

H01-56480  
8250.00

File No. **E10189**

**NEW MEXICO OFFICE OF THE STATE ENGINEER**



**APPLICATION FOR PERMIT TO USE UNDERGROUND WATERS IN ACCORDANCE WITH SECTIONS 72-12-1.1, 72-12-1.2, OR 72-12-1.3 NEW MEXICO STATUTES**



For fees, see State Engineer website: <http://www.ose.state.nm.us/>

**1. APPLICANT(S)**

**NORTH WELL**

Name: RIZZI PROPERTIES, LLC	Name:
Contact or Agent: <input type="checkbox"/> check here if Agent <b>BRETT RIZZI</b>	Contact or Agent: <input checked="" type="checkbox"/> check here if Agent <b>TIM ODEN</b>
Mailing Address: <b>480 VALLE VISTA ROAD</b>	Mailing Address: <b>PO BOX 1976</b>
City: <b>Corrales</b>	City: <b>Moriarty</b>
State: <b>NM</b> Zip Code: <b>87048</b>	State: <b>NM</b> Zip Code: <b>87035</b>
Phone: <b>505-449-7387</b> <input type="checkbox"/> Home <input checked="" type="checkbox"/> Cell Phone (Work):	Phone: <b>505-401-2968</b> <input type="checkbox"/> Home <input checked="" type="checkbox"/> Cell Phone (Work): <b>505-833-4724</b>
E-mail (optional): <b>BRETT@GALLERYPAINTINGINC.COM</b>	E-mail (optional): <b>TODEN@ODENASSOCIATES.COM</b>

**METER REQUIRED**  
SECTION 72-12-1.1 APPROVAL # **55**

**2. WELL LOCATION** Required: Coordinate location must be New Mexico State Plane (NAD 83), UTM (NAD 83), or Lat/Long (WGS84)

NM State Plane (NAD83) - In feet	NM West Zone <input type="checkbox"/> NM Central Zone <input checked="" type="checkbox"/> NM East Zone <input type="checkbox"/>	X (in feet): <b>1681360.578</b> Y (in feet): <b>1415352.355</b>
UTM (NAD83) - In meters	UTM Zone 13N <input type="checkbox"/> UTM Zone 12N <input type="checkbox"/>	Easting (in meters): Northing (in meters):
Lat/Long (WGS84) - To 1/10 <sup>th</sup> of second	Latitude: <b>34</b> deg <b>53</b> min <b>24.11</b> sec	
	Longitude: <b>106</b> deg <b>06</b> min <b>50.95</b> sec	
Other Location Information (complete the below, if applicable):		
PLSS Quarters or Halves: <b>NW1/4 NW1/4 SW1/4</b> Section: <b>28</b> Township: <b>8N</b> Range: <b>8E</b>		
County: <b>Torrance</b>		
Land Grant Name (if applicable):		
Lot No:	Block No:	Unit/Tract: <b>TC</b> Subdivision: <b>Lands of the Thomas Trust</b>
Hydrographic Survey:		Map: Tract:
Other description relating point of diversion to common landmarks, streets, or other:		
Point of Diversion is on Land Owned by (Required): <b>Rizzi Properties, Llc</b>		

FOR OSE INTERNAL USE

Application for Permit, Form wr-01, Rev11/16/11

File Number: <b>E10189</b>	Trn Number: <b>613079</b>
Sub-basin: <b>-</b>	Log Due Date: <b>-</b>
POD No. <b>E 26</b>	

3. PURPOSE OF USE

Domestic use for one household

Livestock watering

Domestic use for more than one household. Number of households \_\_\_\_\_

Drinking and sanitary uses that are incidental to the operations of a governmental, commercial, or non-profit facility

Prospecting, mining or drilling operations to discover or develop natural resources

Construction of public works, highways and roads

Domestic use for one household and livestock watering

Domestic use for multiple households and livestock watering

Domestic well to accompany a house or other dwelling unit constructed for sale

4. WELL INFORMATION

File Information: (If existing well, provide OSE no. & indicate below if well is to be replacement, repaired or deepened, or supplemental. If new well, leave blank, as OSE must assign no.)

OSE Well No. (If Existing) <b>E-26</b>	New Well No. (provided by OSE)
Driller Name: <b>S.A. Smith</b>	Driller License Number:
Approximate Depth of Well (feet): <b>300</b>	Outside Diameter of Well Casing (inches): <b>16.00</b>
<input checked="" type="checkbox"/> Replacement well (List all existing wells if more than one): <b>E-26</b>	<input type="checkbox"/> Repair or Deepen: <input type="checkbox"/> Clean out well to original depth <input type="checkbox"/> Deepen well from _____ to _____ ft. <input type="checkbox"/> Other (Explain):
	<input type="checkbox"/> Supplemental well (List OSE No. for all wells this will supplement):

5. ADDITIONAL STATEMENTS OR EXPLANATIONS

I RECENTLY PURCHASED THE LAND THAT WELL # E-26 IS LOCATED ON. I PURCHASED THE WELL BUT NOT THE WATER RIGHTS UNDER E-26. THE WELL IS SUITABLE FOR USE AS A DOMESTIC AND LIVESTOCK WELL. I WISH TO RE-PERMIT THE WELL AS A DOMESTIC AND LIVESTOCK WELL INSTEAD OF PLUGGING IT. THIS APPLICATION IS TO APPROPRIATE THE WELL AND PERMIT IT FOR USE AS A DOMESTIC WELL FOR ONE HOUSEHOLD AND LIVESTOCK WATERING. ATTACHED IS MY DEED AND SURVEY PLAT.

ACKNOWLEDGEMENT

I, We (name of applicant(s)), **BRETT RIZZI, PRESIDENT, RIZZI PROPERTIES, LLC.**  
 Print Name(s)

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

 Applicant Signature

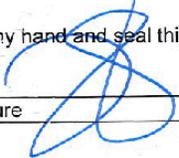
\_\_\_\_ Applicant Signature

JUN 11 PM 1:57  
 THE ENGINEER'S OFFICE

ACTION OF THE STATE ENGINEER (FOR OSE USE ONLY)

This application is approved subject to the attached general and specific conditions of approval.

Witness my hand and seal this 7 day of September 20 17, for the State Engineer,

By:  Theresa Salas  
 Signature Print

FOR OSE INTERNAL USE		Application for Permit, Form wr-01, Rev11/16/11	
File Number: <b>E 10189</b>	Trn Number: <b>4e13079</b>	Sub-basin: <b>—</b>	Log Due Date: <b>—</b>
POD No. <b>E26</b>			

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

**GENERAL CONDITIONS OF APPROVAL (A thru R)**

- 17-A The maximum combined diversion of all wells that may be appropriated under this permit is 3,000 acre-feet in any year (One acre-foot equals 325,851 gallons).
- 17-B The well shall be drilled by a driller licensed in the State of New Mexico in accordance with 72-12-12 NMSA 1978. A licensed driller shall not be required for the construction of a well driven without the use of a drill rig; provided that the casing shall not exceed two and three-eighths (2 3/8) inches outside diameter.
- 17-C The well driller must file the well record with the State Engineer and the applicant within 30 days after the well is drilled or driven. It is the well owner's responsibility to ensure that the well driller files the well record. The well driller may obtain the well record form from any District Office or the Office of the State Engineer website.
- 17-D The production casing shall not exceed 7 inches outside diameter except under specific conditions in which reasons satisfactory to the State Engineer are shown.
- 17-E To request a change to the purpose of use of water authorized under this permit, the permittee shall file an application with the State Engineer.
- 17-F An application for a new 72-12-1.1 NMSA 2003 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 NMSA domestic well shall be treated as an application for a supplemental well and the combined diversion may not exceed the maximum annual diversion permitted.
- 17-G If artesian water is encountered, the well driller shall comply with all rules and regulations pertaining to the drilling and casing of artesian wells.
- 17-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.

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

**GENERAL CONDITIONS OF APPROVAL (Continued)**

- 17-I The permittee shall utilize the highest and best technology available to ensure conservation of water to the maximum extent practical.
- 17-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 federal, state, and local requirements.
- 17-K Pursuant to section 72-8-1 NMSA 1978, the permittee shall allow the State Engineer and OSE representatives entry upon private property for the performance of their respective duties, including access to the ditch or acequia to measure flow and also to the well for meter reading and water level measurement.
- 17-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.
- 17-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.
- 17-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 1978.
- 17-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.
- 17-P The well shall be constructed, maintained, and operated to prevent inter-aquifer exchange of water and to prevent loss of hydraulic head between hydrogeologic zones.
- 17-Q The State Engineer retains jurisdiction over this permit.

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**NEW MEXICO STATE ENGINEER OFFICE  
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**GENERAL CONDITIONS OF APPROVAL (Continued)**

- 17-R The State Engineer shall supply a well identification tag for the well driller to firmly affix to the well casing or cap with a steel band upon completion in accordance with Subsection M of 19.27.4.29 NMAC.  
The permit holder is responsible for maintaining the well identification tag.

Well Tag(s) associated with this permit:

**SPECIFIC CONDITIONS OF APPROVAL**

- 17-18 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 a plan for the proposed repayment during the following year to the State Engineer for approval.
- 17-20 This permit authorizes the diversion of water for domestic use to serve more than one household and livestock. The maximum combined total diversion of water under this permit shall not exceed 3,000 acre-feet per year.
- 17-5E All wells pertaining to this Permit shall be equipped with totalizing meters installed before the first branch of the discharge line from the wells and the installation shall be acceptable to the State Engineer; the Engineer shall be advised of the make, model, serial number, installation date, and initial meter reading prior to appropriating water; pumping records shall be submitted to the District Supervisor for each calendar month on or before the 10th of Jan, Apr, Jul and Oct of each year

SEE GENERAL CONDITIONS OF APPROVAL

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

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 11 day of Sep A.D., 2017

Tom Blaine, P.E., State Engineer

By: LORRIE M CALLEGOS

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### WARRANTY DEED

Ronald Douglas Blackwell and Elizabeth Ann Blackwell, husband and wife, for consideration paid, grant to Rizzi Properties, LLC, an Illinois limited liability company whose address is 498 Applewood Road, Corrales, NM 87048 the following described real estate in Torrance County, New Mexico:

Tract lettered "C" situate within Sections Twenty-seven (27), Twenty-eight (28) and Thirty-three (33), Township Eight (8) North, Range Eight (8) East, N.M.P.M., as the same is shown and designated on that certain plat entitled "Lands of The Pauline A. Thomas Trust" prepared by Roger G. Scussel, P.S. #14405 on December 9, 2012, filed for record on December 5, 2012 at 10:13 o'clock, A.M., as document number 2123333, and filed in Cabinet F, Slide 269, Plat Records of Torrance County, New Mexico.

SUBJECT TO: Restrictions, Reservations and Easements of record and Taxes for the year 2017 and years thereafter and all other matters of record.

with warranty covenants.

Witness our hand(s) and seal this 27<sup>th</sup> day of March, 2017

Ronald Douglas Blackwell  
Ronald Douglas Blackwell

Elizabeth Ann Blackwell  
Elizabeth Ann Blackwell



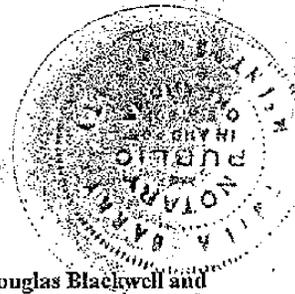
### ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF Oklahoma  
COUNTY OF McIntosh

This instrument was acknowledged before me on March 27, 2017 by Ronald Douglas Blackwell and Elizabeth Ann Blackwell, husband and wife.

My Commission Expires: 8-19-17  
Commission # 05007723

Lynla Barry  
Notary Public



TORRANCE COUNTY  
LINDA GARAMILLO, CLERK  
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BY MICHELLE

