

"ROAD WINDMILL"

File Number: G-717

NEW MEXICO OFFICE OF THE STATE ENGINEER  
DECLARATION OF OWNER OF UNDERGROUND WATER RIGHT  
AMENDED

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 WELL (A, B, C, or D required, E or F if know)

A. NE 1/4 SE 1/4 SE 1/4 Section: 26 Township: 7 N., Range: 18W., N.M.P.M.  
in Cibola County.

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

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. Other: \_\_\_\_\_

H. On land owned by (required): Declarants

3. DESCRIPTION OF WELL

Date drilled: Before 1954 Driller: Unknown

Depth: 300 feet. Outside diameter of casing 5 1/2 inches;

Original capacity unk gal. per min.; Present capacity 2.5 gal. per min.;

Pumping lift: \_\_\_\_\_ feet; Static water level: 280 feet (above) (below) land  
surface; Make of pump: \_\_\_\_\_; Type of pump: windmill

Make, type, horsepower, etc., of power plant: AerMotor

Fractional or percentage interest claimed in well: 100%

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Form: wr-03

Trn Number: 292558

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

Exhibit 12 - 2

# 25.00  
He 6-20413

STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER  
SANTA FE, NEW MEXICO  
2003 DEC 31 AM 11:51

DEC 31 11:21 AM '15

NOT CONSTITUTE APPROVAL OF CLAIM OR FILING DOES  
STATEMENT OF DECLARANT'S CLAIM AND FILING DOES  
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4. QUANTITY

Consumptive Use: 3.00 acre-feet per annum  
Diversion Amount: \_\_\_\_\_ acre-feet per annum

5. PURPOSE OF USE

Domestic: \_\_\_\_\_ Livestock:  Irrigation: \_\_\_\_\_ Municipal: \_\_\_\_\_ Industrial: \_\_\_\_\_  
Commercial: \_\_\_\_\_ Other (specify): \_\_\_\_\_  
Specific use: \_\_\_\_\_

6. PLACE OF USE

N/A acres of land described as follows:

Subdivision of Section (District or Hydrographic Survey)	Section (Map No.)	Township (Tract No.)	Range	Acres
_____	<u>26</u>	<u>7N</u>	<u>18W</u>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Who is the owner of the land? Declarants

7. WATER WAS FIRST APPLIED TO BENEFICIAL USE ON: Before 1954 (date)  
and since that time has been used fully and continuously for all of the above  
described purposes except as follows: \_\_\_\_\_

8. ADDITIONAL STATEMENTS OR EXPLANATIONS:

\*Paragraph 1: Additional owners are John A. Yates and Trust Q Under the Last Will and Testament of Peggy A. Yates, Deceased; the owners reflected in this amended declaration are and at all times were the true owners of the water right. The original declaration erroneously showed ownership in Jack W. McCaw, who was never the owner of the water right, but was an employee of Yates Petroleum Corporation. This amended declaration is filed to correct the error of ownership reflected in the original declaration, the amount of water and the priority date. This well is known as the "Road Windmill".

STATE ENGINEER OFFICE  
ALBUQUERQUE, NEW MEXICO  
01 JAN 2016 11:00

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UNION NEW MEXICO LAW A DEPARTMENT IS ONLY A  
STATEMENT OF DECLARANT'S OWN BELIEFS AND OPINIONS  
AND DOES NOT CONSTITUTE AN OFFICIAL STATEMENT OF THE  
FEDERAL BUREAU OF INVESTIGATION

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**NEW MEXICO OFFICE OF THE STATE ENGINEER  
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**ACKNOWLEDGEMENT FOR NATURAL PERSONS**

(I, We) PETER B. SHOENFELD, ATTORNEY FOR DECLARANTS affirm that the  
(Please Print)  
foregoing statements are true to the best of my knowledge and belief.

\_\_\_\_\_  
Declarant Signature

[Signature]  
Declarant Signature

**NOTARY**

This instrument was acknowledged before me this 31 day of DEC,  
A.D., 2003, By PETER B. SHOENFELD  
Name of Applicant

My commission expires 12-11-04

[Signature]  
Notary Public

**OFFICIAL SEAL**  
Carolyn Lucero  
NOTARY PUBLIC  
STATE OF NEW MEXICO  
My Commission Expires: 12-11-04

**ACCEPTANCE OF STATE ENGINEER**

This Declaration form is hereby accepted for filing in accordance  
with NMSA-1978 (1985), as amended.  
The acceptance by the State Engineer Office does not constitute  
validation of the right claimed.

[Signature]

STATE ENGINEER OFFICE  
ALBUQUERQUE, NEW MEXICO  
04 JAN -8 PM 2:20

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