

File Number: SD-00003

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: John A. Yates, Yates Petroleum (cont. ¶ 11) Work Phone: _____
Contact: Peter B. Shoenfeld Office Phone: (505) 982-3566
Address: Post Office 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)

As discussed with Peter on 5/15/09

A. SE 1/4 SW 1/4 NE 1/4 Section: 4 Township: (10N) Range: (10W) 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°44.8827' N., Longitude: 108°50.3617' W.

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. Give State Engineer File Number if existing Diversion: _____

I. On land owned by (required): Declarants

J. Source of surface water supply:

- a. Name of ditch, acequia, or spring: Canyon Springs
- b. Stream or water course: Atarque Canyon
- c. Tributary of: Zuni River

3. QUANTITY

Diversion Amount: 15.00 acre-feet per annum estimated
Consumptive Use: 15.00 acre-feet per annum estimated

4. PURPOSE OF USE

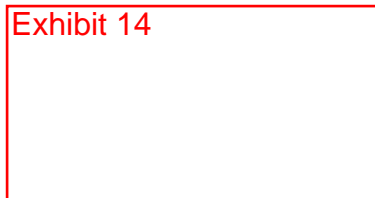
Domestic: ___ Livestock: x Irrigation: ___ Municipal: ___ Industrial: ___ Commercial: ___ Other (specify): _____

Specific use: Initially, a sheep ranching operation to water sheep pens, but the water is now used for cattle.

File Number: _____
Form: wr-21

Trn Number: 303983

2009 APR 12 PM 4:56
OFFICE OF STATE ENGINEER
SANTA FE, NEW MEXICO



File Number: SD 10503

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

1.50 ± _____ acres of land described as follows:

Subdivision of Section (District or Hydrographic Survey)	Section (Map No.)	Township (Tract No.)	Range	Acres
--	----------------------	-------------------------	-------	-------

As shown on U.S.G.S. Quad map "Rincon Hondo" in the Southwest Quarter of Section 16, T. 6 N., R.19 W., N.M.P.M., the center of which is located approximately at Latitude: 34°44.6550'N., Longitude: 108°50.6298'W., plus the area of the sheep pens on which the water was initially used.

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: a cattle operation has replaced the sheep operation for approximately 50 years.

7. CONSTRUCTED WORKS CONSIST OF:

(Enumerate Diversion dams, main canals, headgates, pipelines, flumes, reservoirs, laterals, etc.) Diversion box and pipeline from springs part of the way to reservoirs, open ditch, 3 earthen reservoirs

8. DIVERSION DAM (if applicable)

The diversion dam is constructed of n/a _____;
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.

File Number: _____
Form: wr-21

Trn Number: 303983

File Number: SD-06503

**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 _____ acre feet;
 Maximum height above foundation _____ feet; length of crest _____ 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;
 Freeboard (above high water line at maximum spill) _____ 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. _____

2004 APR 12 PM 4:56
 OFFICE OF THE STATE ENGINEER
 SANTA FE, NEW MEXICO

Elevation or (feet) depth above outlet	Area of Water Storage Surface, (Acres)	Capacity (Acre Feet)	Remarks
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

File Number: _____
 Form: wr-21

Trn Number: 303483

File Number: _____

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

11. ADDITIONAL STATEMENTS OR EXPLANATIONS:

Paragraph 1, continued: Corporation, Trust Q Under the Last Will and Testament of Peggy A. Yates, deceased

ACKNOWLEDGEMENT

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

Declarant Signature

[Signature]
Declarant Signature

NOTARY

This instrument was acknowledged before me this 19 day of April, A.D., 2004
By Peter Shoefeld;

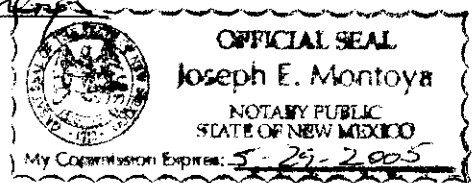
Name of Declarant(s)

Name of Declarant(s)

[Signature]
Notary Public

My commission expires

5-29-2005



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]

File Number: _____
Form: wr-21

Trn Number: 30483

John R. D Antonio, Jr., P.E.
State Engineer

Albuquerque Office
121 TIJERAS NE, SUITE 2000
ALBUQUERQUE, NM 87102

Trn Nbr: 303983 **S T A T E O F N E W M E X I C O**
File Nbr: SD 06503 **OFFICE OF THE STATE ENGINEER**

May. 18, 2004

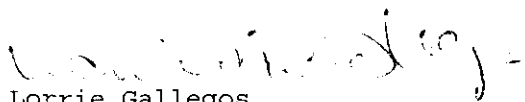
JOHN YATES
YATE PETROLEUM
PO BOX 2421
SANTA FE, NM 87504

Greetings:

Enclosed is your copy of Declaration of Owner of the Water Right numbered above,
which has been accepted for filing.

Under New Mexico Law, a Declaration is only a statement of declarant's claim.
Acceptance for filing does not constitute approval or rejection of the claim.

Sincerely,


Lorrie Gallegos
(505) 764-3888

Enclosure
cc: Santa Fe Office

declare