

Scott A. Verhines, P.E.  
State Engineer

Santa Fe Office  
PO BOX 25102  
SANTA FE, NM 87504-5102



Trn Nbr: 517527  
File Nbr: RG 83900

**STATE OF NEW MEXICO**  
OFFICE OF THE STATE ENGINEER  
Nov. 26, 2012

TAOS COUNTY  
ANNA MARTINEZ, CLERK  
000383563  
Book 796 Page 751  
1 of 10  
01/02/2013 12:49:32 PM  
BY DIANAD

LARRY VAN EATON-ATTORNEY AT LAW  
ADDILADE EDITH WINDSOR  
PO BOX 1775  
RANCHOS DE TAOS, NM 87557

Greetings:

Enclosed is one original copy of a Change of Ownership of a Water Right submitted to this office for filing. This Change of Ownership is accepted for filing in accordance with Section 72-1-2.1, NMSA 1978 (1996 Supp.), effective May 15, 1996. The acceptance by the State Engineer Office does not constitute validation of the right claimed.

According to Section 72-1-2.1, NMSA 1978 (1996 Supp.), you must record this Change of Ownership with the clerk of the county in which the water is located. The filing shall be public notice of the existence and contents of the instruments so recorded.

Sincerely,

Louisa Paiz  
(505) 827-6120

Enclosure

chngowrc

R-6-00087 LT.

File No. RG 38900



# NEW MEXICO OFFICE OF THE STATE ENGINEER



CHANGE OF OWNERSHIP OF 72-12-1 PERMIT FOR (check one):

<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Corporation
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### 1. OWNER OF RECORD (Seller)

Name: <b>Thomas C. Fitzgerald, a/ka Tom Fitzgerald</b>	Name: <b>Rhonda C. Fitzgerald</b>	
Phone: <b>575-779-0060</b> <input type="checkbox"/> Home <input checked="" type="checkbox"/> Cell Phone (Work):	Phone: <b>575-779-0060</b> <input type="checkbox"/> Home <input checked="" type="checkbox"/> Cell Phone (Work):	
a. Owner of Record File No: <b>RG-83900</b>	b. Sub-file No.:	c. Cause No.:

### 2. NEW OWNER (Buyer) Note: If more owners need to be listed, attach a separate sheet. Attached? Yes

Name: <b>Addilade Edith Windsor</b>	Name:
Contact or Agent:                      check here if Agent <input checked="" type="checkbox"/> <b>Larry Van Eaton-Attorney at Law</b>	Contact or Agent:                      check here if Agent <input type="checkbox"/>
Mailing Address: <b>P.O. Box 1775</b>	Mailing Address:
City: <b>Ranchos De Taos</b>	City:
State: <b>NM</b> Zip Code: <b>87557</b>	State:    Zip Code:
Phone: <b>575-751-2065</b> <input checked="" type="checkbox"/> Home <input type="checkbox"/> Cell Phone (Work): <b>(575) 758-4279 (agent)</b>	Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell Phone (Work):
E-mail (optional):	E-mail (optional):

Required: Submit warranty deed(s) or other instrument(s) of conveyance properly recorded with the county clerk's office.

### 3. AMOUNT CONVEYED

Amount of Water (acre-feet per annum): <b>3.0</b>
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### 4. LIST ALL KNOWN POINT(S) OF DIVERSION (POD) FOR THE 72-12-1 PERMIT CONVEYED

OSE POD No.	Subdivision	Section	Township	Range
<b>RG-83900</b>		<b>32</b>	<b>T25N</b>	<b>R12E</b>

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 BY DIANAD

2012 NOV 26 PM 2:17

OFFICE OF STATE ENGINEER  
SANTA FE, NEW MEXICO

FOR OSE INTERNAL USE

Change of Ownership, Form wr-02d, Revised 8/25/11

File Number:	Trn Number: <u>577527</u>
Trans Description (optional):	
Sub-Basin:	

**5. ADDITIONAL STATEMENTS OR EXPLANATIONS**

A copy of the recorded deed for the present sale from the owners of record (Fitzgerald) to the new owner (Windsor) is attached. Latitude and Longitude: 36 deg. 21' 20.75" North, 105 deg. 40' 48.0" West (well location updated). Within the Gijosa Grant, near Ranchos de Taos, Taos County. Street address of property is #4 Samantha Road, Ranchos de Taos, NM 87557. (Fidelity National File #112861)

**ACKNOWLEDGEMENT FOR INDIVIDUAL**

I, We (name of owner(s)), Addilade Edith Windsor \_\_\_\_\_  
 Print Name(s)

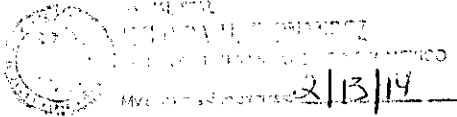
affirm that the foregoing statements are true to the best of (my, our) knowledge and belief.

+ [Signature] \_\_\_\_\_ Signature  
 Signature

State of New Mexico )  
 County of Taos ) ss.

This instrument was acknowledged before me this 1<sup>st</sup> day of September A.D., 20 12, by (name of owner(s)):

Addilade Edith Windsor



Notary Public: \_\_\_\_\_  
 My commission expires: \_\_\_\_\_

[Signature]

**ACKNOWLEDGEMENT FOR CORPORATION**

I, We (name of owner(s)), \_\_\_\_\_  
 Print Name(s)

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

\_\_\_\_\_  
 Officer Signature Officer Signature

State of \_\_\_\_\_ )  
 County of \_\_\_\_\_ ) ss.

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20 \_\_\_\_\_, by the following on behalf of said corporation.

Name of Officer: \_\_\_\_\_

Title of Officer: \_\_\_\_\_

Name of Corporation Acknowledging: \_\_\_\_\_

State of Corporation: \_\_\_\_\_

Notary Public: \_\_\_\_\_

My commission expires: \_\_\_\_\_

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FOR OSE INTERNAL USE		Change of Ownership, Form wr-02d, Revised 8/25/11
File Number:	Trn Number: <u>517527</u>	
Trans Description (optional):		
Sub-Basin:		

FT000112861

TAOS COUNTY  
ELAINE S. MCNIAND, CLERK  
000380906  
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09/06/2012 10:53:12 AM  
BY SCHYAR

**WARRANTY DEED**

~~THOMAS C. FITZGERALD and RHONDA C. FITZGERALD, husband and wife,~~

for consideration paid, grant to ADDILADE EDITH WINDSOR, a single person, whose address is P.O. Box 1775, Ranchos de Taos, New Mexico 87557, the following described real estate in Taos County, New Mexico:

TRACT C, LOT 4

All that certain tract of land lying and being situate within the Gijosa Grant, being a portion of Lots 9 and 10, Block 11, of the Ranchos Orchard and Land Company Subdivision, within Projected Section 32, Township 25 North, Range 12 East, New Mexico Principal Meridian, within the County of Taos and within the State of New Mexico. Being more particularly described by metes and bounds as follows:

BEGINNING at the Northeast Corner of the tract of land described herewith, from whence the New Mexico State Engineers Monument "Godoi" bears N 59° 28' 55" E, 6833.43 feet distant, thence:

Running from said point of beginning, S 00° 00' 00" E, 366.10 feet to the Southeast Corner, thence;  
S 88° 36' 25" W, 164.01 feet to the Southwest Corner, thence;  
N 01° 23' 35" W, 370.20 feet to the Northwest Corner, thence;  
N 90° 00' 00" E, 172.96 feet to the POINT AND PLACE OF BEGINNING.

Containing 1.424 acres, more or less, as shown on a Survey Plat entitled "Paul R. Adams, III & Marguerite Quinn", by Larry L. Sterling, NMPS #11010, dated July 2004, Sterling Surveys Plat #04070-C, filed in Cabinet E, page 33-B, records of Taos County, New Mexico. Together with an ingress, egress, and underground utility easement to a public road.

SUBJECT TO:

1. Reservations, restrictions and easements, if any, contained in patent from the United States of America to Gijosa Grant, including but not limited to water rights, claims of title to water, any easements for ditches appurtenant thereto, and all interest in oil, gas and other minerals, if any, recorded in Book 28, pages 228-229, records of Taos County, New Mexico.

2. Any adverse claims based upon the assertion that:

a. Some portion of said land has been created by artificial means, or has accreted to such portion so created.

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- b. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of that certain "Arroyo", or has been formed by accretion to any such portion, as shown on a Survey Plat entitled "Paul R. Adams, III & Marguerite Quinn", by Larry L. Sterling, NMPS #11010, dated July 2004, Sterling Surveys Plat #04070-C, filed in Cabinet E, page 33-B, records of Taos County, New Mexico, and as further shown on an Improvement Location Report for Thomas Fitzgerald, dated September 8, 2005, having Job #720, prepared by Joddie J. Valdez, NMPS #8497.
3. Easements as stated in Warranty Deed dated October 12, 1971, from B Bar H Corp. to Kenneth J. Mulvey, et al., recorded in Book A-124, page 327 and subsequent Warranty Deed recorded in Book M-452, pages 390-391, records of Taos County, New Mexico.
  4. Declaration of Covenants, Conditions and Restrictions dated August 5, 2004, recorded in Book M-452, pages 5-7, records of Taos County, New Mexico.
  5. Terms and conditions of Road Maintenance Agreement dated August 5, 2004, recorded in Book M-452, pages 384-389, records of Taos County, New Mexico.
  6. Twenty foot (20') ingress, egress and utility easement along the southerly boundary and existing gravel road (Samantha Road) within said easement, as shown on a Survey Plat entitled "Paul R. Adams, III & Marguerite Quinn", by Larry L. Sterling, NMPS #11010, dated July 2004, Sterling Surveys Plat #04070-C, filed in Cabinet E, page 33-B, records of Taos County, New Mexico, and as further shown on an Improvement Location Report entitled "Fitzgerald to Windsor", dated August 30, 2012, having Taos Surveying Project #212-108, by Craig T. Gillio, NMLS #14833.
  7. Ten foot (10') water and utility easement around perimeter, as shown on a Survey Plat entitled "Paul R. Adams, III & Marguerite Quinn", by Larry L. Sterling, NMPS #11010, dated July 2004, Sterling Surveys Plat #04070-C, filed in Cabinet E, page 33-B, records of Taos County, New Mexico, and as further shown on an Improvement Location Report entitled "Fitzgerald to Windsor", dated August 30, 2012, having Taos Surveying Project #212-108, by Craig T. Gillio, NMLS #14833.
  8. Grant of Easement dated August 3, 2004 from Paul Adams, Jr., et al. to Andrew D. Chavez, et al., recorded in Book M-451, pages 991-993, records of Taos County, New Mexico.
  9. Grant of Easement dated July 14, 2004 from Anita Ellison, et ux. to Paul R. Adams, Jr., et al., recorded in Book M-452, pages 12-14, records of Taos County, New Mexico.

10. Any easement or claim of easement for transformer, electric meter, telephone pedestal, and any underground utility lines associated therewith, all as shown on an Improvement Location Report entitled "Fitzgerald to Windsor", dated August 30, 2012, having Taos Surveying Project #212-108, by Craig T. Gillio, NMLS #14833.

11. Twenty-Five foot (25.0') setback lines, as shown on an Improvement Location Report entitled "Fitzgerald to Windsor", dated August 30, 2012, having Taos Surveying Project #212-108, by Craig T. Gillio, NMLS #14833.

with warranty covenants.

WITNESS our hands and seals this 6<sup>th</sup> day of September, 2012.

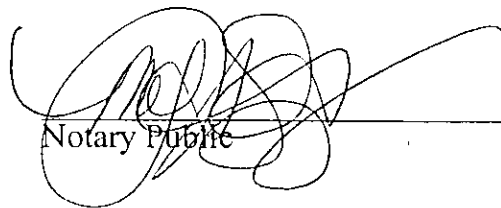
  
THOMAS C. FITZGERALD

  
RHONDA C. FITZGERALD

**ACKNOWLEDGMENT IN AN INDIVIDUAL CAPACITY**

STATE OF NEW MEXICO        )  
  ) ss.  
COUNTY OF TAOS            )

This instrument was acknowledged before me on September 6<sup>th</sup>, 2012 by THOMAS C. FITZGERALD and RHONDA C. FITZGERALD, husband and wife.

  
Notary Public

My Commission Expires:

\_\_\_\_\_



My commission expires: 2/13/14



Google earth



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BY DIANAD

Google earth

feet  
meters

100  
300



Google earth

36 21 20.75 N 105 40 48.0 W



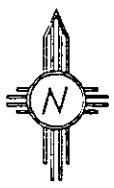
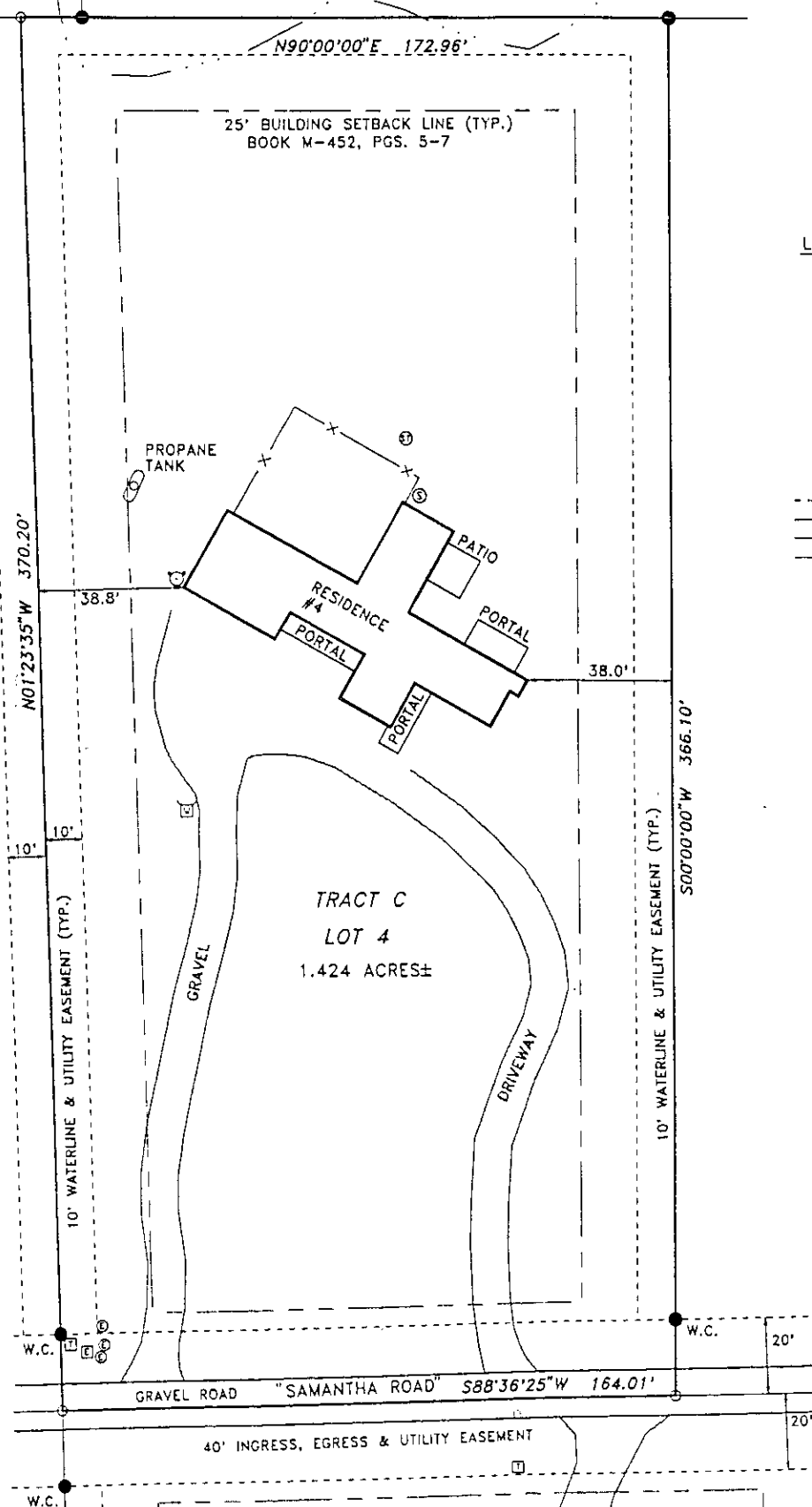
PROPERTY SKETCH

NOT A SURVEY FOR USE BY A PROPERTY OWNER FOR ANY PURPOSE. THIS IS NOT A BOUNDARY SURVEY AND MAY BE SUFFICIENT FOR THE REMOVAL OF THE SURVEY EXCEPTION FROM AN OWNER'S TITLE POLICY. IT MAY OR MAY NOT REVEAL ENCROACHMENTS, OVERLAPS, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, OR OTHER MATTERS WHICH SHOULD BE DISCLOSED BY AN ACCURATE BOUNDARY SURVEY.

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LEGEND

- SURVEY POINT FOUND
- PROPERTY CORNER NOT FOUND OR SET
- ⊠ WELL LOCATION
- ⊞ TELEPHONE PEDESTAL
- ⊙ ELECTRIC METER
- ⊞ ELECTRIC BOX (TRANSFORMER)
- ⊙ SEPTIC TANK
- ⊙ SEPTIC CLEAN-OUTS
- ⊙ YARD HYDRANT
- - - EASEMENT LINE
- SETBACK LINE
- x- FENCE LINE
- - - ARROYO BANK



1" = 45'

**OFFICE OF THE STATE ENGINEER/INTERSTATE STREAM COMMISSION - SANTA FE OFFICE**

OFFICIAL RECEIPT NUMBER: 6-00087 DATE: 1-27-12 FILE NO.: RC 83900  
 TOTAL: 2.00 RECEIVED: two dollars & no/100s DOLLARS CHECK NO.: 1076 CASH:  
 PAYOR: Ann Line Wagoner ADDRESS: PO Box 1775 CITY: Reynolds Ar-Taos STATE: NM  
 ZIP: 87557 RECEIVED BY: [Signature]

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; **yellow** copy to Water Rights, Santa Fe Office, and **goldenrod** copy for district file. If you make a mistake, void original and all copies and submit to Program Support/ASD along with valid receipts.

A. Ground Water Rights Filing Fees		B. Surface Water Rights Filing Fees		C. Miscellaneous Fees	
___ 1. Declaration of Water Right	\$ 1.00	___ 1. Declaration of Water Right	\$ 10.00	___ 1. Application for Well Driller's License	\$ 50.00
___ 2. Application to Appropriate Domestic (72-12-1.1)	\$125.00	___ 2. Amended Declaration	\$ 25.00	___ 2. Application for Renewal of Well Driller's License	\$ 50.00
___ 3. Application for Stock Well	\$ 5.00	___ 3. Declaration of Livestock Water Impoundment	\$ 10.00	___ 3. Application to Amend Well Driller's License	\$ 50.00
___ 4. Application to Repair or Deepen (72-12-1.1)	\$ 75.00	___ 4. Application for Livestock Water Impoundment	\$ 10.00		
___ 5. Application to Replacement 72-12-1.1 Well	\$ 75.00	___ 5. Application to Appropriate Notice of Intent to Appropriate	\$ 25.00		
___ 6. Application for Supplemental 72-12-1 Well	\$125.00	___ 6. Notice of Intent to Appropriate Application to Change Point of Diversion	\$ 25.00	D. Reproduction of Documents	
___ 7. Application to Change Purpose of Use of 72-12-1 Well	\$ 75.00	___ 7. Application to Change Point of Diversion	\$100.00	___ @ 0.20¢/copy	\$ _____
___ 8. Application to Appropriate Irrig., Mun., Ind., or Comm Use	\$ 25.00	___ 8. Application to Change Place and/or Purpose of Use	\$100.00	___ Map(s)	\$ _____
___ 9. Application for Supplemental Well	\$ 25.00	___ 9. Application to Change Point of Diversion and Place and/or Purpose of Use	\$200.00		
___ 10. Application to Change Location of Non-72-12-1 Well	\$ 25.00	___ 10. Application to Change Point of Diversion and Place and/or Purpose of Use from Ground Water to Surface Water	\$200.00	E. Certification	\$ _____
___ 11. Application to Change Place or Purpose of Use	\$ 25.00	___ 11. Application for Extension of Time	\$ 50.00	F. Other	\$ _____
___ 12. Application to Change Location of Well and Place and/or Purpose of Use	\$ 50.00	___ 12. Supplemental Well to a Surface Right	\$100.00	G. COMMENTS:	
___ 13. Application to Combine Wells and/or Use	\$ 25.00	___ 13. Return Flow Credit	\$100.00		
___ 14. Application for Extension of Time	\$ 25.00	___ 14. Proof of Completion of Works Beneficial Use	\$ 25.00		
___ 15. Proof of Completion of Well	\$ 25.00	___ 15. Proof of Application of Water to Beneficial Use	\$ 25.00		
___ 16. Proof of Application to Beneficial Use	\$ 25.00	___ 16. Water Development Plan	\$100.00		
___ 17. Application for Plan of Replacement	\$ 25.00	___ 17. Change of Ownership	\$ 5.00		
___ 18. Application to Change Point of Diversion and Place and/or Purpose of Use from Surface Water to Ground Water	\$ 50.00				
___ 19. Application for Test, Exploratory, or Observation Well	\$ 5.00				
___ 20. Change of Ownership of Water Right	\$ 2.00				

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