

MC 6-20-13
925.00

File Number: 06388

NEW MEXICO OFFICE OF THE STATE ENGINEER
DECLARATION OF OWNERSHIP OF WATER RIGHT OF SURFACE WATERS
PERFECTED PRIOR TO MARCH 19, 1907

1. DECLARANT

Name: Yates Petroleum Corporation* Work Phone: (505)982-3566
Contact: Peter B. Shoenfeld Home Phone: _____
Address: 100 LaSalle Circle Suite A
P.O. Box 2421
City: Santa Fe State: NM Zip: 87504-2421

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

A. 1/4 1/4 1/4 Section: _____ Township: _____ Range: _____ N.M.P.M. _____ in
Cibola County.

B. X = _____ feet, Y = _____ feet, N.M. Coordinate System
Zone in the _____ Grant.
U.S.G.S. Quad Map _____

C. Latitude: 34 d 45 m 39.15 s Longitude: 108 d 47 m 27.5 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. Other: _____

H. On land owned by (required): Declarants

3. QUANTITY

Diversion Amount: unknown acre feet per annum

Consumptive Use: 3535 acre feet per annum EVAPORATION, additional _____
but presently unknown amounts for other uses.

2004 MAR 31 10:42:44
STATE ENGINEER OFFICE
ALBUQUERQUE, NEW MEXICO

4. PURPOSE OF USE

Domestic: _____ Livestock: X Irrigation: X Municipal: _____ Industrial: _____
Commercial: _____ Other (specify): Recreation
Specific use: Fishing, boating, swimming, stock watering, irrigation.

* See paragraph 11

UNDER NEW MEXICO LAW, A DECLARATION IS ONLY A
STATEMENT OF DECLARANT'S CLAIM AND FILING DOES
NOT CONSTITUTE APPROVAL OR REJECTION OF CLAIM.

File Number: 06388
Form: wr-21

page 1 of 4

Trn Number: 363147

Exhibit 1
01cv00072-MV-WPL
Subfile ZRB-2-00098
20150626

2ND

YATES PETRO

File Number: 06388

**NEW MEXICO OFFICE OF THE STATE ENGINEER
DECLARATION OF OWNERSHIP OF WATER RIGHT OF SURFACE WATERS
PERFECTED PRIOR TO MARCH 19, 1907**

5. PLACE OF USE

755± acres of land described as follows:

Subdivision of Section (District or Hydrographic Survey) (See attachment 1)	Section (Map No.)	Township (Tract No.)	Range	Acres	Owner
					<u>Declarants</u>

Who is the owner of the land? Declarants

6. WATER WAS FIRST APPLIED TO BENEFICIAL USE ON: Before March 19, 1907, (date)
and since that time has been used fully and continuously for all of the above
described purposes except as follows: The dam was destroyed by 1971 and the
water has not been used since that time

7. CONSTRUCTED WORKS CONSIST OF:

(Enumerate Diversion dams, main canals, headgates, pipelines, flumes,
reservoirs, laterals, etc.) A dam, outlet works, reservoir, and other works.

8. DIVERSION DAM (if applicable)

The diversion dam is constructed of _____;
Crest length _____ feet; Crest width _____ feet;
Height above stream bed _____ feet; Depth below stream bed _____ feet;
Side slopes of _____ horizontal to 1(one) vertical on upstream face
And _____ horizontal to 1 (one) vertical on downstream face;
And contains about _____ cubic yards of material.

STATE ENGINEER OFFICE
 ALBUQUERQUE, NEW MEXICO
 2004 MAR 31 PM 12:44

File Number: 06388
Form: wr-21

Trn Number: 363147

2ND

File Number: 06388

**NEW MEXICO OFFICE OF THE STATE ENGINEER
DECLARATION OF OWNERSHIP OF WATER RIGHT OF SURFACE WATERS
PERFECTED PRIOR TO MARCH 19, 1907**

9. HYDRAULIC PROPERTIES OF MAIN CANAL OR PIPELINE (if applicable)

Name of ditch _____;
 Bottom width _____ feet;
 Depth of water at full operating capacity _____ feet;
 Side slopes _____ horizontal to 1 (one) vertical;
 Diameter (pipe line or circular flume) _____ feet;
 Type of pipe line _____;
 Slope _____ feet per 1000 feet; Capacity _____ cubic feet per second;
 Length of canal or pipeline _____ feet.

10. HYDRAULIC PROPERTIES - STORAGE DAM (if applicable)

Maximum storage capacity 21000* acre feet;
 Maximum height above foundation 35* feet; length of crest 150* feet;
 Maximum width at base _____ feet; Crest width _____ feet;
 Slope of upstream face _____ horizontal to 1 (one) vertical;
 Slope of downstream face _____ horizontal to 1 (one) vertical;
 Elevation of crest of dam _____ feet; elevation of spillway crest _____ feet;
 Elevation of flow line of outlet conduit _____ feet;
 Width of spillway: _____ feet;
 Discharge capacity of spillway _____ cubic feet per second;
 Location of spillway: _____;
 Cross-sectional area at maximum flow: _____ square feet;

Size and character of outlet conduit _____
 _____;

Type of dam, construction material, etc. stone, mortar, concrete, timbers.
Remaining construction details are unknown but probably earth-fill.

Elevation or (feet) depth above outlet	Area of Water Surface, (Acres)	Storage Capacity (Acre Feet)	Remarks
<u>Approx. 35'*</u>	<u>Approx. 755</u>	<u>21000*</u>	
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2014 MAR 31 PM 12:44
 STATE ENGINEER OFFICE
 ALBUQUERQUE, NEW MEXICO

File Number: 06388
 Form: wr-21

Trn Number: 363147

2ND

File Number: 06388

**NEW MEXICO OFFICE OF THE STATE ENGINEER
DECLARATION OF OWNERSHIP OF WATER RIGHT OF SURFACE WATERS
PERFECTED PRIOR TO MARCH 19, 1907**

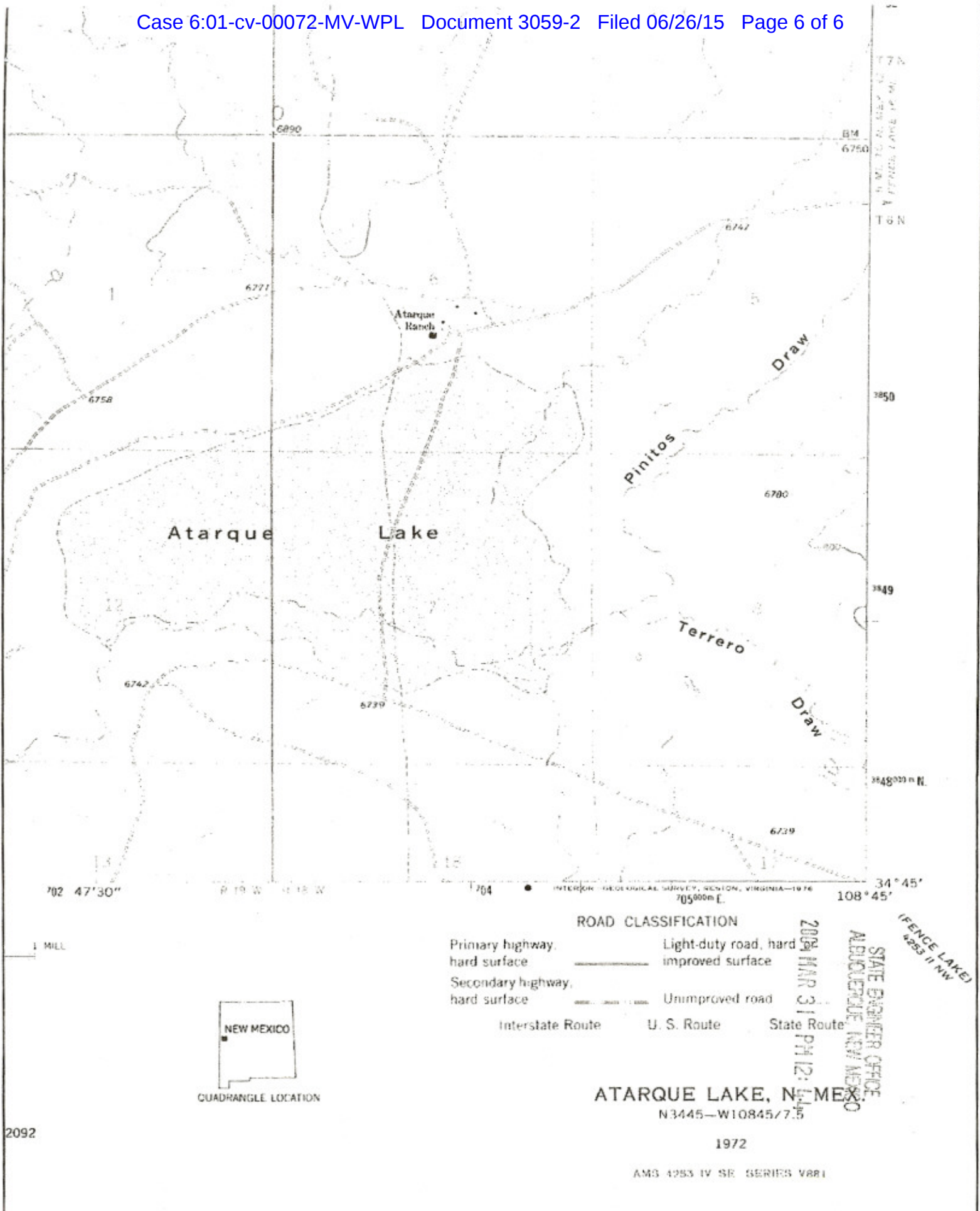
ATTACHMENT 1

Paragraph 5:

755 acres, more or less, comprising the surface area of Atarque Lake, as shown on the U.S.G.S. Quadrangle mapsheet entitled "Atarque Lake, N. Mex. N 3445-W10845/7.5", an enlarged copy of a portion of which is attached hereto, located in Sections 1 and 12 of T. 6 N., R 19 W., and in Sections 6 and 7, T. 6 N., R. 18 W., all N.M.P.M. In addition, to the best of declarant's information and belief, the water was used for irrigation, household, domestic and stockwatering use on an unknown number of acres, the precise location of which is also unknown, in the SW $\frac{1}{4}$ of Section 12, T. 6 N., R19 W., and in the NW $\frac{1}{4}$ of Section 13, T. 6 N., R19 W., N.M.P.M., and around the perimeter of the lake.

490

STATE ENGINEER OFFICE
ALBUQUERQUE, NEW MEXICO
2004 MAR 31 PM 12:44



1 MILL



ROAD CLASSIFICATION

- Primary highway, hard surface
- Secondary highway, hard surface
- Interstate Route
- U.S. Route
- State Route
- Light-duty road, hard improved surface
- Unimproved road

2008 MAR 31 PM 12:44
 STATE ENGINEER OFFICE
 ALBUQUERQUE, NEW MEXICO

(FENCE LAKE)
 4255 N NW

ATARQUE LAKE, N. MEX.
 N3445—W10845/7.5

1972

AMS 4253 IV SR SERIES V881

2092