

Scott A. Verhines, P.E.  
State Engineer



Santa Fe Office  
PO BOX 25102  
SANTA FE, NM 87504-5102

Trn Nbr: 529671  
File Nbr: RG 59559

**STATE OF NEW MEXICO**  
**OFFICE OF THE STATE ENGINEER**

Jun. 27, 2013

DWIGHT RICE  
RICE FAMILY LIVING TRUST  
P O BOX 328  
SANFORD, TX 79078

Greetings:

Enclosed is one original copy of a Change of Ownership of a Water Right submitted to this office for filing. This Change of Ownership is accepted for filing in accordance with Section 72-1-2.1, NMSA 1978 (1996 Supp.), effective May 15, 1996. The acceptance by the State Engineer Office does not constitute validation of the right claimed.

According to Section 72-1-2.1, NMSA 1978 (1996 Supp.), you must record this Change of Ownership with the clerk of the county in which the water is located. The filing shall be public notice of the existence and contents of the instruments so recorded.

Sincerely,

*Patsy Bailey*

Patsy Bailey  
(505) 827-6120

Enclosure

chngowrc

*Purdwright - 12/9/13*  
*This doc is*  
*Recorded w/*  
*Rio Arriba Cty*

File No. **RG 59559****NEW MEXICO OFFICE OF THE STATE ENGINEER****CHANGE OF OWNERSHIP OF 72-12-1 PERMIT FOR** (check one):☒ **Individual**☐ **Corporation****1. OWNER OF RECORD (Seller)**

Name: <b>Barbara Akes</b>	Name:	
Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell Phone (Work):	Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell Phone (Work):	
a. Owner of Record File No: <b>RG-59559</b>	b. Sub-file No.:	c. Cause No.:

**2. NEW OWNER (Buyer) Note: If more owners need to be listed, attach a separate sheet. Attached?** ☐ Yes

Name: <b>RICE FAMILY LIVING TRUST</b>	Name:	
Contact or Agent: <b>DWIGHT RICE</b> check here if Agent <input type="checkbox"/>	Contact or Agent: check here if Agent <input type="checkbox"/>	
Mailing Address: <b>P.O. BOX 328</b>	Mailing Address:	
City: <b>Sanford</b>	City:	
State: <b>TX</b> Zip Code: <b>79078</b>	State: Zip Code:	
Phone: <b>806-878-2512</b> <input checked="" type="checkbox"/> Home <input type="checkbox"/> Cell Phone (Work): <b>806-274-7187</b>	Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell Phone (Work):	
E-mail (optional): <b>DERICE@DERICE.COM</b>	E-mail (optional):	

Required: Submit warranty deed(s) or other instrument(s) of conveyance properly recorded with the county clerk's office.

**3. AMOUNT CONVEYED**

Amount of Water (acre-feet per annum):
--

**4. LIST ALL KNOWN POINT(S) OF DIVERSION (POD) FOR THE 72-12-1 PERMIT CONVEYED**

OSE POD No.	Subdivision	Section	Township	Range
<b>RG-59559</b>				

**94:1 WJ 22 JUN 27 PM 1:46****OFFICE OF STATE ENGINEER  
SANTA FE, NEW MEXICO**

FOR OSE INTERNAL USE

Change of Ownership, Form wr-02d, Revised 8/25/11

File Number:	Trn Number: <b>529671</b>
Trans Description (optional):	
Sub-Basin:	

5. ADDITIONAL STATEMENTS OR EXPLANATIONS

ACKNOWLEDGEMENT FOR INDIVIDUAL

I, We (name of owner(s)), Dwight Rice  
Print Name(s)

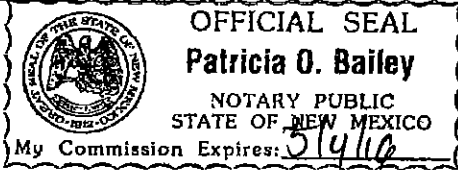
affirm that the foregoing statements are true to the best of (my, our) knowledge and belief.

Dwight Rice  
Signature

Signature

State of New Mexico )  
County of Santa Fe ) ss.

This instrument was acknowledged before me this 27<sup>th</sup> day of June A.D., 20 13, by (name of owner(s)):



Notary Public:  
My commission expires:

Patricia O. Bailey  
5/4/16

ACKNOWLEDGEMENT FOR CORPORATION

I, We (name of owner(s)), \_\_\_\_\_  
Print Name(s)

affirm that the foregoing statements are true to the best of (my, our) knowledge and belief.

Officer Signature

Officer Signature

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20 \_\_\_\_\_, by the following on behalf of said corporation.

Name of Officer: \_\_\_\_\_

Title of Officer: \_\_\_\_\_

Name of Corporation Acknowledging: \_\_\_\_\_

State of Corporation: \_\_\_\_\_

Notary Public: \_\_\_\_\_

My commission expires: \_\_\_\_\_

FOR USE INTERNAL USE

Change of Ownership, Form wr-02d, Revised 8/25/11

File Number:

Trn Number:

Trans Description (optional):

Sub-Basin:

well @ old hse -  
This well left open - November, 2013

## Locator Tool Report

### General Information:

Application ID: 29                      Date: 06-26-2013                      Time: 15:26:18

WR File Number: RG-59559  
Purpose: POINT OF DIVERSION

Applicant First Name: DWIGHT  
Applicant Last Name: RICE

GW Basin: RIO GRANDE  
County: RIO ARRIBA

Critical Management Area Name(s): WATERS USE ONLY: SUBBASIN - NRG  
WATERS USE ONLY: SUBBASIN - CHAMA CH

Special Condition Area Name(s): NONE  
Land Grant Name: TIERRA AMARILLA

### PLSS Description (New Mexico Principal Meridian):

PLSS description is not available for this location.

### Coordinate System Details:

#### Geographic Coordinates:

Latitude: 36 Degrees 38 Minutes 28.6 Seconds N  
Longitude: 106 Degrees 27 Minutes 6.1 Seconds W

#### Universal Transverse Mercator Zone: 13N

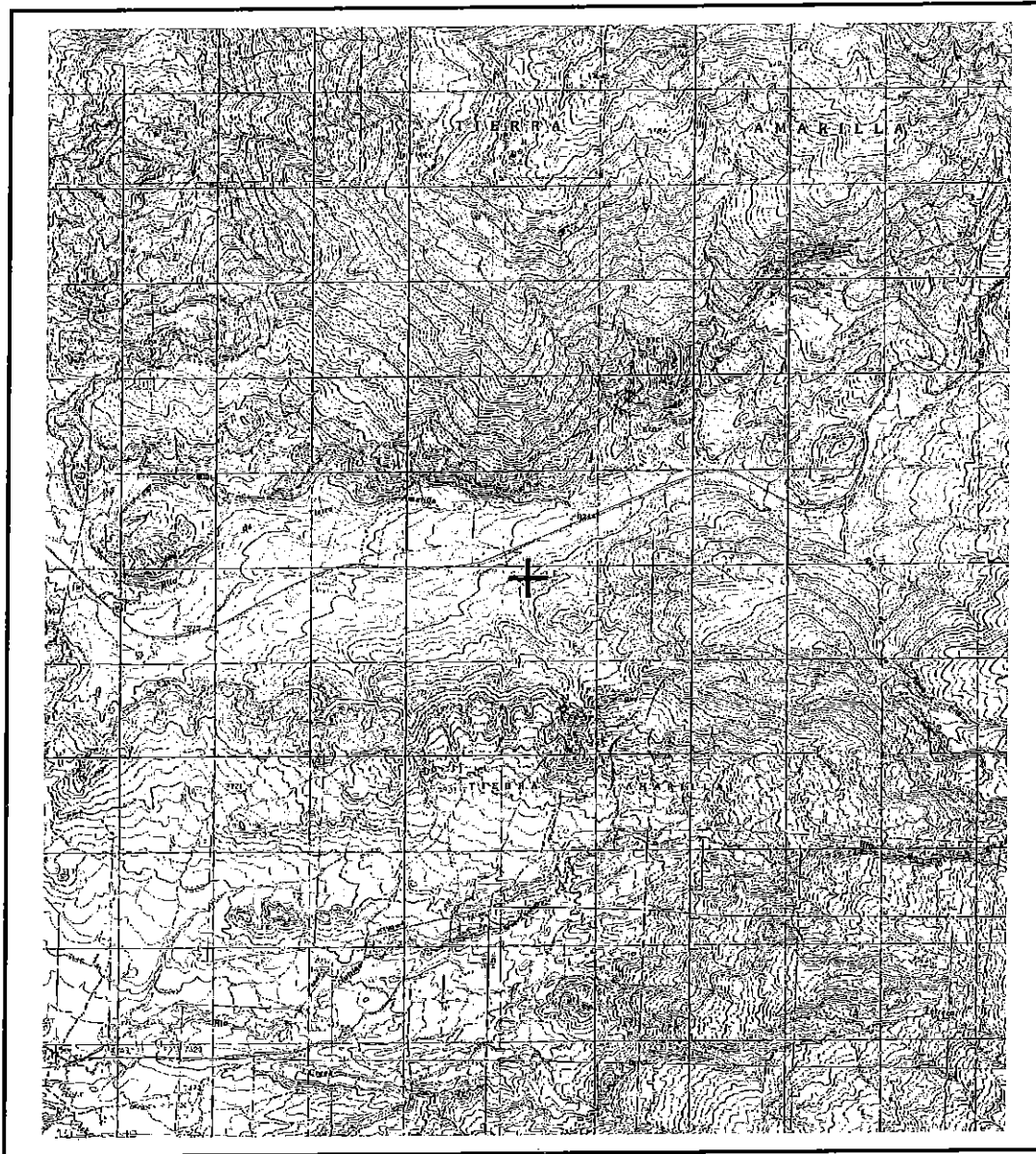
NAD 1983(92) (Meters)	N: 4,056,061	E: 370,226
NAD 1983(92) (Survey Feet)	N: 13,307,260	E: 1,214,649
NAD 1927 (Meters)	N: 4,055,856	E: 370,275
NAD 1927 (Survey Feet)	N: 13,306,588	E: 1,214,811

#### State Plane Coordinate System Zone: New Mexico Central

NAD 1983(92) (Meters)	N: 625,684	E: 481,965
NAD 1983(92) (Survey Feet)	N: 2,052,766	E: 1,581,246
NAD 1927 (Meters)	N: 625,664	E: 134,417
NAD 1927 (Survey Feet)	N: 2,052,700	E: 441,000

**NEW MEXICO OFFICE OF STATE ENGINEER**

**Locator Tool Report**



WR File Number: RG-59559

Scale: 1:76,536

Northing/Easting: UTM83(92) (Meter): N: 4,056,061 E: 370,226

Northing/Easting: SPCS83(92) (Feet): N: 2,052,766 E: 1,581,246

GW Basin: Rio Grande

File No. **RG 59559**

# NEW MEXICO OFFICE OF THE STATE ENGINEER



**CHANGE OF OWNERSHIP OF 72-12-1 PERMIT FOR** (check one):

☒ **Individual**
☐ **Corporation**

## 1. OWNER OF RECORD (Seller)

Name: <b>Barbara Akes</b>		Name:	
Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell		Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell	
Phone (Work):		Phone (Work):	
a. Owner of Record File No: <b>RG-59559</b>		b. Sub-file No.:	c. Cause No.:

## 2. NEW OWNER (Buyer) Note: If more owners need to be listed, attach a separate sheet. Attached? ☐ Yes

Name: <b>RICE FAMILY LIVING TRUST</b>		Name:	
Contact or Agent: <input type="checkbox"/> check here if Agent <input type="checkbox"/>		Contact or Agent: <input type="checkbox"/> check here if Agent <input type="checkbox"/>	
Mailing Address: <b>P.O. BOX 328</b>		Mailing Address:	
City: <b>Sanford</b>		City:	
State: <b>TX</b> Zip Code: <b>79078</b>		State: Zip Code:	
Phone: <b>806-878-2512</b> <input checked="" type="checkbox"/> Home <input type="checkbox"/> Cell		Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell	
Phone (Work): <b>806-274-7187</b>		Phone (Work):	
E-mail (optional): <b>DERICE@DERICE.COM</b>		E-mail (optional):	

Required: Submit warranty deed(s) or other instrument(s) of conveyance properly recorded with the county clerk's office.

## 3. AMOUNT CONVEYED

Amount of Water (acre-feet per annum):

## 4. LIST ALL KNOWN POINT(S) OF DIVERSION (POD) FOR THE 72-12-1 PERMIT CONVEYED

OSE POD No.	Subdivision	Section	Township	Range
<b>RG-59559</b>				

2013 JUN 27 PM 1:46

OFFICE OF STATE ENGINEER  
SANTA FE, NEW MEXICO

FOR OSE INTERNAL USE

Change of Ownership, Form wr-02d, Revised 8/25/11

File Number:

Trn Number: **529671**

Trans Description (optional):

Sub-Basin:

5. ADDITIONAL STATEMENTS OR EXPLANATIONS

ACKNOWLEDGEMENT FOR INDIVIDUAL

I, We (name of owner(s)), Dwight Rice  
Print Name(s)

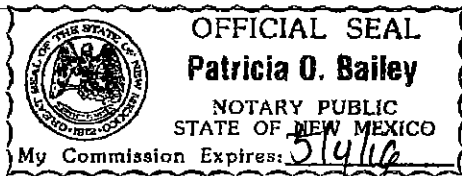
affirm that the foregoing statements are true to the best of (my, our) knowledge and belief.

Dwight Rice Signature  
Signature

State of New Mexico )

County of Santa Fe ) ss.

This instrument was acknowledged before me this 27<sup>th</sup> day of June A.D., 20 13, by (name of owner(s)):



Notary Public:

My commission expires:

Patricia O. Bailey  
5/4/16

ACKNOWLEDGEMENT FOR CORPORATION

I, We (name of owner(s)), \_\_\_\_\_  
Print Name(s)

affirm that the foregoing statements are true to the best of (my, our) knowledge and belief.

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Officer Signature

State of \_\_\_\_\_ )

County of \_\_\_\_\_ ) ss.

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20 \_\_\_\_\_, by the following on behalf of said corporation.

Name of Officer: \_\_\_\_\_

Title of Officer: \_\_\_\_\_

Name of Corporation Acknowledging: \_\_\_\_\_

State of Corporation: \_\_\_\_\_

Notary Public: \_\_\_\_\_

My commission expires: \_\_\_\_\_

FOR USE INTERNAL USE

Change of Ownership, Form wr-02d, Revised 8/25/11

File Number:

Trn Number:

Trans Description (optional):

Sub-Basin:

**APPLICATION TO APPROPRIATE UNDERGROUND WATERS  
IN ACCORDANCE WITH SECTION 72-12-1 NEW MEXICO STATUTES**

1. Name and mailing address of applicant:

File No. RG-59559

Barbara Akes  
PO Box 850  
Tierra Amarilla, N.M. 87575

2. Describe well location under one of the following subheadings:

a. 1/4 1/4 1/4 of Sec. 1 Twp. 1 Rge. 1  
In Central County.  
b. X 441,000 feet, Y 2,052,700 feet, New Mexico Coordinate System  
Central Zone in the T.A.

3. Approximate depth (if known) 6 feet; outside diameter of casing 6 inches.

Name of driller (if known) \_\_\_\_\_

4. Use of water (check use applied for):

- ☒ One household, non-commercial trees, lawn and garden not to exceed one acre.  
☐ Livestock watering.  
☐ More than one household, non-commercial trees, lawns and gardens not to exceed a total of one acre.  
☐ Drill and test a well intended to be used for domestic, drinking and sanitary or stock water purposes in conjunction with the building or dwelling unit.  
☐ Drinking and sanitary purposes and the irrigation of non-commercial trees, shrubs and lawns in conjunction with a commercial operation.  
☐ Prospecting, mining or drilling operations to discover or develop natural resources.  
☐ Construction of public works, highways and roads.

If any of the last three items were marked, give name and nature of business under \_\_\_\_\_ (Item 5).

5. Remarks: \_\_\_\_\_

I, Barbara Akes, affirm that the foregoing statements are true to the best of my knowledge and belief and that development shall not commence until approval of the permit has been obtained.  
Barbara Akes, Applicant

By: \_\_\_\_\_

Date: 5-5-94

**ACTION OF STATE ENGINEER**

This application is approved for the use indicated, subject to all general conditions and to specific conditions numbered 4 on the reverse side hereof. This permit will automatically expire unless this well is drilled or driven and the well record filed on or before April 15, 1995.

Eluid L. Martinez, State Engineer

By: Nancy R. Cunningham  
Nancy R. Cunningham, District 1

Date: May 12, 1994

Please refer to condition B, E, F on the reverse side of this permit.

RG-59559

File No. \_\_\_\_\_



#### GENERAL CONDITIONS OF APPROVAL

- A. The maximum amount of water that may be appropriated under this permit is 3 acre-feet in any year.
- 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).
- C. Driller's well record must be filed with the State Engineer within 10 days after the well is drilled or driven. Failure to file the well record within that time shall result in automatic cancellation of the permit. Well record forms will be provided by the State Engineer upon request.
- D. The casing shall not exceed 7 inches outside diameter except under specific conditions in which reasons satisfactory to the State Engineer are shown.
- E. If the well under this permit is used at any time to serve more than one household or livestock in a commercial feed lot operation, or for drinking and sanitation purposes in conjunction with a commercial operation, the permittee shall comply with Specific Conditions of Approval number 5(b).
- F. In the event this well is combined with other wells permitted under Section 72-12-1 New Mexico Statutes Annotated, the total outdoor use shall not exceed the irrigation of one acre of non-commercial trees, lawn, and garden, or the equivalent outside consumptive use, and the total appropriation for household and outdoor use from the entire water distribution system shall not exceed 3 acre-feet in any year.
- G. If artesian water is encountered, all rules and regulations pertaining to the drilling and casing of artesian wells shall be complied with.

#### SPECIFIC CONDITIONS OF APPROVAL

(Applicable only when so indicated on the other side of this form.)

1. Depth of the well shall not exceed the thickness of the (a) valley fill or (b) Ogallala formation.
2. The well shall be constructed to artesian well specifications and the State Engineer shall be notified before casing is landed or cemented.
3. Appropriation and use of water under this permit shall not exceed a period of one year from the date of approval.
4. Use shall be limited to household, non-commercial trees, lawn and garden not to exceed one acre and/or stock use.
5. A totalizing meter shall be installed before the first branch of the discharge line from the well and the installation shall be acceptable to the State Engineer; the Engineer shall be advised of the make, model, serial number, date of installation, and initial reading of the meter prior to appropriation of water; pumping records shall be submitted to the District Supervisor: (a) for each calendar month, on or before the 10th day of the following month (b) on or before the 10th of January, April, July and October of each year for the three preceding calendar months (c) for each calendar year on or before the 10th day of January of the following year.
6. The well shall be plugged upon completion of the permitted use, and a plugging report shall be filed with the State Engineer within 10 days.
7. Final approval for the use of the well shall be dependent upon a leakage test made by the State Engineer.
8. Use shall be limited strictly to household, drinking and sanitary purposes; water shall be conveyed from the well to the place of use in closed conduit and the effluent returned to the underground so that it will not appear on the surface. No irrigation of lawns, gardens, trees or use in any type of pool or pond is authorized under this permit.
9. No water shall be used from this well unless and until a permit has been issued to an applicant who intends to use the water for any of the purposes described in § 72-12-1.

#### INSTRUCTIONS

The application shall be made in the name of the actual user of the well for the purpose specified in the application.

The application shall be filed in triplicate and forwarded with a \$5.00 filing fee to the State Engineer.

A separate application must be filed for each well to be drilled or used.

If well to be used is an existing well, an explanation (and the file number, if possible) should be given under Remarks (Item 5).

Applications for appropriation, well records and requests for information in the following basins should be addressed to the State Engineer at the location indicated.

Bluewater, Estancia, Rio Grande, Sandia, Gallup and San Juan Basins

District No. 1, 3311 Candelaria, NE, Suite A, Albuquerque, NM 87107

Capitan, Carlsbad, Curry County, Fort Sumner, Hondo, Jal, Lea County, Penasco, Portales, Roswell, Tucuman and Upper Pecos Basins District No. 2, 1900 West Second Street, Roswell, NM 88201

Animas, Gila-San Francisco, Lordsburg, Mimbres, Nutt-Hockett, Playas, San Simon and Virden Valley Basins District No. 3, P.O. Box 844, Deming, NM 88031

Lower Rio Grande, Tularosa, Hueco, Las Animas Creek and Hot Springs Basins District No. 4, 133 Wyatt Drive, Suite 3, Las Cruces, NM 88005

Canadian River Basin

State Engineer Office, P.O. Box 25102, Santa Fe, NM 87504-5102

## STATE ENGINEER OFFICE

## WELL RECORD

## Section 1. GENERAL INFORMATION

(A) Owner of well BARBADA Akes  
 Street or Post Office Address Box 890  
 City and State TIERRA AMARILLA, NM 87625 STATE ENGINEER OFFICE  
 Owner's Well No. 1

Well was drilled under Permit No. RG-59559 and is located in the:

a.  $\frac{1}{4}$   $\frac{1}{4}$   $\frac{1}{4}$   $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ N.M.P.M.

b. Tract No. \_\_\_\_\_ of Map No. \_\_\_\_\_ of the \_\_\_\_\_

c. Lot No. \_\_\_\_\_ of Block No. \_\_\_\_\_ of the \_\_\_\_\_  
 Subdivision, recorded in RIO ARRIBA County.

d. X= 41,000 feet, Y= 2,052,700 feet, N.M. Coordinate System Cenozoic Zone in  
 the TIERRA AMARILLA Grant.

(B) Drilling Contractor Monte Deining Inc License No. WD-733

Address Box 822 FARMINGTON NM 87499

Drilling Began 6-6-94 Completed 6-7-94 Type tools Romy Size of hole 7 7/8 in.

Elevation of land surface or \_\_\_\_\_ at well is \_\_\_\_\_ ft. Total depth of well 240 ft.

Completed well is ☒ shallow ☐ artesian. Depth to water upon completion of well 200 ft.

## Section 2. PRINCIPAL WATER-BEARING STRATA

Depth in Feet		Thickness in Feet	Description of Water-Bearing Formation	Estimated Yield (gallons per minute)
From	To			
<u>21</u>	<u>108</u>	<u>87</u>	<u>Shale, Gray - soft</u>	<u>5</u>

## Section 3. RECORD OF CASING

Diameter (inches)	Pounds per foot	Threads per in.	Depth in Feet		Length (feet)	Type of Shoe	Perforations	
			Top	Bottom			From	To
<u>5</u>			<u>0</u>	<u>240</u>	<u>240</u>	<u>N/A</u>	<u>200</u>	<u>240</u>

## Section 4. RECORD OF MUDDING AND CEMENTING

Depth in Feet		Hole Diameter	Sacks of Mud	Cubic Feet of Cement	Method of Placement
From	To				

## Section 5. PLUGGING RECORD

Plugging Contractor \_\_\_\_\_  
 Address \_\_\_\_\_  
 Plugging Method \_\_\_\_\_  
 Date Well Plugged \_\_\_\_\_  
 Plugging approved by: \_\_\_\_\_

State Engineer Representative

No.	Depth in Feet		Cubic Feet of Cement
	Top	Bottom	
<u>1</u>			
<u>2</u>			
<u>3</u>			
<u>4</u>			

Date Received 7/27/94

FOR USE OF STATE ENGINEER ONLY

Quad X=44,000 FWL \_\_\_\_\_ FSL \_\_\_\_\_

File No. RG-59559

Use Dom

Location No. Tierra Amarilla, NM

[illegible]

PACK AROUND CASING WITH SILICA SAND

*[Signature]*  
Driller

INSTRUCTIONS: This form should be executed in triplicate, preferably typewritten, and submitted to the appropriate district office of the State Engineer. All sections, except Section 5, shall be answered as completely and accurately as possible when any well is drilled, repaired or deepened. When this form is used as a plugging record, only Section 1(a) and Section 5 need be completed.