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AC 6-20413

" HIGHWAY WELL "

File Number: G-718

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. NW 1/4 NE 1/4 NW 1/4 Section: 30 Township: 7 N., Range: 17W., 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: _____ 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: 210 feet. Outside diameter of casing 6 inches;

Original capacity unk gal. per min.; Present capacity 28 gal. per min.;

Pumping lift: _____ feet; Static water level: 180 feet (above) (below) land
surface; Make of pump: unknown; Type of pump: submersible

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

Fractional or percentage interest claimed in well: 100%

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04 JAN 2019 PM 2:19
STATE ENGINEER
NEW MEXICO

2008 DEC 31 AM 11:52
OFFICE OF STATE ENGINEER
SANTA FE, NEW MEXICO

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 12-3

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

4. QUANTITY

Consumptive Use: 36* acre-feet per annum
 Diversion Amount: 36* acre-feet per annum

5. PURPOSE OF USE

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

6. PLACE OF USE

4 acres of land described as follows: (irrigated land only)

Subdivision of Section (District or Hydrographic Survey)	Section (Map No.)	Township (Tract No.)	Range	Acres
<u>N$\frac{1}{2}$NW$\frac{1}{4}$SE$\frac{1}{4}$, SW$\frac{1}{2}$NW$\frac{1}{4}$SE$\frac{1}{4}$, SE$\frac{1}{2}$NE$\frac{1}{4}$SW$\frac{1}{4}$</u>	<u>6</u>	<u>6N</u>	<u>18W</u>	<u>4</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 O 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. In addition it is filed for the purpose of showing corrected amount of water, and corrected priority date, all of which were erroneously shown in the original declaration which was filed by Mr. McCaw without an adequate basis in fact. This well is known as the "Highway Well". *¶ 4: 12 a/f/a irrigation; 13 a/f/a evaporation from two reservoirs; 3 a/f/a stock watering; 8 a/f/a domestic use in three houses, barns, and other uses at the ranch headquarters.

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