



**STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER**

District 3 Office, Deming, NM

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

321 W. Spruce Street
Deming, New Mexico 88030
PHONE: (575) 546-2851
FAX: (575) 546-2290

May 29, 2020

FILE: A-00013-2

Rosette, Inc.
c/o Paula J. Thomas
1081 Pinzon Street NW
Los Lunas, NM 87031

Greetings:

Enclosed is your copy of Permit to Change Point of Diversion and Purpose of Use A-00013-2, which has been approved.

Please take time to read and understand the conditions of this permit. **Please note the metering requirement for all wells associated with this permit.**

This application is approved provided it is not exercised to the impairment of any others having valid prior existing rights and is not detrimental to the public welfare or contrary to the conservation of water within the state, subject to the following conditions:

1. **File Numbers:** A-00013-2
- Permit Number:** A-00013-2
- Decree:** Subfile: AUB-009-0003A Cause: CV-2005-0054
- Priority:** May 20, 1948
- Source:** Animas Underground Water Basin
- Points of Diversion:**

Existing Permitted Points of Diversion:

Well #	Subdivision	Section	Township	Range	Latitude	Longitude	Depth	Casing
A-00036-A	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	07	25 South	19 West	32° 08' 43.20064"N	108° 50' 02.68309"W	85.0	12.00
A-00036-AS12	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	07	25 South	19 West	32° 08' 43.20432"N	108° 50' 08.94662"W	260.0	8.00
A-00036-AS2	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	07	25 South	19 West	32° 08' 39.76094"N	108° 49' 54.08927"W	151.0	10.00
A-00036-AS20	NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	07	25 South	19 West	32° 08' 39.45431"N	108° 50' 09.36186"W	2349.0	19.00
A-00036-AS3	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	07	25 South	19 West	32° 08' 47.83326"N	108° 50' 07.25647"W	225.0	8.00
A-00036-AS4	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	07	25 South	19 West	32° 08' 43.33855"N	108° 49' 57.39511"W	90.0	8.00
A-00036-AS5	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	07	25 South	19 West	32° 08' 43.09580"N	108° 50' 05.84727"W	600.0	12.75
A-00036-AS6	NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	07	25 South	19 West	32° 08' 38.26259"N	108° 50' 04.48688"W	275.0	10.00
A-00036-AS7	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	07	25 South	19 West	32° 08' 35.49930"N	108° 49' 59.94277"W	130.0	8.00
A-00036-AS8	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	07	25 South	19 West	32° 08' 39.49051"N	108° 50' 00.10750"W	175.0	8.00
A-00036-B	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	07	25 South	19 West	32° 08' 45.18361"N	108° 49' 58.59900"W	65.0	16.00

Additional Points of Diversion to Existing Permitted Points of Diversion:

Well #	Subdivision	Section	Township	Range	Latitude	Longitude	Depth	Casing
A-00036-AS11	NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	12	26 South	20 West	32° 08' 53.60605"N	108° 51' 41.28508"W	165.0	6.00
A-00036-AS14	NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	12	26 South	20 West	32° 08' 53.35028"N	108° 51' 41.65337"W	150.0	6.63

Place of Use: Pt. SE $\frac{1}{4}$, Pt. SE $\frac{1}{4}$ NE $\frac{1}{4}$, and Pt. SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7 on 240.0 acres; and Pt. NW $\frac{1}{4}$ NE $\frac{1}{4}$, Pt. NE $\frac{1}{4}$ NE $\frac{1}{4}$, and Pt. NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18 on 120.0 acres, all areas located in Township 25 South, Range 19 West, N.M.P.M. (360.0 Acres).

Purpose of Use:

From: Commercial Use for Greenhouse Uses and Irrigation

To: Commercial Use for Greenhouse Uses and Irrigation and Domestic Use

Amount of Water: Not to exceed 87.57 acre-feet consumptive use per annum.

2. All wells pertaining to this Permit (A-00036-AS11, A-00036AS14, A-00036-A; A-00036-AS12; A-00036-AS2; A-00036-AS20 (A-00758-POD1); A-00036-AS3; A-00036-AS4; A-00036-AS5; A-00036-AS6; A-00036-AS7; A-00036-AS8; and A-00036-B (A-00036-D)) shall be equipped with totalizing meters installed before the first branch of the discharge line from the wells and the installation shall be acceptable to the State Engineer; the Engineer shall be advised of the make, model, serial number, installation date, and initial meter reading prior to appropriating water; pumping records shall be submitted to the District Supervisor on or before the 10th of January, April, July, and October of each year for the three (3) preceding calendar months.
3. The State Engineer retains jurisdiction to administer the conditions of this permit.
4. The Permittee shall utilize the highest and best technology available to ensure conservation of water to the maximum extent practical.
5. Pursuant to section 72-8-1 NMSA 1978, the permittee shall allow the State Engineer and OSE representatives entry upon private property for the performance of their respective duties, including access to the ditch or acequia to measure flow and also to the well for meter reading and water level measurement.
6. Pursuant to Section 72-2-16, NMSA 1978, if you are aggrieved by this decision you may submit a request to this office asking for a hearing to be held. The request must be in writing and must be submitted no later than 30 days after receipt of this permit. Failure to request a hearing by such time will waive your right to request a hearing on this decision. In accordance with Subsection B of 19.25.2.10 NMAC, you will be required to pay a hearing fee when the hearing is announced by the OSE Hearings Unit. Aggrievance of the permit or any of the conditions of approval suspends the permit. **No water may be diverted** under an aggrieved permit until final resolution of the aggrievance with the Office of the State Engineer. Any water diverted while the aggrievance is pending will have to be repaid.
7. The State Engineer shall supply a well identification tag for the permittee to firmly affix to the well casing or cap with a steel band upon completion in accordance with Subsection M of 19.27.4.29 NMAC. The permit holder is responsible for maintaining the well identification tag.

Sincerely,

Lloyd R. Valentine III
District 3 Manager

By: 
Eric R. Woodhouse CPESC
Water Resource Professional III
District 3 Office of the New Mexico State Engineer

ERW:erw

cc: File

State Engineer

File No. A-00013-2

NEW MEXICO OFFICE OF THE STATE ENGINEER



APPLICATION FOR PERMIT TO CHANGE AN EXISTING WATER RIGHT
(Non 72-12-1)

(check applicable boxes):



50-
3-23158

For fees, see State Engineer website: <http://www.ose.state.nm.us/>

<input checked="" type="checkbox"/> Change Purpose of Use <input checked="" type="checkbox"/> Ground water <input type="checkbox"/> Surface Water <input type="checkbox"/> Change Place of Use <input type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water	<input type="checkbox"/> Change Point of Diversion (POD): From: <input type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water To: <input type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water	<input checked="" type="checkbox"/> Additional Groundwater Point of Diversion (POD) <input type="checkbox"/> Additional Surface Water Point of Diversion (POD)
<input type="checkbox"/> Temporary Change, NMSA 1978, § 72-12-7(B) Requested Start Date: (Not to Exceed 3 ac-ft in One Year)		Requested End Date:
<input type="checkbox"/> Water Use Lease, NMSA 1978, §§ 72-6-1 to-7 Requested Start Date:		Requested End Date:
<input type="checkbox"/> Temporary Change (other) Requested Start Date:		Requested End Date:
<input type="checkbox"/> Accounting Period Start Date:		

1. APPLICANT(S) (Required) Note: water-right owner must be listed as an applicant.

Name: Rosette, Inc.	Name: Reed C. Easterwood, Esq.
Contact or Agent: <input type="checkbox"/> check here if Agent Paula J. Thomas	Contact or Agent: <input checked="" type="checkbox"/> check here if Agent Domenici Law Firm, P.C.
Mailing Address: 1081 Pinzon Street NW	Mailing Address: 320 Gold Ave SW Ste. # 1000
City: Los Lunas	City: Albuquerque
State: NM Zip Code: 87031	State: NM Zip Code: 87102
Phone: 505 463-7678 <input checked="" type="checkbox"/> Home <input type="checkbox"/> Cell Phone (Work): same	Phone: 505 269-1565 <input type="checkbox"/> Home <input checked="" type="checkbox"/> Cell Phone (Work): 505 883-6250
E-mail (optional):	E-mail (optional): reasterwood@domenicilaw.com

2. CURRENT OSE FILE INFORMATION (Required)

OSE File No(s): A-00013-2	Priority Date (if known): 12/31/1936; 3/31/1947; May, 1948	Subfile/Cause No. (if applicable): AUB-009-0003A and B; CV-2005-0054
------------------------------	---	---

3. CURRENT PURPOSE OF USE AND AMOUNT OF WATER (Required)

<input type="checkbox"/> Domestic <input type="checkbox"/> Livestock <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Other Use (specify): _____ Describe a specific use If applicable (i.e. sand & gravel washing, dairy etc): _____	Amount of Water (acre-feet per annum): If more details are needed, type "See Comments" in "Other" field below, and explain in Additional Statements Section. Diversion: _____ Consumptive Use: <u>87.57af</u> Other (include units): <u>360.0 ac</u>
---	---

FOR OSE INTERNAL USE

Application for Permit, Form wr-06, Rev 10/21/19

File No.: <u>A-00013-2</u>	Trn. No.:	Receipt No.: <u>3-23158</u>
Trans Description (optional): <u>CPDPUI</u>		Sub-Basin: <u>A</u>
Well Tag ID No. (if applicable): <u>See Page 7 of 7</u>	PCW/LOG Due Date: <u>N/A</u>	PBU Due Date: <u>N/A</u>

EM

4. COUNTY WHERE WATER RIGHT IS CURRENTLY USED (Required)

Hidalgo County

5. ADDITIONAL STATEMENTS CONCERNING THE CURRENT WATER RIGHT

This application seeks to add fresh water wells A-36-A-S-11 and A-36-A-S-14 to OSE permit number A-00013-2 issued October 29, 2019 which will supplement points of diversion in sections 7 and 18 and amend purpose to include domestic in addition to the irrigation and commercial purposes for farming, operation of greenhouses and other related commercial activities on 360.0 acres.

6. CURRENT or MOVE-FROM POINT(S) OF DIVERSION (POD) (Required)
☐ Surface POD OR ☒ Ground Water POD (Well)

Name of ditch, acequia, or spring: n/a

Stream or water course:

Tributary of: Animas Underground Water Basin

If application proposes a new point of diversion involving a diversion dam, storage dam, main canal, and/or pipeline, complete Attachment 2. ☐ Check here if Attachment 2 is included in this application packet.

POD Location Required: Coordinate location must be reported in NM State Plane (NAD 83), UTM (NAD 83), or Latitude/Longitude (Lat/Long - WGS84).

District II (Roswell) & District VII (Cimarron) customers, provide a PLSS location in addition to above.

☒ NM State Plane (NAD83) (Feet)

☐ UTM (NAD83) (Meters)

☒ Lat/Long (WGS84) (to the nearest 1/10th of second)

☒ NM West Zone

☐ Zone 12N

☐ NM East Zone

☐ Zone 13N

☐ NM Central Zone

POD Number (if known):	X or Easting or Longitude:	Y or Northing or Latitude:	Provide if known: -Public Land Survey System (PLSS) (Quarters or Halves, Section, Township, Range) OR - Hydrographic Survey Map & Tract; OR - Lot, Block & Subdivision; OR - Land Grant Name
A-00036-A	2,413,351'	418,052'	SE1/4 SW1/4 NE1/4; Sec. 07, T-25S, R-19W
A-00036-AS12	2,412,812'	418,058'	SW1/4 SW 1/4NE1/4; Sec. 07, T-25S, R-19W
A-00036-AS2	2,412,361'	417,698'	NW1/4 NE1/4SE1/4; Sec. 07, T-25S, R-19W
See attached lat.-long. info	Attachment A-1;	Attachment A-2	

NOTE: If more PODS need to be described, complete form WR-08 (Attachment 1 – POD Descriptions)

Additional point of diversion descriptions are attached: ☒ Yes ☐ No If yes, how many 8

Point of Diversion is on Land Owned by:

Other description relating point of diversion to common landmarks, streets, or other:

FOR OSE INTERNAL USE

Application for Permit, Form wr-06

File Number: A-00013-2

Trn Number:

7. CURRENT or MOVE-FROM PLACE(S) OF USE (Required)

The land is legally described by (check all that apply):

☒ Public Land Survey System (PLSS) (quarters, section, township, range)

☐ Irrigation or Conservation District Map

☐ Hydrographic Survey Report or Map

☐ Subdivision

☐ Grant

Complete the blocks below for all tracts of land (more than one description can be provided for a tract if available):

PLSS Quarters or Halves, <u>and/or</u> Name of Hydrographic Survey, <u>and/or</u> Name of Irrigation or Conservation District, <u>and/or</u> Name and County of Subdivision <u>and/or</u> Grant	PLSS Section <u>and/or</u> Map No. <u>and/or</u> Lot No.	PLSS Township <u>and/or</u> Tract No. (Please list each tract individually) <u>and/or</u> Block No.	PLSS Range	Acres	Priority
pt. se1/4	7	25 S	20 W	160	May 20, 1948
pt. se1/4 ne1/4	7	25 S	20 W	40	" "
pt. sw1/4 ne1/4	7	25 S	20 W	40	" "
pt. nw1/4 ne1/4	18	25 S	20 W	40	" "
pt. ne1/4 ne1/4	18	25 S	20 W	40	" "
pt. ne1/4 nw1/4	18	25 S	20 W	40	May 20, 1948
see attached Map					
Total Acres:				360.00	

Other description relating place of use to common landmarks, streets, or other:

Place of use is on land owned by (required): Rosette, Inc.

Are there other sources of water for these lands? No ☒ Yes ☐ describe by OSE file number:

Note: If on Federal or State Land, please provide copy of lease.

FOR OSE INTERNAL USE

Application for Permit, Form wr-06

File Number: A-00013-2

Trn Number:

ER

8. MOVE-TO PURPOSE OF USE AND AMOUNT OF WATER

Check all that apply: <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Livestock <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Other Use (specify): _____ Describe a specific use if applicable (i.e. sand & gravel washing, dairy etc): <u>greenhouse uses and irrigation</u>	Amount of Water (acre-feet per annum): If more details are needed, type "See Comments" in "Other" field below, and explain in Additional Statements Section. Diversion: _____ Consumptive Use: <u>87.57 af</u> Other (include units): <u>360 ac</u>
---	--

9. MOVE-TO POINT(S) OF DIVERSION (POD) (Complete this section ONLY if adding or replacing a POD)

<input type="checkbox"/> Surface POD OR <input checked="" type="checkbox"/> Ground Water POD (Well)			
Name of ditch, acequia, or spring: n/a			
Stream or water course:		Tributary of: Animas underground water basin	
If application proposes a new point of diversion involving a diversion dam, storage dam, main canal, and/or pipeline, complete Attachment 2. <input type="checkbox"/> Check here if Attachment 2 is included in this application packet.			
POD Location Required: Coordinate location must be reported in NM State Plane (NAD 83), UTM (NAD 83), or Latitude/Longitude (Lat/Long - WGS84). District II (Roswell) & District VII (Cimarron) customers, provide a PLSS location in addition to above.			
<input checked="" type="checkbox"/> NM State Plane (NAD83) (Feet) <input checked="" type="checkbox"/> NM West Zone <input type="checkbox"/> NM East Zone <input type="checkbox"/> NM Central Zone		<input type="checkbox"/> UTM (NAD83) (Meters) <input type="checkbox"/> Zone 12N <input type="checkbox"/> Zone 13N	
		<input checked="" type="checkbox"/> Lat/Long (WGS84) (to the nearest 1/10 th of second)	
POD Number (if known):	X or Easting or Longitude:	Y or Northing or Latitude:	Provide if known: -Public Land Survey System (PLSS) (Quarters or Halves, Section, Township, Range) OR - Hydrographic Survey Map & Tract; OR - Lot, Block & Subdivision; OR - Land Grant Name
A-00036-A-S-11	2404883	419184	NW1/4SW1/4NW1/4; Sec 12, T-26S,R-20W N.M.P.M.
A-00036-A-S-14	2404851	419158	NW1/4SW1/4NW1/4; Sec 12, T-26S,R-20W N.M.P.M.
	see	Attachment A-2	for more well information
NOTE: If more PODS need to be described, complete form WR-08 (Attachment 1 – POD Descriptions) Additional POD descriptions are attached: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, how many _____			
Other description relating point(s) of diversion to common landmarks, streets, or other:			
Point of Diversion is on Land Owned by: Rosette, Inc			
Note: The following information is for wells only. If more than one (1) well needs to be described, provide attachment.			
Approximate depth of well (feet): existing wells		Outside diameter of well casing (inches):	
Driller Name:		Driller License Number:	
If replacing the current well, is the current well to be plugged? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable If No, state for what use it is retained:			

FOR OSE INTERNAL USE

Application for Permit, Form wr-06

File Number: A-00013-2

Trn Number:

Earl

10. MOVE-TO PLACE(S) OF USE (Complete this section ONLY if adding or changing a place of use)

List each individually

The land is legally described by (check all that apply):

☐ Public Land Survey System (PLSS) (quarters, section, township, range)

☐ Irrigation or Conservation District Map

☐ Hydrographic Survey Report or Map

☐ Subdivision

☐ Grant

Complete the blocks below for all tracts of land (more than one description can be provided for a tract if available):

PLSS Quarters or Halves, <u>and/or</u> Name of Hydrographic Survey, <u>and/or</u> Name of Irrigation or Conservation District, <u>and/or</u> Name and County of Subdivision <u>and/or</u> Grant	PLSS Section <u>and/or</u> Map No. <u>and/or</u> Lot No.	PLSS Township <u>and/or</u> Tract No. (Please list each tract individually) <u>and/or</u> Block No.	PLSS Range	Acres	Priority
Total Acres:					
Other description relating place of use to common landmarks, streets, or other:					
Place of use is on land owned by (required):					
Are there other sources of water for these lands? No <input type="checkbox"/> Yes <input type="checkbox"/> describe by OSE file number:					

Note: If on Federal or State Land, please provide copy of lease.

FOR OSE INTERNAL USE

Application for Permit, Form wr-06

File Number:

A-00013-2

Trn Number:

GA

11. ACEQUIA OR COMMUNITY DITCH REQUIREMENTS

☒ A. The water right is not within a Community Ditch or Acequia

☐ B. The water right is within a Community Ditch or Acequia. **If you checked box B you must:**

- 1) Attach documentary evidence provided by commissioners of the Community Ditch or Acequia confirming applicant's compliance with any applicable requirement for the change adopted by the Community Ditch or Acequia or
- 2) Attach an affidavit from the commissioners of the Community Ditch or Acequia stating that no such requirement has been adopted by the relevant association bylaws.

This documentation is required pursuant to NMSA 1978 § 72-5-24.1.

12. ADDITIONAL STATEMENTS OR EXPLANATIONS

The intent of the application is to include additional fresh water wells as points of diversion to A-00013-2 and to modify existing purpose of use to include domestic use.

FOR OSE INTERNAL USE

Application for Permit, Form wr-06

File Number:

A-00013-2

Trn Number:

EW

ACKNOWLEDGEMENT

I, We (name of applicant(s)) Rosette, INC _____
 Print Name(s)

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

Gaulaf Thomas
 Applicant Signature
 ON BEHALF OF Rosette, INC

Applicant Signature

ACTION OF THE STATE ENGINEER

This application is:

☒ approved ☐ partially approved ☐ denied

provided it is not exercised to the detriment of any others having existing rights, and is not contrary to the conservation of water in New Mexico nor detrimental to the public welfare and further subject to the attached conditions of approval.

Witness my hand and seal this 29th day of May 20 20, for

John R. D'Antonio Jr., P.E. _____, New Mexico State Engineer

By: [Signature]
 Signature

Lloyd R. Valentine IPI
 Print

Title: District 3 Manager
 Print

Tag # Wells

301DD A-36-AS14

301DE A-36-AS11

301DF A-36-D

301E0 A-36-AS8

301E1 A-36-AS7

301E2 A-36-AS6

301E3 A-36-AS5

301E4 A-36-AS4

301E5 A-36-AS3

301E6 A-36-AS20

301E7 A-36-AS2

301E8 A-36-AS12

301E9 A-36-A

☐ Check here if a new well is to be drilled under this permit.

FOR USE INTERNAL USE

Well Tag ID Issued? ☒ Yes ☐ No

Application for Permit, Form wr-06

File No.: <u>A-00013-2</u>	Trn No.:	Well ID Tag No.:
----------------------------	----------	------------------

ERN



NEW MEXICO OFFICE OF THE STATE ENGINEER



ATTACHMENT 1 POINT OF DIVERSION DESCRIPTIONS

This Attachment is to be completed if more than one (1) point of diversion is described on an Application or Declaration.

a. Is this a: <input checked="" type="checkbox"/> Move-From Point of Diversion(s) <input type="checkbox"/> Move-To Point of Diversion(s)		b. Information on Attachment(s): Number of points of diversion involved in the application: <u>11</u> Total number of pages attached to the application: <u> </u>	
<input type="checkbox"/> Surface Point of Diversion		OR	
<input checked="" type="checkbox"/> Well			
Name of ditch, acequia, or spring:		n/a	
Stream or water course:			
Tributary of:		Animas Underground Water Basin	
c. Location (Required): Required: Move to POD location coordinate must be either New Mexico State Plane (NAD 83), UTM (NAD 83), <u>or</u> Lat/Long (WGS84)			
NM State Plane (NAD83) (feet) NM West Zone <input checked="" type="checkbox"/> NM Central Zone <input type="checkbox"/> NM East Zone <input type="checkbox"/>	UTM (NAD83) (meters) Zone 13N <input type="checkbox"/> Zone 12N <input type="checkbox"/>	<input checked="" type="checkbox"/> Lat/Long- (WGS84) 1/10 th of second	OTHER (allowable only for move-from descriptions - see application form for format) <input type="checkbox"/> PLSS (quarters, section, township, range) <input type="checkbox"/> Hydrographic Survey, Map & Tract <input type="checkbox"/> Lot, Block & Subdivision <input type="checkbox"/> Grant
POD Number: A-00036-AS20	X or Longitude 2,412,773'	Y or Latitude 417,679'	Other Location Description: NW1/4 NW1/4 SE1/4; Sec. 07, T-25S, R-19W
POD Number: A-00036-AS3	X or Longitude 2,412,962'	Y or Latitude 418,524'	Other Location Description: SW1/4 SW1/4 NE1/4; Sec. 07, T-25S, R-19W
POD Number: A-00036-AS4	X or Longitude 2,413,805'	Y or Latitude 418,062'	Other Location Description: SE1/4 SW1/4 NE1/4; Sec. 07, T-25S, R-19W
POD Number: A-00036-AS5	X or Longitude 2,413,078'	Y or Latitude 418,044'	Other Location Description: SW1/4 SW1/4 NE1/4; Sec. 07, T-25S, R-19W
POD Number: A-00036-AS6	X or Longitude 2,413,191'	Y or Latitude 417,555'	Other Location Description: NW1/4 NW1/4 SE1/4; Sec. 07, T-25S, R-19W
POD Number: A-00036-AS7	X or Longitude 2,413,579'	Y or Latitude 417,272'	Other Location Description: NE1/4 NW1/4 SE1/4; Sec. 07, T-25S, R-19W
POD Number: A-00036-AS8	X or Longitude 2,413,569'	Y or Latitude 417,675'	Other Location Description: NE1/4 NW1/4 SE1/4; Sec. 07, T-25S, R-19W
POD Number: (A-36-D) A-00036-B	X or Longitude 2,413,704'	Y or Latitude 418,249'	Other Location Description: SE1/4 SW1/4 NE1/4; Sec. 07, T-25S, R-19W
POD Number:	X or Longitude	Y or Latitude	Other Location Description:

FOR OSE INTERNAL USE

Form wr-08

POD DESCRIPTIONS - ATTACHMENT 1

File Number: A-00013-2

Trn Number:

Trans Description (optional):

CPAPU

CPM

**ATTACHMENT
STATE ENGINEER CONDITIONS OF APPROVAL**

FILE: A-00013-2

APPLICATION: A-00013-2 Change Point of Diversion and Place and Purpose of Use

APPLICANT: Rosetté, Inc.

This application is approved provided it is not exercised to the impairment of valid existing rights; and is not detrimental to the public welfare or contrary to the conservation of water within the state, subject to the following conditions:

1. **File Numbers:** A-00013-2

Permit Number: A-00013-2

Decree: Subfile: AUB-009-0003A Cause: CV-2005-0054

Priority: May 20, 1948

Source: Animas Underground Water Basin

Points of Diversion:

Existing Permitted Points of Diversion:

Well #	Subdivision	Section	Township	Range	Latitude	Longitude	Depth	Casing
A-00036-A	SE1/4SW1/4NE1/4	07	25 South	19 West	32° 08' 43.20064"N	108° 50' 02.68309"W	85.0	12.00
A-00036-AS12	SW1/4SW1/4NE1/4	07	25 South	19 West	32° 08' 43.20432"N	108° 50' 08.94662"W	260.0	8.00
A-00036-AS2	NW1/4NE1/4SE1/4	07	25 South	19 West	32° 08' 39.76094"N	108° 49' 54.08927"W	151.0	10.00
A-00036-AS20	NW1/4NW1/4SE1/4	07	25 South	19 West	32° 08' 39.45431"N	108° 50' 09.36186"W	2349.0	19.00
A-00036-AS3	SW1/4SW1/4NE1/4	07	25 South	19 West	32° 08' 47.83326"N	108° 50' 07.25647"W	225.0	8.00
A-00036-AS4	SE1/4SW1/4NE1/4	07	25 South	19 West	32° 08' 43.33855"N	108° 49' 57.39511"W	90.0	8.00
A-00036-AS5	SW1/4SW1/4NE1/4	07	25 South	19 West	32° 08' 43.09580"N	108° 50' 05.84727"W	600.0	12.75
A-00036-AS6	NW1/4NW1/4SE1/4	07	25 South	19 West	32° 08' 38.26259"N	108° 50' 04.48688"W	275.0	10.00
A-00036-AS7	NE1/4NW1/4SE1/4	07	25 South	19 West	32° 08' 35.49930"N	108° 49' 59.94277"W	130.0	8.00
A-00036-AS8	NE1/4NW1/4SE1/4	07	25 South	19 West	32° 08' 39.49051"N	108° 50' 00.10750"W	175.0	8.00
A-00036-B	SE1/4SW1/4NE1/4	07	25 South	19 West	32° 08' 45.18361"N	108° 49' 58.59900"W	65.0	16.00

Additional Points of Diversion to Existing Permitted Points of Diversion:

Well #	Subdivision	Section	Township	Range	Latitude	Longitude	Depth	Casing
A-00036-AS11	NW1/4SW1/4NW1/4	12	26 South	20 West	32° 08' 53.60605"N	108° 51' 41.28508"W	165.0	6.00
A-00036-AS14	NW1/4SW1/4NW1/4	12	26 South	20 West	32° 08' 53.35028"N	108° 51' 41.65337"W	150.0	6.63

Place of Use: Pt. SE1/4, Pt. SE1/4NE1/4, and Pt. SW1/4NE1/4 of Section 7 on 240.0 acres; and Pt. NW1/4NE1/4, Pt. NE1/4NE1/4, and Pt. NE1/4NW1/4 of Section 18 on 120.0 acres, all areas located in Township 25 South, Range 19 West, N.M.P.M. (360.0 Acres)

Purpose of Use:

From: Commercial Use for Greenhouse Uses and Irrigation

To: Commercial Use for Greenhouse Uses and Irrigation and Domestic Use

Amount of Water: Not to exceed 87.57 acre-feet consumptive use per annum.

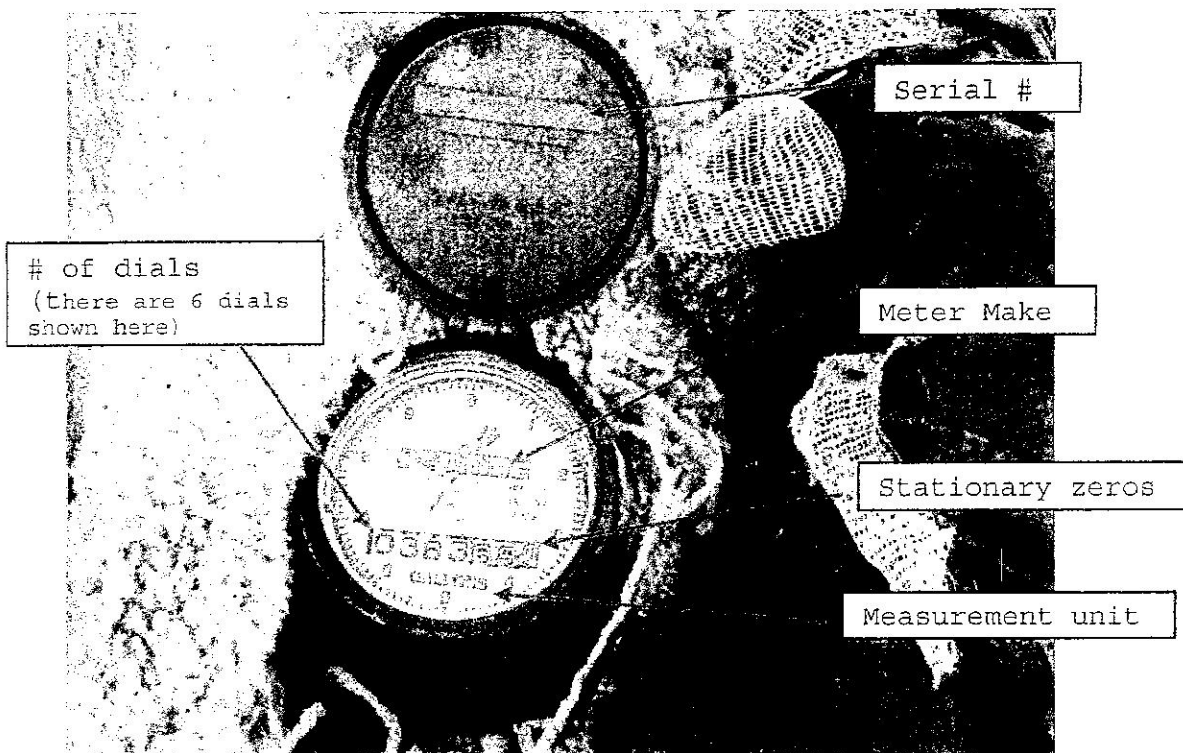
2. All wells pertaining to this Permit (A-00036-AS11, A-00036AS14, A-00036-A; A-00036-AS12; A-00036-AS2; A-00036-AS20 (A-00758-POD1); A-00036-AS3; A-00036-AS4; A-00036-AS5; A-00036-AS6; A-00036-AS7; A-00036-AS8; and A-00036-B (A-00036-D)) shall be equipped with totalizing meters installed before the first branch of the discharge line from the wells and the installation shall be acceptable to the State Engineer; the Engineer shall be advised of the make, model, serial number, installation date, and initial meter reading prior to appropriating water; pumping records shall be submitted to the District Supervisor on or before the 10th of January, April, July, and October of each year for the three (3) preceding calendar months.
3. The State Engineer retains jurisdiction to administer the conditions of this permit.
4. The Permittee shall utilize the highest and best technology available to ensure conservation of water to the maximum extent practical.
5. Pursuant to section 72-8-1 NMSA 1978, the permittee shall allow the State Engineer and OSE representatives entry upon private property for the performance of their respective duties, including access to the ditch or acequia to measure flow and also to the well for meter reading and water level measurement.
6. Pursuant to Section 72-2-16, NMSA 1978, if you are aggrieved by this decision you may submit a request to this office asking for a hearing to be held. The request must be in writing and must be submitted no later than 30 days after receipt of this permit. Failure to request a hearing by such time will waive your right to request a hearing on this decision. In accordance with Subsection B of 19.25.2.10 NMAC, you will be required to pay a hearing fee when the hearing is announced by the OSE Hearings Unit. Aggrievment of the permit or any of the conditions of approval suspends the permit. **No water may be diverted** under an aggrieved permit until final resolution of the aggrievment with the Office of the State Engineer. Any water diverted while the aggrievment is pending will have to be repaid.
7. The State Engineer shall supply a well identification tag for the permittee to firmly affix to the well casing or cap with a steel band upon completion in accordance with Subsection M of 19.27.4.29 NMAC. The permit holder is responsible for maintaining the well identification tag.

Witness my hand and seal this 29th day of May 2020.

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



Lloyd R. Valentine III
District 3 Manager



OFFICE OF THE STATE ENGINEER/INTERSTATE STREAM COMMISSION – DEMING OFFICE

OFFICIAL RECEIPT NUMBER: 3 - 23158 DATE: March 09, 2020 FILE NO.: A-0013-2

TOTAL: 50.00 RECEIVED: Fifty Dollars ***** DOLLARS CHECK NO.: 57426 CASH:

PAYOR: Rosette, Inc ADDRESS: 1081 Pinzon Street NW CITY: Los Lunas STATE: NM

ZIP: 87031 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 Program Support/ASD; and **yellow** copy for Water Rights. If a mistake is made, void the original and all copies and submit to Program Support/ASD as part of your daily deposit.

A. Ground Water Filing Fees

1. Change of Ownership of Water Right \$ 2.00
2. Application to Appropriate or Supplement Domestic 72-12-1 Well \$ 125.00
3. Application to Repair or Deepen 72-12-1 Well \$ 75.00
4. Application for Replacement 72-12-1 Well \$ 75.00
5. Application to Change Purpose of Use 72-12-1 Well \$ 75.00
6. Application for Stock Well \$ 5.00

B. Surface Water Filing Fees

1. Change of Ownership of a Water Right \$ 5.00
2. Declaration of Water Right \$ 10.00
3. Amended Declaration \$ 25.00
4. Application to Change Point of Diversion and Place and/or Purpose of Use from Surface Water to Surface Water \$ 200.00
5. Application to Change Point of Diversion and Place and/or Purpose of Use from Ground Water to Surface Water \$ 200.00
6. Application to Change Point of Diversion \$ 100.00
7. Application to Change Place and/or Purpose of Use \$ 100.00
8. Application to Appropriate \$ 25.00
9. Notice of Intent to Appropriate \$ 25.00
10. Application for Extension of Time \$ 50.00
11. Supplemental Well to a Surface Right \$ 100.00
12. Return Flow Credit \$ 100.00
13. Proof of Completion of Works \$ 25.00
14. Proof of Application of Water to Beneficial Use \$ 25.00
15. Water Development Plan \$ 100.00
16. Declaration of Livestock Water Impoundment \$ 10.00
17. Application for Livestock Water Impoundment \$ 10.00

C. Well Driller Fees

1. Application for Well Driller's License \$ 50.00
2. Application for Renewal of Well Driller's License \$ 50.00
3. Application to Amend Well Driller's License \$ 50.00

D. Reproduction of Documents

1. @ 0.25¢ \$ _____
2. Map(s) \$ _____

E. Certification

\$ _____

F. Other

\$ _____

G. Comments:

\$ _____

1. Application to Appropriate Irrigation, Municipal, or Commercial Use \$ 25.00
8. Declaration of Water Right \$ 1.00
9. Application for Supplemental Non 72-12-1 Well \$ 25.00
10. Application to Change Place or Purpose of Use Non 72-12-1 Well \$ 25.00
11. Application to Change Point of Diversion and Place and/or Purpose of Use from Surface Water to Ground Water \$ 50.00
12. Application to Change Point of Diversion and Place and/or Purpose of Use from Ground Water to Ground Water \$ 50.00
13. Application to Change Point of Diversion of Non 72-12-1 Well \$ 25.00
14. Application to Repair or Deepen Non 72-12-1 Well \$ 5.00
15. Application for Test, Expl. Observ. Well \$ 5.00
16. Application for Extension of Time \$ 25.00
17. Proof of Application to Beneficial Use \$ 25.00
18. Notice of Intent to Appropriate \$ 25.00

All fees are non-refundable.