applicant First Name: JAMES A
Applicant Last Name: AYERS

GW Basin: ESTANCIA
County: TORRANCE

Critical Management Area Name(s): NONE
Special Condition Area Name(s): ESTANCIA BASIN SCA
Land Grant Name: NON GRANT

PLSS Description (New Mexico Principal Meridian):

NE 1/4 of SW 1/4 of SW 1/4 of NE 1/4 of Section 18, Township 05N, Range 08E.

Coordinate System Details:

Geographic Coordinates:

Latitude: 34 Degrees 39 Minutes 41.5 Seconds N
Longitude: 106 Degrees 8 Minutes 20.9 Seconds W

Universal Transverse Mercator Zone: 13N

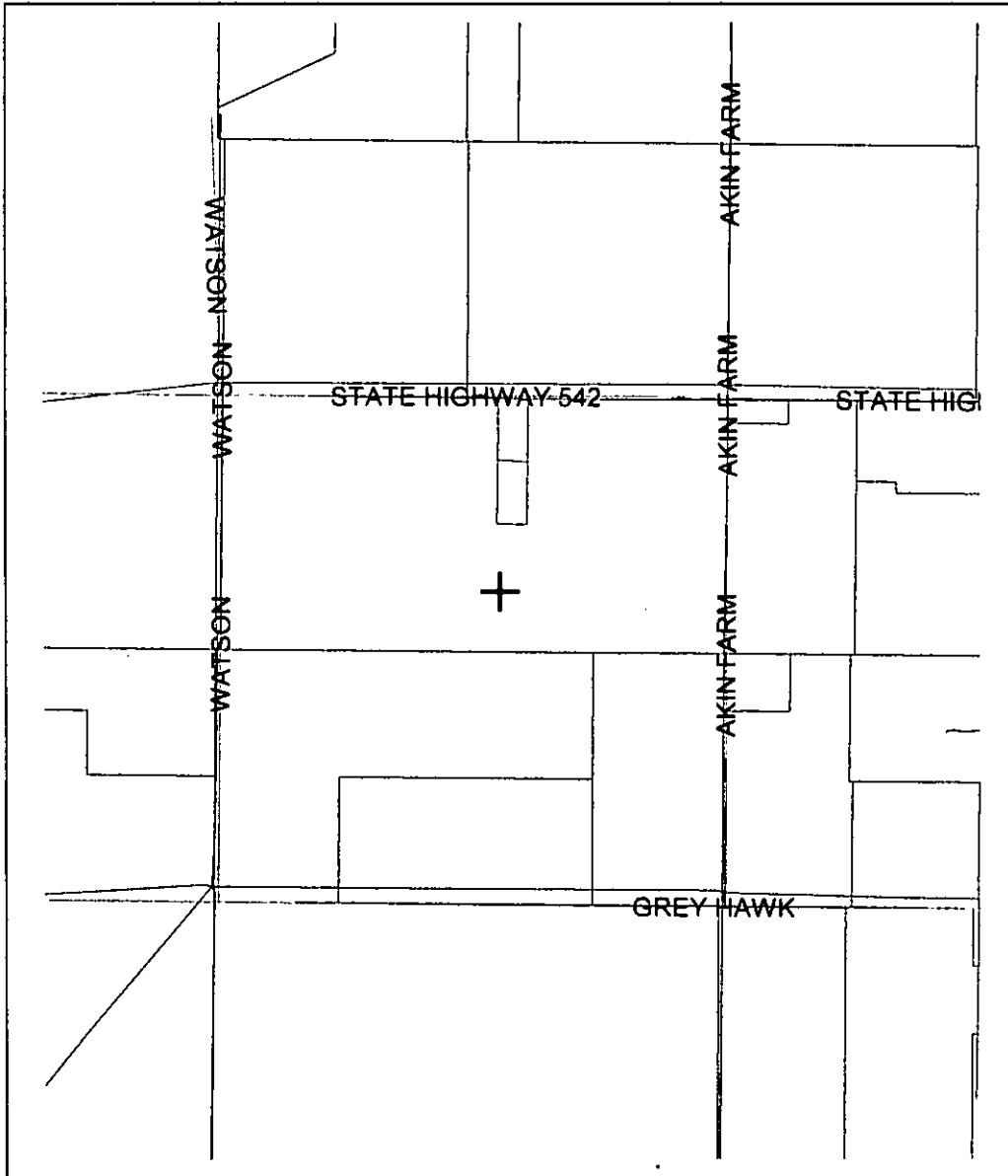
NAD 1983(92) (Meters)	N: 3,836,099	E: 395,624
NAD 1983(92) (Survey Feet)	N: 12,585,601	E: 1,297,975
NAD 1927 (Meters)	N: 3,835,895	E: 395,674
NAD 1927 (Survey Feet)	N: 12,584,932	E: 1,298,139

State Plane Coordinate System Zone: New Mexico Central

NAD 1983(92) (Meters)	N: 406,034	E: 510,161
NAD 1983(92) (Survey Feet)	N: 1,332,131	E: 1,673,754
NAD 1927 (Meters)	N: 406,015	E: 162,614
NAD 1927 (Survey Feet)	N: 1,332,067	E: 533,510

NEW MEXICO OFFICE OF STATE ENGINEER

Locator Tool Report



WR File Number: E

Scale: 1:23,678

Northing/Easting: UTM83(92) (Meter): N: 3,836,099

E: 395,624

Northing/Easting: SPCS83(92) (Feet): N: 1,332,131

E: 1,673,754

GW Basin: Estancia