

File Number: RG 78415

**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: TIERRA ENTERPRISES LLC Work Phone: 5059422158  
Contact: TOM FITZGERALD Home Phone: 5056601092  
Address: 505 DON GASPAR AVE  
City: SANTA FE State: NM Zip: 87505

**2. LOCATION OF WELL (E thru H optional)**

A. SE 1/4 NW 1/4 NE 1/4 Section: 19 Township: 17N Range: 09E N.M.P.M.  
in Santa Fe County

B. X = \_\_\_\_\_ feet, Y = \_\_\_\_\_ feet, N.M. Coordinate System  
\_\_\_\_\_ Zone in the \_\_\_\_\_ Grant.  
U.S.G.S Quad Map 30 4 2

C. Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

D. East \_\_\_\_\_ meters, North \_\_\_\_\_ meters, UTM\_Zone \_\_, Datum \_\_\_\_\_

E. Give State Engineer File Number if existing well \_\_\_\_\_

F. On land owned by \_\_\_\_\_ TIERRA ENTERPRISES

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

H. Lot No. \_\_\_\_\_ Block No. \_\_\_\_\_ of Unit/tract \_\_\_\_\_ of the  
\_\_\_\_\_ Subdivision recorded in County.

I. Other \_\_\_\_\_ AUGA FRIA QUAD. MAP

**3. USE OF WATER**

**RECEIVED**  
**OFFICE OF STATE ENGINEER**  
**SANTA FE, NEW MEXICO**

DATE: July 2, 2002

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

Name of well driller and driller license number:

622 THOMPSON DRILLING INC. JOSEPH ROYBAL

Approximate depth 640 feet, Outside diameter of casing 5.00 inches.

☐ Change Location of existing well or replacement well

☐ Repair or Deepen:

☐ Clean out well to original depth

☐ Deepen well from \_\_\_\_\_ to \_\_\_\_\_ feet

☐ Other \_\_\_\_\_

☐ Drill and test a well for \_\_\_\_\_ use.

☐ Supplemental well

**5. ADDITIONAL STATEMENTS OR EXPLANATIONS**

Owner: Linda Horn

Well on 10 acre lot that may be split in the future  
with county approval to 2 1/2 acre parcels, lots  
may be sold individually.

**ACKNOWLEDGEMENT FOR NATURAL PERSONS**

I, SEE ATTACHED affirm that the foregoing statements are true to  
(Please Print)  
the best of my knowledge and belief, By: \_\_\_\_\_.

\_\_\_\_\_  
Signature Signature

Trn Desc: RG 78415  
Log Due Date: 07/08/2003  
Form: wr-01

File Number: RG 78415  
Trn Number: 234638

File Number: 26-78415

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

1. APPLICANT

Name: TIERRA ENTERPRISES, LLC LINDA HORN Work Phone: 942-2158  
Contact: TOM FITZGERALD Home Phone: 660-1092  
Address: 505 DON GASPAR AVE  
City: SANTA FE State: NM Zip: 87505

2. LOCATION OF WELL (A, B, C, or D required, E or F if known)

A. SE 1/4 NW 1/4 NE 1/4 Section: 19<sup>N</sup> Township: 17<sup>E</sup> Range: 9<sup>E</sup> N.M.P.M.  
in SANTA FE County.

B. X = \_\_\_\_\_ feet, Y = \_\_\_\_\_ feet, N.M. Coordinate System  
Zone in the \_\_\_\_\_ Grant.  
U.S.G.S. Quad Map 30.4.2 Agua Fria Quad

C. Latitude: \_\_\_\_\_ d \_\_\_\_\_ m \_\_\_\_\_ s Longitude: \_\_\_\_\_ d \_\_\_\_\_ m \_\_\_\_\_ s

D. East \_\_\_\_\_ (m), North \_\_\_\_\_ (m), UTM Zone 13, NAD \_\_\_\_\_ (27 or 83)

E. Tract No. \_\_\_\_\_, Map No. \_\_\_\_\_ of the \_\_\_\_\_ Hydrographic Survey

F. Lot No. \_\_\_\_\_, Block No. \_\_\_\_\_ of Unit/Tract \_\_\_\_\_ of the  
\_\_\_\_\_ Subdivision recorded in \_\_\_\_\_ County.

G. Is this well within a municipality? NO if yes, where? \_\_\_\_\_

H. Give State Engineer File Number if existing well: \_\_\_\_\_

I. On land owned by (required): TIERRA ENTERPRISES

3. USE OF WATER (check use applied for)

☒ One household, non-commercial trees, lawn and garden not to exceed a  
total of one acre.

☐ Livestock watering.

Note: If any of the following items are marked, give the name and nature  
of business or use under item 5 of the additional statements or  
explanations section.

☐ More than one household, non-commercial trees, lawns and gardens not to  
exceed a total of one acre.

☐ Drinking and sanitary purposes and the irrigation of non-commercial  
trees, shrubs and lawns not to exceed one acre in conjunction with a  
commercial operation.

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

☐ Construction of public works, highways and roads.

Trn Desc: \_\_\_\_\_  
Log Due Date: 7.8.03  
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File Number: \_\_\_\_\_

**NEW MEXICO OFFICE OF THE STATE ENGINEER  
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IN ACCORDANCE WITH SECTION 72-12-1 NEW MEXICO STATUTES**

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

Name of well driller and driller license number:

Thompson DRILLING  
Approximate depth 640 feet; Outside diameter of casing 5 inches.

       Change Location of existing well or replacement well

Repair or Deepen: \_\_\_\_\_

\_\_\_ Clean out well to original depth

Deepen well from \_\_\_\_\_ to \_\_\_\_\_ feet

Other

\_\_\_\_ Drill and test a well for \_\_\_\_\_ use.

Supplemental well

**5. ADDITIONAL STATEMENTS OR EXPLANATIONS:**

WELL ON 10 ACRE LOT THAT MAY BE SPLIT IN FUTURE  
WITH COUNTY APPROVAL, LOTS MAY BE SOLD

## ACKNOWLEDGEMENT FOR NATURAL PERSONS

 $(I, We)$ 

(Please Print)

affirm that the

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

Applicant Signature

Applicant Signature

Trn Desc:

File Number: \_\_\_\_\_

Log Due Date: \_\_\_\_\_

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**NEW MEXICO STATE ENGINEER OFFICE  
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**GENERAL CONDITIONS OF APPROVAL (A thru I)**

- 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. 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 notify the State Engineer Office in writing.
- 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.
- H The amount and uses of water permitted under this Application are subject to such limitations as may be imposed by the courts or by lawful municipal and county ordinances which are more restrictive than applicable State Engineer Regulations and the conditions of this permit.

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**GENERAL CONDITIONS OF APPROVAL (Continued)**

- I The permittee shall utilize the highest and best technology available to ensure conservation of water to the maximum extent practical.

**SPECIFIC CONDITIONS OF APPROVAL**

- 9 No water shall be used from this well until a Change of Ownership has been filed and a 72-12-1 permit has been issued to an applicant who intends to use the water for any of the purposes described in NMSA 72-12-1.
- D The casing shall not exceed 7 inches outside diameter except under specific conditions in which reasons satisfactory to the State Engineer are shown.
- LOG This permit will automatically expire unless the well RG 78415 is completed and the well record filed on or before 07/08/2003.

**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 08 day of Jul A.D., 2002

Thomas C. Turney, State Engineer

By: Mary Young  
Mary Young

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SF 5-SHORT FORM SPECIAL WARRANTY DEED Rev. 9/93 - New Mexico Statutory Form

SFA# 97101830

## SPECIAL WARRANTY DEED

STEWART TITLE GUARANTY COMPANY

for consideration paid, grant

to TIERRA ENTERPRISES, LLC

whose address is

505 DON GASPAR AVENUE

2058095

SANTA FE, NM 87501

the following described real estate in

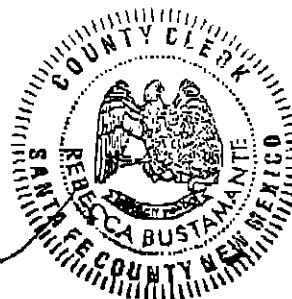
SANTA FE

County, New Mexico:

The SE1/4 of the NW1/4 of the NE1/4, Section 19, Township 17 North, Range 9 East, N.M.P.M., as shown and delineated on plat of survey prepared for Stewart Title Guaranty Company, filed for record May 12, 1994 as Document No. 862,531 and appearing in Plat Book 274 at page 11, and also shown on Easement Survey recorded in Plat Book 478, page 004, records of Santa Fe County, New Mexico.

SUBJECT TO: Restrictions, reservations and/or easements of record.

1190 539  
COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) SS.  
I hereby certify that this instrument was filed for  
record on the 20th day of January, A.D.  
2002 at 2:27 o'clock P.M. and  
was duly recorded in book 2058095  
of the records of Santa Fe County.  
Witness my Hand and Seal of Office  
Rebecca Bustamante  
County Clerk, Santa Fe County, N.M.  
Deputy



with special warranty covenants.

WITNESS it s hand and seal this 18th day of January, 2002

STEWART TITLE GUARANTY COMPANY (Seal)

(Seal)

By: RANDY LEE, VICE PRESIDENT

## ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF TEXAS )

) SS.

COUNTY OF TRAVIS )

This instrument was acknowledged before me on January 23, 2002  
by RANDY M. LEE, Senior Vice Pres, Stewart Title Guaranty Co.  
ON BEHALF OF SAID CORPORATION (Name of person(s))  
My commission expires: Sharon Keller  
(Seal)



## ACKNOWLEDGEMENT FOR CORPORATION

FOR RECORDER'S USE ONLY

STATE OF )

) SS.

COUNTY OF TEXAS )

This instrument was acknowledged before me on January 18, 2002

(date)

by RANDY LEE, VICE PRESIDENT

(Name of Officer)

of STEWART TITLE GUARANTY COMPANY (Name of Corporation Acknowledging)

a corporation, on behalf of said corporation.

My commission expires:

(Seal)

Notary Public

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Thomas C. Turney  
State Engineer



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

**STATE OF NEW MEXICO  
STATE ENGINEER OFFICE**

Trn Nbr: 234638  
File Nbr: RG 78415

Jul. 08, 2002

TOM FITZGERALD  
TIERRA ENTERPRISES LLC  
505 DON GASPAR AVE  
SANTA FE, NM 87505


Greetings:

Enclosed is your copy of the 72-12-1 Permit which has been approved. Your attention is called to the Specific and the General Conditions of Approval of this permit.

In accordance with General Condition C, a well record shall be filed in this office within ten (10) days after completion of drilling. The well record is proof of completion of the well. IT IS YOUR RESPONSIBILITY TO ASSURE THAT THE WELL LOG BE FILED WITHIN 10 DAYS OF DRILLING THE WELL.

This permit will expire on or before 07/08/2003, unless the well has been drilled and the well log filed in this office.

Sincerely,

  
Mary Young  
(505) 827-6120

Enclosure

cc: Albuquerque Office

wr\_01app



**OFFICE OF THE STATE ENGINEER/INTERSTATE STREAM COMMISSION – SANTA FE OFFICE**

OFFICIAL RECEIPT NUMBER: **6-16127** DATE: \_\_\_\_\_ FILE NO.: \_\_\_\_\_

TOTAL: \_\_\_\_\_ RECEIVED: \_\_\_\_\_ DOLLARS \_\_\_\_\_ CHECK NO.: \_\_\_\_\_ CASH: \_\_\_\_\_

PAYOR: \_\_\_\_\_ ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_

ZIP: \_\_\_\_\_  
RECEIVED BY: \_\_\_\_\_

**INSTRUCTIONS:** Indicate the number of actions to the left of the appropriate type of filing. Complete the receipt information. **Original** to payor; **pink** copy to ASD; **yellow** copy to Water Rights, Santa Fe Office, and **goldenrod** copy for district file. If you make a mistake, void original and all copies and submit to ASD along with valid receipts.

### A. Ground Water Rights Filing Fees

1.	Declaration of Water Right	\$ 1.00
2.	Application to Appropriate; Domestic, Stock, Other Use	\$ 5.00
3.	Application for Test, Exploratory, or Observation Well	\$ 5.00
4.	Application to Change Location Domestic Well	\$ 5.00
5.	Application to Repair or Deepen	\$ 5.00
6.	Change of Ownership of Water Right	\$ 2.00
7.	Application to Appropriate Imng., Mun., Ind., or Comm. Use	\$25.00
8.	Application to Combine Wells and/or Use	\$25.00
9.	Application for Supplemental Well	\$25.00
10.	Application to Change Location of Non-72-12-1 Well	\$25.00
11.	Application to Change Place or Purpose of Use	\$25.00
12.	Application to Change Location of Well and Place and/or Purpose of Use	\$50.00
13.	Application for Extension of Time Certificate and License	\$25.00
14.	Application for Plan of Replacement	\$25.00
15.	Application to Change Point of Division and Place and/or Purpose of Use from Surface Water to Ground Water	\$25.00
16.		\$50.00

## B. Surface Water Rights Filing Fees

1. Declaration of Water Right	\$ 1.00
2. Declaration of Livestock Dam	\$ 1.00
3. Application to Change Point of Diversion	\$25.00
4. Application to Change Place and/or Purpose of Use	\$50.00
5. Application to Change Point of Diversion and Place and/or Purpose of Use	\$50.00
6. Change of Ownership of Water Right	\$ 2.00
7. Application to Appropriate	\$25.00
8. Application for Extension of Time	\$50.00
9. Certificate of Construction	\$25.00
10. License to Appropriate	\$25.00
11. Application to Enlarge or Amend	\$25.00
12. Application to Change Point of Diversion and Place and/or Purpose of Use from Ground Water to Surface Water	\$50.00
13. Notice of Intent to Appropriate	\$25.00

### C. Miscellaneous Fees

1. _____	Application to Construct Flood Control Dam/Review of Plans for Safety of Dams (\$10.00 + \$2.00 /\$1000.00 of estimated construction cost).	(VAR)	\$50.00
2. _____	Application for Well Driller's License		\$20.00
3. _____	Application for Renewal of Well Driller's License		\$ 5.00
4. _____	Application to Amend Well Driller's License		

## D. Reproduction of Documents

.20¢/copy  
\$3.00/map

**E. Certification**

**F. Other** (Specify-not for  
filing fees)

**Comments:**

[illegible]