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NEW MEXICO STATE ENGINEER OFFICE
APPLICATION FOR PERMIT TO USE UNDERGROUND WATERS
IN ACCORDANCE WITH SECTION 72-12-1 NEW MEXICO STATUTES

1. APPLICANT

WILLIAM A. YOST III and his wife
Name: KATHERINE L. YOST Work Phone: _____
Contact: Albert Simms (758-0220) Home Phone: 751-4114
Address: _____
P.O. Box 820
City: Ranchos de Taos State: NM Zip: 87557

2. LOCATION OF WELL (E thru H optional)

A. 1/4 1/4 1/4 Section: Township: Range:
N.M.P.M.
in County.

ml

B. X = 701,840 feet, Y = 1,959,700 feet, N.M. Coordinate System
Central zone in the Fernando de Taos Grant.
U.S.G.S. Quad Map 19.2.2

C. Give State Engineer File Number if existing well: _____

D. On land owned by: _____

E. Tract No. 61, Map No. 2 of the Survey 1, 1941 Taos County
Reassessment Survey

F. Lot No. 5, Block No. of Unit/Tract of the
The Orchard Subdivision recorded in Cab. D, p. 85B of the
records of Taos County

G. Latitude: _____ Longitude: _____

H. Other: _____

3. USE OF WATER (check use applied for)

One household, non-commercial trees, lawn and garden not to exceed
total of one acre.

Livestock watering.

Note: If any of the following items are marked, give the name and nature
of business or use under item 5 of the additional statements or
explanations section.

More than one household, non-commercial trees, lawns and gardens not to
exceed a total of one acre.

Drinking and sanitary purposes and the irrigation of non-commercial
trees, shrubs and lawns not to exceed one acre in conjunction with a
commercial operation.

Prospecting, mining or drilling operations to discover or develop
natural resources.

Construction of public works, highways and roads.

Trn Desc: RG-74812
Log Due Date: 9/15/2001
Form: wr-01

File Number: RG-74812
Trn Number: 19177

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NEW MEXICO STATE ENGINEER OFFICE

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4. WELL INFORMATION (Change, Repair, Drill, Test, Supplement)

Name of well driller and driller license number:
Fennell Drilling Co., WD #987
Approximate depth 89 feet; Outside diameter of casing 6 5/8 inches.

- Change Location of existing well or replacement well
- Repair or Deepen:
 - Clean out well to original depth and install pump
 - Deepen well from _____ to _____ feet
 - Other _____
- Drill and test a well for _____ use.
- Supplemental well

5/9

5. ADDITIONAL STATEMENTS OR EXPLANATIONS:

This is an existing well which is not currently in use, which was probably drilled circa 1930-1940 (the person who has the best knowledge has retired to an Arizona home for the elderly and does not want to be bothered with an affidavit), and which was inspected by Glorieta Geoscience, Inc. on 9/3-4/98 which measured the diameter (6 5/8"), depth of well (89'), and depth of water (53'). No permit for this well has been located in SEO records. Either no well record should be required or applicants' well repairer should be allowed to file a letter of well rehabilitation in lieu of a well record.

AFFIRMATION FOR NATURAL PERSONS

We, William A. Yost and Katherine L. Yost, affirm that the foregoing statements are true to (Please Print) the best of our knowledge and belief, By: _____
William A. Yost Signature Katherine L. Yost Signature
WILLIAM A. YOST KATHERINE L. YOST

ACTION OF STATE ENGINEER

This application is approved for the use indicated, subject to all general conditions and to specific conditions numbered _____ on reverse side hereof. This permit will automatically expire unless this well is drilled or driven and the well record filed on or before _____

Thomas C. Turney, State Engineer

By: _____

Date: _____

00 MAY 28 4:07
STATE ENGINEER OFFICE
SANTA FE, N.M.

Trn Desc: RG-74812
Log Due Date: 9/15/2001
Form: wr-01

File Number: RG-74812
Trn Number: 191177

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GENERAL CONDITIONS OF APPROVAL (A thru I)

- A The maximum amount of water that may be appropriated under this permit is 3 acre-feet in any year.
- B The well shall be drilled by a driller licensed in the State of New Mexico in accordance with Section 72-12-12 New Mexico Statutes Annotated. A licensed driller shall not be required for the construction of a driven well; provided, that the casing shall not exceed two and three-eighths (2 3/8) inches outside diameter (Section 72-12-12).
- C Driller's well record must be filed with the State Engineer within 10 days after the well is drilled or driven. Well record forms will be provided by the State Engineer upon request.
- D The casing shall not exceed 7 inches outside diameter except under specific conditions in which reasons satisfactory to the State Engineer are shown.
- E If the well under this permit is used at any time to serve more than one household or livestock in a commercial feed lot operation, or for drinking and sanitation purposes in conjunction with a commercial operation, the permittee shall notify the State Engineer Office in writing.
- F In the event this well is combined with other wells permitted under Section 72-12-1 New Mexico Statutes Annotated, the total outdoor use shall not exceed the irrigation of one acre of non-commercial trees, lawn, and garden, or the equivalent outside consumptive use, and the total appropriation for household and outdoor use from the entire water distribution system shall not exceed 3 acre-feet in any year.
- G If artesian water is encountered, all rules and regulations pertaining to the drilling and casing of artesian wells shall be complied with.
- H The amount and uses of water permitted under this Application are subject to such limitations as may be imposed by the courts or by lawful municipal and county ordinances which are more restrictive than applicable State Engineer Regulations and the conditions of this permit.

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GENERAL CONDITIONS OF APPROVAL (Continued)

- I The permittee shall utilize the highest and best technology available to ensure conservation of water to the maximum extent practical.

SPECIFIC CONDITIONS OF APPROVAL

- 4 Use shall be limited to household, non-commercial trees, lawn and garden not to exceed one acre and/or stock use.
- LOG This permit will automatically expire unless the well RG 74812 is completed and the well record filed on or before 09/15/2001.
- SEE GENERAL CONDITIONS OF APPROVAL.

ACTION OF STATE ENGINEER

This application is approved for the use indicated, subject to all general conditions and to specific conditions listed above.

Witness my hand and seal this 15 day of Sep A.D., 2000

Thomas C. Turney, State Engineer

By: Nancy Cunningham
Nancy Cunningham

LAW OFFICE
ALBERT SIMMS
P.O. BOX 681
TAOS, NEW MEXICO 87571

Albert G. Simms, lawyer
Sharon A. Smith, manager

phone: 505/758-0220
fax: 505/758-0593

FACSIMILE TRANSMITTAL MEMORANDUM

DATE: SEPTEMBER 15, 2000

TO: Nancy Cunningham, SEO
FAX NO: 841-9484
RE: Yost 5/25/00 Application for Domestic Well
Hi Nancy,

This application is to permit an existing well. Please disregard the "repair or deepen" item I as the Yost's lawyer mistakenly checked in paragraph 4 of the application. I didn't realize this would be inconsistent with paragraph 5. Paragraph 5 controls.

Thank you,



cc: Bill and Kate Yost

00SEP15 08:51:40
ALBERT SIMMS