IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

CENTER FOR BIOLOGICAL DIVERSITY,

Petitioner,

v. **No. S-1-SC-41580**

ELIZABETH ANDERSON *in her official capacity as* **NEW MEXICO STATE ENGINEER,**

Respondent,

and

SANTA TERESA CAPITAL, LLC,

Real Party in Interest.

RESPONSE OF THE ATTORNEY GENERAL IN SUPPORT OF PETITIONER'S EMERGENCY VERIFIED PETITION FOR WRIT OF MANDAMUS AND REQUEST FOR STAY

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The Attorney General, on behalf of the State of New Mexico, respectfully submits this Response to Petitioner's *Emergency Verified Petition for Writ of Mandamus and Request for Stay* (Petition), filed on August 20, 2026. This Response is submitted pursuant to Rule 12-504(C)(1), (D)(1) NMRA, which authorizes the Attorney General to file a response to the Petition and Request for Stay.

INTRODUCTION

This case presents an important legal question: Whether the State Engineer may issue an emergency authorization to pump vast amounts of groundwater and, thereafter, indefinitely refrain from scheduling a hearing and determining whether the application is detrimental to the public welfare. New Mexico's Water Code and Constitution supply the answer: No.

Here, Santa Teresa Capital, LLC (STC) applied for authorization to drill an emergency replacement well in Doña Ana County to support construction of the large-scale data center campus known as Project Jupiter. Two days later—on October 23, 2025—the State Engineer approved the application. But the State Engineer's reliance on the "emergency" provision at NMSA 1978, Section 72-12-22 (1953) was

unlawful because the statute is inapplicable under the facts of this case, particularly where the purpose of use has changed. And in the ten months since, the State Engineer has failed schedule a hearing, leaving Petitioner and other protestants with no viable path forward. Due process, which is a hallmark of the Water Code, demands more. As such, the State Engineer's approval of STC's application and continued failure to hold a hearing exceed the scope of her authority under the Water Code and violate the New Mexico Constitution.

Given the volume of groundwater at issue and the location of STC's emergency authorization in the Lower Rio Grande Basin, which implicates New Mexico's obligations under the Rio Grande Compact, the State's interest in this case is even more significant. Thus, in this case—as in every case—the State Engineer also has a non-discretionary duty to evaluate whether an application will be detrimental to the public welfare or contrary to the conservation of water. But the State Engineer has failed to discharge this duty too. The Court should grant the Petition.

STANDARD OF REVIEW

This Court has original jurisdiction in mandamus actions "against all state officers, boards and commissions" and the power to issue

extraordinary writs to exercise its jurisdiction. N.M. Const. art. VI, § 3. The Court may issue a writ of mandamus "to compel the performance of an affirmative act by another where the duty to perform the act is clearly enjoined by law," *State ex rel. Sugg v. Oliver*, 2020-NMSC-002, ¶ 7 (citation omitted), and where there is no other "plain, speedy and adequate remedy in the ordinary course of law," *id.* (quoting NMSA 1978, § 44-2-5 (1884)). The writ may also be used "in a prohibitory manner to prohibit unconstitutional official action." *Am. Fed'n of State, Cnty., & Mun. Emps. v. Martinez*, 2011-NMSC-018, ¶ 4, 150 N.M. 132.

ARGUMENT

I. Mandamus jurisdiction is proper because the State Engineer has failed to perform a non-discretionary duty in violation of the Water Code and New Mexico Constitution.

This Court should accept mandamus jurisdiction because the State Engineer has exceeded the scope of her authority and failed to perform a non-discretionary duty by approving STC's emergency application and failing to hold a hearing. The State Engineer's action and inaction violates due process, the Water Code, and the separation of powers doctrine under the New Mexico Constitution.

This Court may exercise original jurisdiction in mandamus proceedings where a petition presents a purely legal matter involving a non-discretionary duty of a government official that: "(1) implicates fundamental constitutional questions of great public importance, (2) can be answered on the basis of virtually undisputed facts, and (3) calls for an expeditious resolution that cannot be obtained through other channels such as a direct appeal." *State ex rel. Sandel v. N.M. Pub. Util. Comm'n*, 1999-NMSC-019, ¶ 11, 127 N.M. 272.

All three requirements are met here. The State supplements Petitioner's arguments to underscore the urgent need for the Court to grant the Petition. First, the Petition sets forth an important, unanswered, and recurring constitutional question of great public importance: Whether the State Engineer may approve an emergency authorization to pump vast amounts of groundwater and, thereafter, indefinitely refrain from docketing a protest, holding a hearing, and determining whether the application is detrimental to the public welfare.

Second, the material facts are not in dispute. Although the existing well was historically used for commercial purposes to irrigate a commercial sod farm, STC's application—filed on October 21, 2025—

sought emergency authorization to drill a replacement well to both irrigate the existing sod farm *and* support construction of Project Jupiter, a "large-scale industrial project." **[Pet., Attach. 2 at 9-22 (Santa Teresa Capital, LLC Appl.)]** In its application, STC identified nine discreet reasons justifying emergency authorization. **[*Id.* at 21-22]** Two days later—on October 23, 2025—the State Engineer approved the application. **[*Id.*, Attach. 3 at 41-46]** Since then, it is undisputed that the State Engineer has failed to schedule a hearing. Meanwhile, a totalizing meter indicates that STC has pumped more than 100 million gallons of groundwater since data became available in April 2026. **[*Id.*, Attach. 5 at 53-54 (Point of Diversion Summary)]** This Court may decide the legal claims in this Petition based solely on these undisputed facts.

And third, no other adequate remedy exists. At present, the State Engineer's continued inaction has left Petitioner and numerous other protestants with no viable path forward. *See State ex rel. Clark v. Johnson*, 1995-NMSC-048, 120 N.M. 56 ("[C]ircumstances which justify bringing an original mandamus proceeding in this Court include the possible inadequacy of other remedies[.]" (internal quotation marks and

citation omitted)). Although the State Engineer's Response indicates that the Hearing Unit recently sent a Notice of Docketing to all parties on August 26, 2026, and asserts that expeditious resolution of the matter can be reached through the administrative process, **[*see* OSE Resp. at 4-5, 7-8]**, such assurances warrant skepticism. The timing of the decision to docket the protests—a mere six days after the Petition was filed—raises its own concerns. While there is now the prospect of an administrative remedy, the State Engineer's assurances do not alleviate concerns regarding the adequacy or timeliness of that remedy. *See Lovato v. City of Albuquerque*, 1987-NMSC-086, ¶ 6, 106 N.M. 287 ("Mandamus is the proper remedy where the public official refuses or *delays to act*[.]" (emphasis added)).

For these reasons, this Court should accept mandamus jurisdiction, grant the Petition, vacate STC's emergency authorization, and direct the State Engineer to immediately schedule a hearing before approving any further use of groundwater to support construction of Project Jupiter.

II. The State Engineer's approval of STC's application under Section 72-12-22 is contrary to statute and violates the New Mexico Constitution.

As the Petition explains, the State Engineer improperly relied upon Section 72-12-22 to approve STC's application prior to notice and hearing. Section 72-12-22 contains a narrow exception allowing the owner of an existing groundwater right to drill an emergency replacement well within 100 feet of the existing well. *See* § 72-12-22(A)(1)-(4).

But that narrow exception—particularly the two-part "emergency" provision found in Subsection (A)(3)—is inapplicable here because STC does not meet the criteria for emergency authorization. Specifically, STC cannot show: (1) the existence of an "emergency situation"; *and* (2) that it will suffer "crop loss or other serious economic loss[.]" Section 72-12-22(A)(3). Further, the emergency provision in Section 72-12-22 does not permit the State Engineer to authorize a change in the purpose or place of use prior to notice and hearing. In such cases, an application may *only* be approved "after such advertisement and hearing as are prescribed in the case of original applications." NMSA 1978, § 72-12-7(A) (1931). The State Engineer's approval of the application was therefore contrary to statute and the New Mexico Constitution's directive that the waters of

the State are "subject to appropriation for beneficial use, *in accordance with the laws of the state*." N.M. Const. art. XVI, § 2 (emphasis added).

A. Section 72-12-22 is inapplicable because the statutory emergency requirement is not met.

The State Engineer may issue a change in well location prior to publication and hearing when, among other requirements, an applicant shows "[a]n emergency situation exists in which the delay caused by application, publication and hearing would result in crop loss or other serious economic loss[.]" Section 72-12-22(A)(3). But an emergency authorization under this statute, as the phrase suggests, requires a showing of the existence of a genuine emergency. No such emergency exists here.

Where, as here, a term or phrase is not expressly defined by statute, this Court has instructed that it "must be interpreted in its usual, ordinary, and popular sense" and "may be ascertained from a dictionary." *Battishill v. Farmers All. Ins. Co.*, 2006-NMSC-004, ¶ 8, 139 N.M. 24 (citation omitted). An "emergency" is "an unforeseen combination of circumstances or the resulting state that calls for immediate action" or "an urgent need for assistance or relief[.]" *Merriam-Webster Dictionary*, https://perma.cc/9TA4-VJXZ (last visited on Sept. 2, 2026).

Tellingly, the State Engineer's own guidance, which it uses to evaluate applications for emergency authorizations, also interprets the term "emergency situation" narrowly.[1] **[*See* State Ex. A (Guidance re. Affidavits for Emergency Authorizations pursuant to NMSA 1978, § 72-5-25, Office of the State Engineer (June 12, 2023)) ("Emergency Authorization Guidance")]** In evaluating whether emergency authorization is appropriate, the guidance instructs staff to consider whether there are "specific facts that support the existence of an emergency" and explains that the application must demonstrate the existence of "[s]ome unexpected event[.]" **[*Id.* at 3-4]**

Here, no such emergency situation justifies the State Engineer's approval of STC's application. In support of its application, STC stated that production from the original well had declined drastically, and that "[w]ithout replacing [the well], the commercial sod farm will suffer

[1] Although the State Engineer's guidance primarily addresses emergency authorizations for surface water appropriations under NMSA 1978, Section 72-5-25 (1953), the guidance also states it may be considered "when evaluating the sufficiency of an affidavit filed in conjunction with any application that requests emergency authorization, even those for which no affidavit is required under OSE rules (e.g., replacement or supplemental well applications filed under Section 72-12-22, -23 or -24 NMSA 1978)." **[State Ex. A at 1 n.1]**

serious economic loss[.]" **[Pet., Attach. 2 at 21-22]** This might justify the State Engineer's emergency authorization to ensure continued irrigation of the sod farm. But it does not permit the State Engineer to separately grant emergency authorization for a change in the purpose of use to support the construction of Project Jupiter. Delay in the construction of a private data center does not rise to the level of a genuine emergency. **[*Cf.* State Ex. B, Emergency Authorization for Permit For Permit to Change Location of Well in The Canadian River Underground Water Basin of New Mexico, *In re Appl. of Mora Mut. Water & Sewer Works Ass'n for Permit to Change Location of Well in the Canadian River Underground Water Basin* (Mar. 13, 2026) (granting emergency authorization to pump groundwater to ensure a sufficient drinking water for the local community)]** Simply put, STC's application provides no basis for the State Engineer to conclude that delays related to the construction of Project Jupiter is, or ever was, a genuine emergency.

B. Section 72-12-22 is inapplicable because the statute's "serious economic loss" requirement is not met.

The State Engineer's approval of the application was also unlawful because STC's economic loss resulting from the delayed construction of

Project Jupiter does not meet the criteria for "serious economic loss" set forth in Section 72-12-22(A)(3). In reaching the opposite conclusion, the State Engineer failed to follow her own guidance and disregarded two separate decisions by hearing examiners interpreting this specific provision of the statute.

Under Section 72-12-22(A)(3), an applicant seeking an emergency change in well location must also demonstrate that the time required for notice and hearing would result in "crop loss or other serious economic loss[.]" STC's application failed to meet this requirement. Two separate Hearing Unit Orders adopted by the State Engineer—each entitled to persuasive weight—underscore this point. *See* Order Granting Carlsbad Irrigation District's Motion for Partial Summary Judgment, *In re Appl. by Barbe Farm, LLC* ("*Barbe Farm* Order"), Hearing No. 21-016, (Aug. 31, 2021), https://perma.cc/6E4L-UFW8; Order Granting Carlsbad Irrigation District's Motion for Partial Summary Judgment, *In re Appl. by Conquistador Council, Boy Scouts of America & Henry McDonald*, Hearing No. 20-038 (July 27, 2021), https://perma.cc/6Q7T-RRGN. In each case, the Hearing Examiner concluded the applicants failed to

establish they would suffer "crop loss or other serious economic loss" because of the delay caused by notice and hearing.

Barbe Farm is especially instructive. There, the applicant sought emergency authorization to change the purpose of use of appropriated surface water from irrigation to commercial and irrigation.[2] *Barbe Farm* Order at 1-2. In support of its application, it stated that "commercial use is required immediately to supply commercial water for oil field activities" and that "[t]he demand for commercial water is immediate and the application must deliver the water as soon as possible." *Id.* at 3. However, the application "contained no additional statements regarding the nature or extent of the economic loss." *Id.* Based on this information,

[2] NMSA 1978, Section 72-5-25 (1953), which applies to emergency authorizations to appropriate surface water, is almost identical to Section 72-12-22, which applies to emergency authorizations to appropriate groundwater. *Compare* § 72-5-25(A) (". . . if an emergency exists in which the delay . . . would result in crop loss or other serious economic loss to the appropriator"), *with* § 72-12-22(A)(3) (". . . [if] an emergency situation exists in which the delay caused by application, publication and hearing would result in crop loss or other serious economic loss"). The primary difference is that Section 72-5-25(A) requires an applicant to submit an affidavit "contain[ing] specific facts supporting the existence of the emergency." By contrast, Section 72-12-22(A) contains no such requirement. The Hearing Examiner's interpretation of the phrase "crop loss or other serious economic loss" is therefore persuasive under both statutes.

the Hearing Examiner determined that no genuine emergency existed and that, given the proposed change in use, the applicant's "purported economic loss is a loss of opportunity as opposed to a loss of investment akin to a crop loss." *Id.*

In this case, like *Barbe Farm*, the applicant did not provide any additional information regarding the nature or scale of the economic loss. **[*See* Pet., Attach. 2 at 21-22]** Because it is the responsibility of the applicant to include all required factual information and STC failed to include this essential information, STC's purported economic loss must be assumed to be a loss of economic opportunity rather than a loss of investment. The State Engineer's own guidance underscores this point. Where, as here, an applicant asserts an economic loss, it instructs staff to ask whether the applicant included a "specific description of the loss . . . [i]ncluding, but not limited to, contract damages, or penalties as a result of the delay caused by publication[.]" **[State Ex. A at 4]** But, because STC included no such information, the State Engineer's finding of a "serious economic loss"—the second required showing under Section 72-12-22(A)(3)—was unlawful.

C. Section 72-12-22 does not authorize a change in purpose or place of use prior to notice and hearing.

Further, even if an emergency were properly found, Section 72-12-22 simply does not permit the State Engineer to authorize a change in the purpose or place of use without notice and hearing. Under the Water Code, an application to change the purpose or place of use of an existing well may *only* be approved "after such advertisement and hearing as are prescribed in the case of original applications." § 72-12-7(A). No exceptions permitting an emergency change in the purpose or place of use are set forth in the statute.

Under New Mexico's well-established rules of statutory interpretation, "[t]he text of a statute or rule is the primary, essential source of its meaning." NMSA 1978, § 12-2A-19 (1997). Here, Section 72-12-22(A) clearly permits an applicant to drill an emergency replacement well "within one hundred feet of the original well[.]" However, the statute makes no mention of permissible changes in the purpose or place of use. *See also* 19.27.1.25 NMAC ("The owner of a water right within a declared underground water basin cannot change the place or purpose of use of the right without the approval of the state engineer."). And it certainly does not affirmatively authorize an applicant to make such changes.

Rather, the statute only permits an applicant to drill a new emergency well within 100 feet of the existing well.

A separate provision of the Water Code, Section 72-12-7, does provide a process by which an owner of an existing groundwater right may change the purpose or place of use. *See State v. Cleve*, 1999-NMSC-017, ¶ 8, 127 N.M. 240 (explaining that proper application of the plain meaning rule also requires considering the "context surrounding a particular statute, such as its history, its apparent object, and other [related] statutes"). Section 72-12-7(A) states:

> *The owner of a water right may change the location of his well or change the use of the water*, but only upon application to the state engineer and upon showing that the change will not impair existing rights and will not be contrary to the conservation of water within the state and will not be detrimental to the public welfare of the state. *The application may be granted only after such advertisement and hearing as are prescribed in the case of original applications*.

(Emphases added). This variation in language is significant. As this Court recently emphasized, it is presumed that the Legislature "say[s] what it means and mean[s] what it says," *State v. Rael*, 2024-NMSC-010, ¶ 41, and that "differences in language . . . convey differences in meaning when interpreting statutes." *State v. Lopez*, 2023-NMSC-011, ¶ 14 (internal quotation marks and citation omitted).

Here, Section 72-12-7 expressly requires owners of an existing groundwater right who seek to change the place or purpose of use to go through the notice and hearing process before the State Engineer grants the application. The Legislature could have included similar language in Section 72-12-22 permitting an applicant to change the place or purpose of use of an emergency replacement well prior to hearing and publication. But it did not.

This is no accident. As discussed *infra* Section III, one of the primary purposes of the statutory notice and hearing requirement is to ensure that the proposed change in application will not "impair existing rights and will not be contrary to the conservation of water within the state and will not be detrimental to the public welfare of the state." Section 72-12-7(A); *see also State ex rel. Off. of St. Eng'r v. Romero*, 2022-NMSC-022, ¶ 14 (holding that the groundwater forfeiture statute codified at NMSA 1978, § 72-12-8(A) (2002) allows for partial forfeiture under New Mexico's beneficial use doctrine). Notably, this policy also underlies the notice and hearing process in the surface water context. *See* NMSA 1978, § 72-5-5(B) (2019) (conferring standing to any protestant objecting the proposed surface water application "will be detrimental to the

objector's water right[,] . . . contrary to the conservation of water within the state[,] or detrimental to the public welfare of the state").

In this case, it is undisputed that STC's application seeks to change the purpose of use. STC's emergency application states that "the existing well LRG-3150 POD 36 . . . has historically been used for commercial purposes to irrigate a commercial sod farm[.]" **[Pet., Attach. 2 at 21-22]** But it also specifically states that the replacement well, LRG-3150 POD 50, will be used to irrigate the existing commercial sod farm *and* support construction of Project Jupiter. *Id.*

Applying the law to the specific facts of this case, the purpose of use has changed, placing STC's application outside the scope of Section 72-12-22. Stated differently, if STC sought to drill the replacement well for the sole purpose of irrigating the existing commercial sod farm (i.e., the same purpose of use), it is possible the application could have satisfied the requirements under Section 72-12-22 provided it also met the "emergency" criteria. But the change to the purpose of use, as stated in STC's application, forecloses that possibility. As the State Engineer's own regulations recognize, different purposes of use are significant and may not always be interchangeable because they may involve different

consumptive use and diversion amounts. *See* 19.27.5.7(E) NMAC ("The quantity of water beneficially consumed depends on the requirements of a particular enterprise and how it applies and consumes the water. The authorized diversion of water that is not beneficially consumed in the course of water use is not part of the allowable consumptive use allocation of the water right."). That distinction is important here because the construction of Project Jupiter, unlike irrigation of a commercial sod farm, likely has a different consumptive use rate.

Accordingly, the State Engineer's approval of STC's application rests on an overly broad and fundamentally flawed reading of Section 72-12-22. The facts of this case do not support the existence of either a genuine emergency or a serious economic loss and, in any event, the STC's application falls outside the scope of Section 72-12-22 because the statute does not permit the State Engineer to authorize an emergency change in the purpose or place of use.

III. The State Engineer's failure to hold a hearing on STC's application violates due process and exceeds her authority under the Water Code.

New Mexico's Water Code establishes a comprehensive system for the regulation of surface water and groundwater. It imposes strict

procedural requirements, including notice and hearing, that must be satisfied before the State Engineer may approve any permit. This is true regardless of whether an applicant seeks to change an existing groundwater right under Section 72-12-7 or obtains temporary emergency authorization under Section 72-12-22. Under this statutory framework, the State Engineer has a non-discretionary duty to hold a hearing on STC's application.

Although the State Engineer retains some discretion under the Water Code to determine the time and manner of compliance, that discretion is not unbounded. The State Engineer may not evade public scrutiny and judicial review indefinitely by ignoring these statutory requirements altogether. Yet that is precisely what she has done here. STC's application was approved more than ten months ago under Section 72-12-22, but the State Engineer has since failed schedule a hearing in the matter. At some point, the State Engineer must hold a hearing to vindicate due process.

Even where the Constitution or a statute confers a public official with some degree of discretion, this Court has held that "mandamus is appropriate to determine the outer bounds of that discretion." *State ex*

rel. King v. Lyons, 2011-NMSC-004, ¶ 28, 149 N.M. 330; *see, e.g.*, *Sender v. Montoya,* 1963-NMSC-220, ¶ 14, 73 N.M. 287 ("[E]ven though respondent had to exercise his judgment, the facts before him required the performance of the duty imposed by law[.]").

In this case, the scope of the State Engineer's discretion is defined by statute, regulation, and the New Mexico Constitution. Article XVI, Section 2 of the New Mexico Constitution provides that "[t]he unappropriated water . . . within the state of New Mexico, is hereby declared to belong to the public and to be subject to appropriation for beneficial use[.]" It further provides that these public waters must be appropriated "in accordance with the laws of the state." N.M. Const. art. XVI, § 2. Separately, Article II, Section 18 of the New Mexico Constitution provides: "No person shall be deprived of life, liberty or property without due process of law[.]" And as this Court has previously explained in the water context, "[i]t is fundamental to say that due process requires notice and hearing so that those who are to be bound or affected by a judgment may have their day in court." *City of Albuquerque v. Reynolds*, 1962-NMSC-173, ¶ 17, 71 N.M. 428.

Consistent with these constitutional mandates, the Water Code grants the State Engineer broad authority to exercise "general supervision of waters of the state and of the measurement, appropriation, distribution thereof and such other duties as required." NMSA 1978, § 72-2-1 (1907); *see also Lion's Gate Water v. D'Antonio*, 2009-NMSC-057 ¶ 20, 147 N.M. 523 (explaining that the Water Code establishes an "exclusive and comprehensive means of acquiring water rights through the State Engineer"). However, this authority is not unlimited. As a creature of statute, the State Engineer may "exercise[e] only that power and authority expressly granted to [it] by statute or necessarily implied by statute." *Concerned Citizens for Nuclear Safety v. N.M. Water Quality Control Comm'n*, 2026-NMCA-021, ¶ 22, *cert. granted* (No. S-1-SC-41092, Feb. 2, 2026).

Here, the State Engineer granted STC's emergency application to drill a replacement well to irrigate an existing commercial sod farm and support the construction of Project Jupiter under Section 72-12-22, which, as explained above, contains a narrow exception permitting an applicant to drill an emergency replacement well prior to notice and hearing. Since then, ten months have passed and the State Engineer has

yet to hold a hearing on Petitioner's timely protest, which filed on January 9, 2026.

However, a close reading of Section 72-12-22(B) expressly forecloses the process—or lack thereof—the State Engineer now seeks to exploit. It states:

> The owners of other water rights who claim to be injured by the drilling of a replacement well under these circumstances, may not enjoin the drilling of such a well or the use of the water from the well, but are limited to an action at law to recover damages, *and to their right to protest the granting of a permit*.

Section 72-12-22(B) (emphasis added). Because this statute grants existing water rights holders the right to protest, it necessarily follows that a protestant must also have the right to an adversarial hearing. Otherwise, the right to protest would be a meaningless one. *See Whitley v. N.M. State Personnel Bd.*, 1993-NMSC-019, ¶ 5, 115 N.M. 308 ("No part of a statute should be construed so that it is rendered surplusage.").

Thus, even when such exceptional circumstances do exist—and none are present here—the statute makes clear that the State Engineer may only *temporarily* relieve an applicant of these requirements. Once the State Engineer accepts a protest, the case must be assigned a docket number and transferred to a hearing examiner for administrative

proceedings. This interpretation is also consistent with a recent Attorney General Opinion, which concluded that the emergency surface water authorization provision found at Section 72-5-25 only "provides a short time period in which the normal application processes are stayed." *N.M. Att'y Gen. Op.* 2023-01 at 3 (Jan. 30, 2023) ("Preliminary Approvals Under the Water Use Leasing Act"); *see also id.* at 6 ("[E]mergency permits . . . are issued either only after notice and opportunity for hearing or with procedures that provide guaranteed access to a hearing within a short and specific time after issuance.").

A contrary interpretation of Section 72-12-22, as applied to the facts of this specific case, would lead to an absurd result. *See State v. Montano*, 2024-NMSC-019, ¶ 14 (explaining that specific absurdity refers to "those statutes that are absurd as applied to the facts of a particular case, but not absurd as applied generally" (citation omitted)). Such an outcome would not be consistent with the legislative intent of this statute or the Water Code more generally. *See State v. Padilla*, 2008-NMSC-006, ¶ 10, 143 N.M. 310 ("[The] ultimate goal in statutory construction is to ascertain and give effect to the intent of the Legislature." (citation omitted)).

A review of the Water Code reinforces this conclusion. *See El Paso Electric Co. v. N.M. Pub. Reg'n Comm'n*, ___-NMSC-___, ¶ 24 (S-1-SC-40286, Apr. 24, 2026) ("[Courts] interpret statutory language in the context of the statute as a whole and in a way that facilitates the achievement of legislative purpose." (citation omitted)). Section 72-12-7—a related statute permitting the owner of an existing groundwater right to change the location or purpose of use—provides: "The application may be granted *only* after such advertisement and hearing as are prescribed in the case of original applications." Section 72-12-7(A) (emphasis added). Under this statute, if a timely protest is filed, the State Engineer has two options: "[I]f the state engineer is of the opinion that the permit should not be issued, the state engineer may deny the application or, before [s]he acts on the application, may order that a hearing be held." § 72-12-7(C). The procedure to apply for a new groundwater right follows a similar process with the same due process protections. *See* NMSA 1978, § 72-12-3 (2019).

These statutory and regulatory requirements are well established and are almost universally applicable. *See Augustin Plains Ranch, LLC v. D'Antonio*, 2023-NMCA-001, ¶¶ 11-14 (providing an overview of the

statutory scheme governing notice, protest, and hearing). Here again, although none of these statutes identify a specific deadline by which the State Engineer must docket a protest and transfer the case to a hearing examiner, the requirements of due process dictate that she cannot refrain from doing so indefinitely.

Accordingly, even if an emergency exists that imposes great financial burden on STC and emergency relief for support of Project Jupiter were somehow supported in fact or law, neither Section 72-12-22 nor Section 72-12-7 permit the State Engineer to issue an emergency authorization and, thereafter, evade public scrutiny and judicial review by failing to act and hold a hearing. The State Engineer's continued inaction exceeds the scope of her discretion, violates due process, and is unlawful.

IV. The State Engineer's failure to schedule a hearing and analyze public welfare concerns implicates New Mexico's compliance with the Rio Grande Compact.

In addition to the procedural requirements discussed above, the State Engineer has a non-discretionary duty under the Water Code and New Mexico Constitution to determine whether approval of a permit would be detrimental to the public welfare, impair the rights of existing

water users, or otherwise be contrary to the conservation of water. *See* NMSA 1978, §§ 72-12-7, -22. Importantly, this analysis must be done *before* a permit is approved—not after. Section 72-12-3(D)-(F).

By failing to schedule a hearing for adjudication—one of the primary mechanisms used to assess an applicant's compliance with these substantive requirements—the State Engineer has again exceeded the scope of her discretion and acted unlawfully. That failure is especially problematic in this case given the volume of water at issue and its location in the Lower Rio Grande Basin, which is subject to the Rio Grande Compact.

As outlined above, Section 72-12-7—which applies to changes in purpose and location of use of existing wells—imposes certain substantive and non-discretionary duties on the State Engineer. It provides that an application to change the purpose or location of an existing well may be approved only "upon showing that the change will not impair existing rights and will not be contrary to the conservation of water within the state and will not be detrimental to the public welfare of the state." Section 72-12-7(A). Similar substantive requirements are found across the Water Code. *See, e.g.*, § 72-12-3(D) (conferring standing

to protest a new groundwater application that that "will be contrary to the conservation of water within the state or detrimental to the public welfare of the state").

Although Section 72-12-22 does not use exactly the same language, the inclusion of Subsection (A)(4) in the statute show the Legislature was motivated by the same policy concerns. Section 72-12-22(A)(4) states that, as a condition of emergency approval, the applicant "shall file [an] application for a permit within thirty days after drilling begins." The inclusion of this provision evinces a clear legislative intent to ensure that, even when an applicant seeks emergency authorization, the State Engineer complies with these substantive requirements in a timely manner.

The term "public welfare," as used in the Water Code, has been interpreted broadly to include "state obligations under interstate compacts[.]" 19.25.16.14(C) NMAC; **[*see also* Pet., Attach. 7 at 78 (Report & Recommendation at 2, *In re Appl. by Tulla Res. Grp.*, Hearing No. 21-025 (Aug. 20, 2025)) (explaining that "[c]ompliance with the [Rio Grande] Compact is in the public welfare of the state")]** Separately, the Legislature has also recognized that "compliance

with interstate compacts is imperative[.]" NMSA 1978, § 72-2-9.1(A) (2003). And in the case of the Pecos River Compact, the Legislature previously found that water shortages and the State's obligations to Texas are "statewide problems affecting all the citizens of the state." NMSA 1978, § 72-1-2.2(A)-(C) (1991).

The same public welfare considerations are applicable here. STC's application seeks to pump groundwater located in the Lower Rio Grande Basin and proposes to pump up to 2,400 acre-feet—approximately 780 million gallons—of groundwater for the novel purpose of supporting construction of Project Jupiter. But like many places in New Mexico, the Lower Rio Grande Basin is also experiencing severe water shortages. *See* Martha Pskowski, *Facing drought and low snowpack, Rio Grande states expect a 'challenging' year*, Source NM (Apr. 22, 2026), https://perma.cc/WG59-QW7U (last accessed Sept. 1, 2026). The Rio Grande Compact, which was approved by the Legislature in 1939, is a federally enforceable agreement governing the apportionment of water from the Rio Grande Basin among New Mexico, Texas, and Colorado. *See* NMSA 1978, § 72-15-23 (1939); *see also Texas v. New Mexico*, 583 U.S

407, 412 (2018) ("[O]nce Congress gives its consent, a compact between States—like any other federal statute—becomes the law of the land.").

Earlier this year, the U.S. Supreme Court adopted a consent decree resolving a longstanding dispute regarding allegations that groundwater pumping in New Mexico was reducing downstream flows of the Rio Grande to Texas. *See Texas v. New Mexico*, 2026 WL 1463223 at *1 (U.S. May 26, 2026); *see also* Fourth Interim Report of the Special Master, App. A, *Texas v. New Mexico*, No. 141 Orig. (U.S. Feb. 6, 2026) ("Consent Decree"), https://perma.cc/9WKJ-L6M6. The Consent Decree and related documents affirm that "the Rincon and Mesilla aquifers in the Lower Rio Grande are hydrologically connected to the Rio Grande" and that "groundwater pumping in the Rincon and Mesilla basins depletes surface flows[.]" Joint Mot. of United States and New Mexico to Dismiss, Attach. B at 2, *Texas v. New Mexico*, No. 141, Orig. (U.S. Aug 29, 2025), https://perma.cc/QF2A-A6GL.

Under the terms of the Consent Decree, New Mexico is required to manage deliveries to avoid "Compact debt" and reduce groundwater pumping in the Lower Rio Grande basin by 18,200 acre-feet by 2036. *Id.* at 19-20. New Mexico's failure to comply with this consent decree could

result in another costly lawsuit. For example, if the debt exceeds 200,000 acre-feet, it is considered a violation that could result in litigation. *See* Consent Decree, App. A at 63-64.

Given the volume of water at issue in this case and the location of the permit in the Lower Rio Grande Basin, the State Engineer's failure to hold a hearing and conduct a thorough public welfare analysis constitutes a violation of her statutory and constitutional duties to ensure any changes to an existing permit are not detrimental to the public welfare. This analysis includes determining whether approval of the permit would implicate compliance with the State's interstate compact obligations. Additionally, the need for diligent public welfare analysis is especially acute in this case because, as discussed above, the State Engineer has already issued an emergency authorization allowing STC to pump millions of gallons of groundwater in the Lower Rio Grande Basin.

CONCLUSION

For the foregoing reasons, the State respectfully requests this Court grant the Petition and direct the State Engineer to immediately schedule a hearing as required by statute and the New Mexico Constitution. Until

then, the Court should not permit any appropriations of groundwater by STC to support the construction of Project Jupiter.

Respectfully submitted,

RAÚL TORREZ
New Mexico Attorney General

/s/ Justin McCarthy
Justin McCarthy
Assistant Solicitor General

Aletheia V.P. Allen
Solicitor General
Ellen Venegas
Senior Solicitor General

New Mexico Department of Justice
408 Galisteo St.
Santa Fe, NM 87501
(505) 629-7741
jmccarthy@nmdoj.gov
aallen@nmdoj.gov
evenegas@nmdoj.gov

STATEMENT OF COMPLIANCE

Pursuant to Rule 12-504(H) NMRA, I certify that this Response complies with the type-volume requirement of Rule 12-504(G)(3) NMRA. The body of this Response contains 5992 words as calculated by Microsoft Word.

/s/ Justin McCarthy
Justin McCarthy

CERTIFICATE OF SERVICE

I certify that, on September 2, 2026, I filed the foregoing document electronically through the Odyssey E-File & Serve system, which caused all parties or counsel of record to be served by electronic means.

/s/ Justin McCarthy
Justin McCarthy

MEMORANDUM
Office of the State Engineer
Administrative Litigation Unit

TO: All WRD District Offices

FROM: Julia M. Shaver, ALU Attorney

THRU: Simi Jain, Managing Attorney; Lara Katz, Deputy General Counsel; A. Nathaniel Chakeres, General Counsel

CC:

DATE: June 12, 2023

RE: Guidance re. Affidavits for Emergency Authorizations pursuant to NMSA 1978, § 72-5-25[1]

RELEVANT STATUTE AND REGULATION:

NMSA 1978, § 72-5-25(A) (1971)

"An appropriator of water may change the place of diversion, storage or use of water upon application to and approval of the state engineer without following the requirements of Section 72-5-23 NMSA 1978 relating to publication of notice if an emergency exists in which the delay caused by following the provisions of Section 72-5-23 NMSA 1978 would result in crop loss or other serious economic loss to the appropriator and if the state engineer determines that no foreseeable detriment exists to rights of others having valid and existing rights to the use of the waters of the stream system. An application under this section shall be in the form and

[1] This guidance pertains primarily to Section 72-5-25 NMSA 1978, because our rules require that an affidavit accompany a request for emergency authorization. However, this guidance may also be considered when evaluating the sufficiency of an affidavit filed in conjunction with any application that requests emergency authorization, even those for which no affidavit is required under OSE rules (e.g., replacement or supplemental well applications filed under Section 72-12-22, -23 or -24 NMSA 1978).

State Ex. A

manner prescribed by the state engineer and shall contain specific facts supporting the existence of the emergency."

19.26.2.11.D NMAC

"…Emergency authorization may be requested upon the filing of an application and an affidavit showing that an emergency exists in which the delay caused by awaiting publication or hearing would result in crop loss or other serious economic loss."

RECENT AND RELEVANT HEARING UNIT ORDERS:

In 2021, the State Engineer adopted two Hearing Unit Orders in two different matters discussing the sufficiency of an affidavit that accompanies an application requesting emergency authorization.[2] In those matters, both Applicants submitted applications pursuant to Section 72-5-25 requesting emergency authorization to change place of use, purpose of use, and point of diversion of a groundwater right. In one matter, the Applicant submitted an affidavit tracking the statutory language of Section 72-5-25 and stating that "[t]he commercial use is required immediately to supply commercial water for oil field activities. The demand for commercial water is immediate and the application must deliver the water as soon as possible." Similarly in the second matter, the Co-Applicants submitted an affidavit tracking the statutory language of Section 72-5-25 and further stating that "additional water capacity is needed to maintain a steady supply of water to honor existing lease agreements."

[2] *In the Matter of the Application by Conquistador Council, Boy Scouts of America & Henry McDonald*, HU No. 20-038, Order Granting Carlsbad Irrigation District's Motion for Partial Summary Judgment (July 27, 2021); *In the Matter of the Application by Barbe Farm, LLC*, HU No. 21-016, Order Granting Carlsbad Irrigation District's Motion for Partial Summary Judgment (August 30, 2021).

The Hearing Unit ruled that the two affidavits failed to demonstrate how the Applicants would suffer "crop loss or other serious economic loss" as a result of the delay caused by publication of notice. The Hearing Unit found that the affidavits were insufficient because they made no further statements regarding the nature and extent of the economic loss, and the limited assertions in the affidavits indicated that the "purported economic loss [was] a loss of opportunity as opposed to a loss of investment akin to a crop loss." The Hearing Unit also examined the current nature of the water rights implicated in each Application and found that because the water rights were for irrigation only, and the Applications sought to change the purpose of use to commercial, the assertions related to lease agreements were not compelling because it appeared that the purported economic loss was a loss of opportunity rather than a loss of investment (akin to a crop loss).

In evaluating applications for emergency authorizations, the Water Rights Division should determine whether the application and accompanying affidavit present specific facts demonstrating each of the following criteria:

(1) The Applicant expected that it would be able to use a water right for a given purpose;

(2) The Applicant's expectation that it would be able to use such water right for such purpose was realistic and was not based on conjecture;

(3) The Applicant made an investment or otherwise took steps in reliance on its expectation that it would be able to use such water right for such purpose;

(4) Some unexpected event occurred that has prevented the Applicant from using the water that the Applicant was expecting to be able to use for such purpose; and

(5) The Applicant will suffer damages or loss if the Applicant is not granted Emergency Authorization.

EVALUATING AN AFFIDAVIT REQUESTING EMERGENCY AUTHORIZATION

Questions to consider when evaluating the sufficiency of an affidavit filed with an application requesting Emergency Authorization:

- What is the purpose of use of the current water right?
- What is requested in the Application requesting Emergency Authorization?
- Does the Applicant state whether they are suffering an economic loss or a crop loss?
- Are there specific facts that support the existence of the emergency?
    - Was the Applicant's present situation avoidable?
    - How long did it take for the Applicant to request an emergency authorization once they should have realized they needed such authorization?
- Are there specific facts supporting the claim that the Applicant will suffer an economic loss, or crop loss?
- If the Applicant states that it must meet a contractual obligation to deliver water, did the Applicant have a reasonable expectation that it would be able to meet the contractual obligation without an emergency authorization, and if so, what events occurred that require the emergency authorization? Were such events beyond the control of the Applicant?
- Are there facts describing an unexpected loss of the ability to exercise a water right?
- Does the purported economic loss appear to simply be a loss of opportunity? Or is the purported economic loss a loss of investment?
- If the Applicant is asserting economic loss, is there a specific description of the loss?
    - Including, but not limited to, contract damages, or penalties as a result of the delay caused by publication?

What is NOT sufficient for purposes of an affidavit requesting emergency authorization:

- A recitation of the statutory language without any additional statement of specific facts explaining the nature of the emergency and the economic loss or crop loss.

*** If a WRD professional has any questions or concerns when evaluating the sufficiency of an affidavit, please contact the attorney of the month to discuss! ***

TwF

Mora Mutual Water and Sewer Works Association
Attn: Henry Sanchez, President
P.O. Box 304
Mora, New Mexico 87732

Cimarron, New Mexico
March 13, 2026

STATE ENGINEER OFFICE

Notice is hereby given that on March 2, 2026, the Mora Mutual Water and Sewer Works Association, Attn: Henry Sanchez, President, P.O. Box 304, Mora, New Mexico 87732 filed with the **STATE ENGINEER** Application CR-600 POD2 into CR-600 POD4 for Permit to Change Location of Well in the Canadian River Underground Water Basin, by discontinuing the use of well CR-600 POD2 located within the NE¼NW¼SE¼ of Section 9, Township 20 North, Range 15 East, N.M.P.M. and commence the use of proposed well CR-600 POD4 to be drilled within the NE¼NW¼SE¼ of Section 9, Township 20 North, Range 15 East, N.M.P.M. The proposed well shall be drilled to a depth not to exceed 300 feet below land surface and the outside diameter of the casing shall not exceed 8 inches. Proposed well CR-600 POD4 will Supplement existing wells: CR-600 POD1 located within the SE¼SE¼SE¼ of Section 10, Township 20 North, Range 15 East, N.M.P.M. and CR-600 POD3 located within the SW¼SW¼NE¼ of Section 9, Township 20 North, Range 15 East, N.M.P.M., for Mutual Domestic Purposes (Domestic, Municipal, Commercial and Related Purposes) within the Mora Mutual Water and Sewer Works Association service area.

GPS Location of Points of Diversion are as follows:

Point of Diversion	Latitude	Longitude
CR-600 POD1	35° 58'17.70" N	105° 19'49.24" W
CR-600 POD2 (Move From)	35° 58'41.06" N	105° 21'13.72" W
CR-600 POD3	35° 58'45.54" N	105° 21'21.11" W
CR-600 POD4 (Move To)	35° 58'41.00" N	105° 21'14.00" W

This application also serves to re-number points of diversion as follow:

Points of Diversion	OSE Re-numbered PODS
CR-600	CR-600 POD1
CR-600-S	CR-600 POD2
CR-600-S-2	CR-600 POD3

For an amount of water not to exceed 120 acre-feet per annum within the service area of the Mora Mutual Water and Sewer Works Association from all sources combined, measured at the wells for Mutual Domestic Purposes (Domestic, Municipal, Commercial and Related Purposes) with priority date of December 31, 1950.

Mora County is the county affected by the diversion and in which the water has been and will be put to beneficial use. This notice is ordered to be published in The Las Vegas Optic.

The applicant submitted an emergency authorization request with this application on March 2, 2026 which was approved March 13, 2026.

To view the application and supporting documentation contact the State Engineer District Office to arrange a date and time for an appointment located at District VII Office of the State Engineer, P.O. Box 481, 301 East 9th Street, Cimarron, New Mexico 87714.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (objection must be legible, signed, and include the writer's complete name, phone number, email address, and mailing address). The objection to the approval of the application must be based on: (1) Impairment; if impairment, you must specifically identify your water rights*; and/or (2) Public Welfare/Conservation of Water; if public welfare or conservation of water within the state of New Mexico, you

State Ex. B

must show how you will be substantially and specifically affected. The written protest must be filed, in triplicate, with the State Engineer, District VII Office of the State Engineer, P.O. Box 481, 301 East 9th Street, Cimarron, New Mexico, 87714 on or before **Friday, May 22, 2026.** Facsimiles (faxes) will be accepted as a valid protest if the hard copy is hand-delivered or mailed and postmarked within 24 hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to the District VII Office of the State Engineer, (575) 376-4565. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with the provisions of Chapter 72 NMSA 1978.

NOTE TO PUBLISHER: Immediately after last publication, publisher is requested to file affidavit of such publication with the District VII Office of the State Engineer, P.O. Box 481, 301 East 9th Street, Cimarron, New Mexico 87714.

Elizabeth K. Anderson, P.E.
State Engineer

301 East 9TH Street
Post Office Box 481
Cimarron, New Mexico 87714
(575) 376-2918 or (575) 376-2410
Fax: (575) 376-4565

STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
Cimarron, New Mexico

March 13, 2026

File: CR-600 POD2 into CR-600 POD4

Mora Mutual Water and Sewer Works Association
Attn: Henry Sanchez, President
P.O. Box 304
Mora, New Mexico 87732

Greetings:

This emergency authorization for permit to change location of well is approved provided it is not exercised to the impairment of any others having existing rights prior to this emergency authorization for permit to change location of well; further provided that all rules and regulations of the State Engineer pertaining to the drilling of shallow wells be complied with; and is not detrimental to the public welfare or contrary to the conservation of water within the state, subject to the following conditions:

1. Authorization No. CR-600 POD2 into CR-600 POD4

   Decree: N/A

   Priority: December 31, 1950

   Source: Canadian River Underground Basin

   Points of Diversion: CR-600 POD1 located in the SE¼SE¼SE¼ of Section 10, Township 20 North, Range 15 East, N.M.P.M.

   Latitude: 35° 58' 17.70" N
   Longitude: 105° 19' 49.24" W

CR-600 POD2 (Move From) located in the NE¼NW¼SE¼ of Section 9, Township 20 North, Range 15 East, N.M.P.M.

Latitude: 35° 58' 41.06" N
Longitude: 105° 21' 13.72" W

CR-600 POD3 located in the SW¼SW¼NE¼ of Section 9, Township 20 North, Range 15 East, N.M.P.M.

Latitude: 35° 58' 45.54" N
Longitude: 105° 21' 21.11" W

CR-600 POD4 (Move To) located in the NE¼NW¼SE¼ of Section 9, Township 20 North, Range 15 East, N.M.P.M.

Latitude: 35° 58' 41.00" N
Longitude: 105° 21' 14.00" W

Purpose of Use: Mutual Domestic Purposes (Domestic, Municipal, Commercial and Related Purposes).

Place of Use: Service Area of the Mora Mutual Water and Sewer Works Association

Amount of Water: Shall not exceed 120 acre-feet per annum from all sources combined and measured at each well.

2. Well CR-600 POD4 shall be drilled by a driller licensed in the State of New Mexico in accordance with Section 72-12-12 New Mexico Statutes Annotated.

3. Total diversion and consumptive use from wells CR-600 POD1, CR-600 POD3 and CR-600 POD4 shall not exceed 120 acre-feet per annum for mutual domestic purposes (domestic, municipal, commercial and related purposes) within the service area of the Mora Mutual Water and Sewer Works Association.

4. Wells CR-600 POD1, CR-600 POD3 and CR-600 POD4, shall be equipped with totalizing meters of a type approved by and installed in a manner and at a location acceptable to the State Engineer.

5. Meter readings shall be submitted to the Office of the State Engineer, District VII Manager, P.O. Box 481, 301 East 9th Street, Cimarron, New Mexico 87714 on or before the 10th day of each month for the preceding calendar month.

6. Well CR-600 POD2 shall be plugged completely using the following method per the Rules and Regulations Governing Well Driller Licensing, Construction, Repair and Plugging of Wells; Subsection C of 19/27.4.30 NMAC unless an alternative plugging method is proposed in a Well Plugging Plan of Operations to be approved by the State Engineer. All pumping appurtenances shall be removed from the well prior to plugging. To plug a well, the entire well shall be filled from the bottom upwards to ground surface using a tremie pipe. The bottom of the tremie shall remain submerged in the sealant throughout the entire sealing process; other placement methods may be acceptable and approved by the State Engineer. The well shall be plugged with an OSE approved sealant for the use in the plugging of non-Artesian wells. The well driller shall cut the casing off at least four (4) feet below ground surface and fill the open hole with at least two (2) vertical feet of approved sealant. Once the sealant has cured, the well driller or well owner may cover the seal with soil. A Plugging Report for said well shall be filed with the District VII Cimarron Office of the State Engineer within thirty (30) days of completion of the plugging, but no later than March 13, 2027.

7. The permittee shall utilize the best technology and management practices currently available to conserve water.

8. Well Record and Log for CR-600 POD4 is due on or before March 13, 2027.

9. Plugging Record for CR-600 POD2 is due on or before March 13, 2027.

10. This application for change location of well states that CR-600 POD1 is no longer in use. The applicant shall submit a plan to repair or plug this well on or before March 13, 2027.

11. This application for change location of well states that water rights files CR-3086 and CR-1622 are other sources of water for Mora Mutual Water and Sewer Works Association. These water rights files do not show them as owner of record. The association shall file change of ownership forms to get this corrected on or before March 13, 2027.

12. Proof of completion of well CR-600 POD4 shall be filed with the Office of the State Engineer on or before March 13, 2028.

13. Final Inspection and Report of Beneficial Use of Underground Waters shall be filed with the Office of the State Engineer on or before March 13, 2030.

Sincerely,

Greg Quartieri
Canadian River Basin Manager

Encl: Approved permits
Cc: State Engineer

BEFORE THE NEW MEXICO
STATE ENGINEER

IN THE MATTER OF THE APPLICATION	)	
MORA MUTUAL WATER AND SEWER WORKS	)	
ASSOCIATION FOR PERMIT TO CHANGE	)	FILE NO. CR-600
LOCATION OF WELL IN THE CANADIAN	)	POD2 INTO
RIVER UNDERGROUND WATER BASIN	)	CR-600 POD4

EMERGENCY AUTHORIZATION FOR PERMIT TO CHANGE LOCATION OF WELL IN THE CANADIAN RIVER UNDERGROUND WATER BASIN OF NEW MEXICO

Pursuant to the application CR-600 POD2 into CR-600 POD4 filed in this office on March 2, 2026, with attached Affidavit requesting emergency authorization to Change Location of Well, prior to final action on the application by the State Engineer and possible hearing, and pursuant to the authority of NMSA 72-12-22 and NMSA 72-12-23, the State Engineer having made a preliminary investigation finds the following:

CONSIDERATIONS

1. Application was filed in this office on March 2, 2026.

2. Affidavit for Emergency Authorization was filed in this office March 2, 2026.

3. The State Engineer has jurisdiction of the applicant and the subject application.

4. The diversion of water from wells CR-600 POD1, CR-600 POD3 and CR-600 POD4, CR-00440 POD4 shall not exceed the existing water right to divert and consumptively use an amount of 120 acre-feet per annum combined and measured at each well for mutual domestic purposes (domestic, municipal, commercial and related purposes) within the service area of the Mora Mutual Water and Sewer Works Association.

5. An emergency situation exists in which the delay caused by publication and hearing would result in serious economic loss and an insufficient amount of drinking water for the community.

6. Due to the proximity of the move from well CR-600 POD2 and the move to well CR-600 POD4 there will be no increase in drawdown and there will be no impairment to existing water rights. The distance between the two wells is approximately 37 feet.

7. The applicant does not request an increase in consumptive use already granted under this water right, therefore, the granting of this emergency authorization for permit to change location of well will not be contrary to the conservation of water within the State of New Mexico.

8. The granting of this emergency authorization for permit to change location of well will not impair existing water rights.

9. The granting of this emergency authorization for permit to change location of well should increase economic activity while recycling a natural resource within the state and will not be detrimental to the public welfare of the State of New Mexico.

RECOMMENDATION

I recommend that this request for permit to change location of well is approved subject to the following conditions:

This emergency authorization for permit to change location of well is approved provided it is not exercised to the impairment of any others having existing rights prior to this emergency authorization for permit to change location of well; further provided that all rules and regulations of the State Engineer pertaining to the drilling of shallow wells be complied with; and is not detrimental to the public welfare or contrary to the conservation of water within the state, subject to the following conditions:

1. Authorization No. CR-600 POD2 into CR-600 POD4

   Decree: N/A

   Priority: December 31, 1950

   Source: Canadian River Underground Basin

   Points of Diversion:

   CR-600 POD1 located in the SE¼SE¼SE¼ of Section 10, Township 20 North, Range 15 East, N.M.P.M.

   Latitude: 35° 58' 17.70" N
   Longitude: 105° 19' 49.24" W

   CR-600 POD2 (Move From) located in the NE¼NW¼SE¼ of Section 9, Township 20 North, Range 15 East, N.M.P.M.

   Latitude: 35° 58' 41.06" N
   Longitude: 105° 21' 13.72" W

   CR-600 POD3 located in the SW¼SW¼NE¼ of Section 9, Township 20 North, Range 15 East, N.M.P.M.

Latitude: 35° 58' 45.54" N
Longitude: 105° 21' 21.11" W

CR-600 POD4 (Move To) located in the NE¼NW¼SE¼ of Section 9, Township 20 North, Range 15 East, N.M.P.M.

Latitude: 35° 58' 41.00" N
Longitude: 105° 21' 14.00" W

Purpose of Use: Mutual Domestic Purposes (Domestic, Municipal, Commercial and Related Purposes)

Place of Use: Service Area of the Mora Mutual Water and Sewer Works Association

Amount of Water: Shall not exceed 120 acre-feet per annum from all sources combined and measured at each well.

2. Well CR-600 POD4 shall be drilled by a driller licensed in the State of New Mexico in accordance with Section 72-12-12 New Mexico Statutes Annotated.

3. Total diversion and consumptive use from wells CR-600 POD1, CR-600 POD3 and CR-600 POD4 shall not exceed 120 acre-feet per annum for Mutual Domestic Purposes (domestic, municipal, commercial and related purposes) within the service area of the Mora Mutual Water and Sewer Association under this permit.

4. Wells CR-600 POD1, CR-600 POD3 and CR-600 POD4 shall be equipped with totalizing meters of a type approved by and installed in a manner and at a location acceptable to the State Engineer.

5. Meter readings shall be submitted to the Office of the State Engineer, District VII Manager, P.O. Box 481, 301 East 9th Street, Cimarron, New Mexico 87714 on or before the 10th day of each month for the preceding calendar month.

6. Well CR-600 POD2 shall be plugged completely using the following method per the Rules and Regulations Governing Well Driller Licensing, Construction, Repair and Plugging of Wells; Subsection C of 19.27.4.30 NMAC unless an alternative plugging method is proposed in a Well Plugging Plan of Operations to be approved by the State Engineer. All pumping appurtenances shall be removed from the well prior to plugging. To plug a well, the entire well shall be filled from the bottom upwards to ground surface using a tremie pipe. The bottom of the tremie shall remain submerged in the sealant throughout the entire sealing process; other placement methods may be acceptable and approved by the State Engineer. The well shall be plugged with an OSE approved sealant for the use in the plugging of non-Artesian wells. The well driller shall cut the casing off at least four (4) feet below ground surface and fill the open hole with at least two (2) vertical feet of approved sealant. Once the sealant has cured, the well driller or well owner may cover the seal with soil. A Plugging Report for said well shall be filed with the District VII Cimarron Office of the State Engineer within thirty (30) days of completion of the plugging, but no later than March 13, 2027.

7. The permittee shall utilize the best technology and management practices currently available to conserve water.

8. Well Record and Log for CR-600 POD4 is due on or before March 13, 2027.

9. Plugging Record for CR-600 POD2 is due on or before March 13, 2027.

10. This application for change location of well states that CR-600 POD1 is no longer in use. The applicant shall submit a plan to repair or plug this well on or before March 13, 2027.

11. This application for change location of well states that water rights files CR-3086 and CR-1622 are other sources of water for the Mora Mutual Water and Sewer Works Association. These water rights files do not show them as owner of record. The association shall file change of ownership forms to get this corrected on or before March 13, 2027.

12. Proof of completion of well CR-600 POD4 shall be filed with the Office of the State Engineer on or before March 13, 2028.

13. Final Inspection and Report of Beneficial Use of Underground Waters shall be filed with the Office of the State Engineer on or before March 13, 2030.

Witness my hand and seal this 13th day of March, 2026.

Elizabeth K. Anderson, P.E.
State Engineer

By: Tim Farmer
Tim Farmer, E.I.
District VII Manager

GLQ:glq

File No.: CR-600 POD2 into CR-600 POD4

NEW MEXICO OFFICE OF THE STATE ENGINEER

APPLICATION FOR PERMIT TO CHANGE AN EXISTING WATER RIGHT

(Non 72-12-1) For fees, see State Engineer website: http://www.ose.state.nm.us/

(check applicable boxes):

☐ Check here if regionalizing pursuant to NMSA 1978, §§ 62-20-1 through 62-20-7 (Attach Articles of Incorporation and plats)		
☐ Change Purpose of Use ☐ Ground water ☐ Surface Water ☐ Change Place of Use ☐ Groundwater ☐ Surface Water	■ Change Point of Diversion (POD): From: ■ Groundwater ☐ Surface Water To: ■ Groundwater ☐ Surface Water	■ Additional Groundwater Point of Diversion (POD) ☐ Additional Surface Water Point of Diversion (POD)
☐ Temporary Change, NMSA 1978, § 72-12-7(B) Requested Start Date: (Not to Exceed 3 ac-ft in One Year)		Requested End Date:
☐ Water Use Lease, NMSA 1978, §§ 72-6-1 to-7 Requested Start Date:		Requested End Date:
☐ Temporary Change (other) Requested Start Date:		Requested End Date:
☐ Accounting Period Start Date:		

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

Name: Mora Mutual Water and Sewer Works Association	Name:
Contact or Agent: Henry Sanchez, President — check here if Agent ☐	Contact or Agent: — check here if Agent ☐
Mailing Address: Box 304	Mailing Address:
City: Mora	City:
State: NM — Zip Code: 87732	State: — Zip Code:
Phone: 575-387-2767 ☐ Home ☐ Cell Phone (Work):	Phone: ☐ Home ☐ Cell Phone (Work):
E-mail (optional): morawater@nnmt.net	E-mail (optional):

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

2. CURRENT OSE FILE INFORMATION (Required)

OSE File No(s): CR-600-S	Priority Date (if known): 1950-12-31	Subfile/Cause No. (if applicable):

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

☐ Domestic ☐ Livestock ☐ Irrigation ■ Municipal ☐ Industrial ☐ Commercial ☐ 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: 120 ac-ft Consumptive Use: _____ Other (include units): _____

FOR OSE INTERNAL USE — Application for Permit, Form wr-06, Rev 01/27/25

File No.: CR-600 POD2 into CR-600 POD4	Tul. No.:	Receipt No.: T-03657
Trans Description (optional):		Sub-Basin:
Well Tag ID No. (if applicable):	PCW/LOG Due Date:	PBU Due Date:

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

MORA

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District VII Cimarron Office

COUNTY WHERE WATER RIGHT WILL BE MOVED (IF APPLICABLE)

MORA

5. ADDITIONAL STATEMENTS CONCERNING THE CURRENT WATER RIGHT

The MWSWA has 5 wells that supply the system. This well CR-600-S(well #2) collapsed when it was being pumped during the Calf Canyon-Hermits Peak fire in 2022. Well CR-600-S-2 (well #3) is the current operating well for the MSWSA. The Del-Rio CR-3086 is opperational but it doesn't have sufficient water rights to supply the system. Well CR-600 is no longer used. and CR-1622-DLC is not hooked into the system due to easement issues. The association only has one working well with suficient water-rights to supply the system. The Ten States standards require redundancy in the system that is currently lacking. We are filings an Request for Emergency Authorization as party of this application.

6. CURRENT or MOVE-FROM POINT(S) OF DIVERSION (POD) (Required)

"Present producing Aquifer":

☐ **Surface POD** **OR** ■ **Ground Water POD (Well)** ****Roswell Artesian Basin** (check all that apply): ☐ Artesian ☐ Shallow ☐ "PPA"

Name of ditch, acequia, or spring:

Stream or water course: | Tributary of: Canadian River

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)
☐ NM West Zone
■ NM East Zone
☐ NM Central Zone

☐ UTM (NAD83) (Meters)
☐ Zone 12N
☐ Zone 13N

☐ Lat/Long (WGS84) (to the nearest 1/10th 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
CR-600-S	2394027.76	1812870.27	605 NM-518 Mora New Mexico, 87732
			Mora Land Grant

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_____

Point of Diversion is on Land Owned by: Mora MWSWA

Other description relating point of diversion to common landmarks, streets, or other:
605 NM-518 Mora New Mexico, 87732. The well is located in the well house behind the administration building for the Mora MWSWA

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

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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, **and/or** Name of Hydrographic Survey, **and/or** Name of Irrigation or Conservation District, **and/or** Name and County of Subdivision **and/or** Grant	PLSS Section **and/or** Map No. **and/or** Lot No.	PLSS Township **and/or** Tract No. (Please list each tract individually) **and/or** Block No.	PLSS Range	Acres	Priority
See Attached Map of Mora MWSWA				2500	1950
Mora Land Grant					
			Total Acres:	2500	

Other description relating place of use to common landmarks, streets, or other:
The water system runs for approximatly 4 miles along Highway 518 providing water to the municipality.

Place of use is on land owned by (required).
If landowner differs from water right owner, written consent to sever the water right from the land temporarily.
the place of use lands are owned by the residents served by the MWSWA

Are there other sources of water for these lands? No ☐ Yes ■ describe by OSE file number: CR-600-S-2, CR-3086,CR-1622-DCL, CR-600(No longer in use)

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

****Note: Municipalities, counties, school districts, state universities, member-owned community water systems, special water users' associations and public utilities wishing to hold these water rights unused between ten and forty years, must file a Water Development Plan pursuant to 72-1-9 NMSA with this application. Check here if one is already on file.** ☐

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

Check all that apply:	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.
☐ Domestic ☐ Livestock ☐ Irrigation ■ Municipal ☐ Industrial ☐ Commercial ☐ Other Use (specify): _____ Describe a specific use If applicable (i.e. sand & gravel washing, dairy etc): _____	Diversion: 120 Consumptive Use: _____ Other (include units): _____

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

Note: if there is known artesian conditions, contamination or high mineral content at the drilling location check box and attach form WD-09 to this form. ☐

☐ **Surface POD** OR ■ **Ground Water POD (Well)** ****Roswell Artesian Basin** (check all that apply): ☐ Artesian ☐ Shallow ☐ "PPA"

Name of ditch, acequia, or spring:

Stream or water course: | Tributary of: Canadian River

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)
☐ NM West Zone
■ NM East Zone
☐ NM Central Zone

☐ UTM (NAD83) (Meters)
☐ Zone 12N
☐ Zone 13N

☐ Lat/Long (WGS84) (to the nearest 1/10th 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
CR-600-POD3 (New Well)	239422.86	1812835.91	605 NM-518, Mora NM 87732
			Mora Land Grant

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District VII Cimarron Office

NOTE: If more PODS need to be described, complete form WR-08 (Attachment 1 – POD Descriptions)
Additional POD descriptions are attached: ☐ Yes ☑ No **If yes, how many** _____

Other description relating point(s) of diversion to common landmarks, streets, or other: 605 NM-518, Mora NM 87732

Point of Diversion is on Land Owned by: Mora MWSWA

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): 300	Outside diameter of well casing (inches): 8"
Driller Name: TBD	Driller License Number: TBD

If replacing the current well, is the current well to be plugged? ■ Yes ☐ No ☐ Not Applicable
If No, state for what use it is retained:

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, **and/or** Name of Hydrographic Survey, **and/or** Name of Irrigation or Conservation District, **and/or** Name and County of Subdivision **and/or** Grant	PLSS Section **and/or** Map No. **and/or** Lot No.	PLSS Township **and/or** Tract No. (Please list each tract individually) **and/or** Block No.	PLSS Range	Acres	Priority
See Attached Map of Mora MWSWA Service Area				2500	1950
Mora Land Grant					
			Total Acres:	2500	

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

The water system runs for approximatly 4 miles along Highway 518 providing water to the municipality.

Place of use is on land owned by (required): The Residents of Mora

Are there other sources of water for these lands? No ☐ Yes ■ describe by OSE file number: CR-600-S-2, CR-3086, CR-1622-DCL, CR-600(No longer in use)

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

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

Well CR-600-S collapsed during the Hermits Peak-Calf Canyon fires. The well casing had corroded and could not sustain the pumping required to fight the fires. The replacement well will be located about 37 feet from the old well. The association has 4 other wells. Only one well is currently in use. The MWSWA is using Well CR-600-S-2 (well #3) to serve the community. The Del-Rio well CR-3086 is operational but it doesn't have sufficient water rights to supply the system on a permanent basis. Well CR-600 is no longer in use, and CR-1622-DLC is not connected the system due to easement issues. The association only has one working well with sufficient water-rights to supply the system. The Ten States standards require redundancy in the system that is currently lacking. We are filings an Request for Emergency Authorization as party of this application.
Exhibit A: Deed to Property
Exhibit B: Site Plans, Well house Layout and Proposed well details and Tech Specs
Exhibit C: Affidavit of Emergency Authorization

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District VII Cimarron Office

ACKNOWLEDGEMENT

I, We (name of applicant(s)), Henry Sanchez
Print Name(s)

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

Applicant Signature

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.

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District VII Cimarron Office

Witness my hand and seal this _____ day of _____ 20 _____ , for

_____, New Mexico State Engineer

By: _____
Signature

_____
Print

Title: _____
Print

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

FOR OSE INTERNAL USE

Well Tag ID Issued? ☐ Yes ☐ No

Application for Permit, Form wr-06, Rev 01/27/25

File No.: CR-600 POD2 into CR-600 POD4	Trn No.:	Well ID Tag No.:

AFFIDAVIT FOR EMERGENCY AUTHORIZATION TO DRILL AND USE A REPLACEMENT WELL WITHIN ONE HUNDRED FEET

(Section 72-12-22 NMSA 1978)

Mora Mutual Water and Sewer Works Association (Mora MWSWA)

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

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District VII Cimarron Office

I, Henry Sanchez, being first duly sworn, state as follows:

1) Identity and Authority. I am the President of the Mora Mutual Water and Sewer Works Association ("Mora MWSWA" or the "Association"). I am authorized to make this Affidavit on behalf of the Association. I have personal knowledge of the facts stated herein and am competent to testify to them.

2) Request for Emergency Authorization for Replacement Well. Pursuant to Section 72-12-22 NMSA 1978, Mora MWSWA requests emergency authorization to drill and use a replacement well within one hundred (100) feet of Well CR-600-S, and to treat the replacement well location as an emergency change in point of diversion associated with the Association's existing water rights and system supply.

3) Well CR-600-S Failure and Emergency Condition. Well CR-600-S was one of two primary sources of supply for the Association's public water system. Well CR-600-S has collapsed and is not operable, resulting in an emergency condition for the Association's customers. The well failure occurred during the Hermit's Peak/Calf Canyon Fire (2022) and associated post-fire impacts in the region.

4) No Redundancy; Serious Adversity if Delayed. Mora MWSWA has multiple wells that supply or could supply the system; however, the Association currently has only one operable well with sufficient water rights and system integration to reliably meet customer demand. The Association's well inventory and current status is summarized below:

   a) Well CR-600-S (Well #2): Collapsed in 2022 and is not operable.

b) Well CR-600-S-2 (Well #3): Current operating well for the system and the only source with sufficient capacity/water rights to reliably supply the system at this time.
c) Del Rio CR-3086: Operable; however, associated water rights are insufficient to supply the system's demand on a standalone basis and the well capacity is not enough to supply the system on its own.
d) Well CR-600: No longer used,.
e) Well CR-1622-DLC: Not connected to the system due to easement/access issues.

As a result, Mora MWSWA has no meaningful redundancy in its water supply. This lack of redundancy is inconsistent with reliability principles in the Recommended Standards for Water Works ("Ten States Standards"), which generally require the ability to meet demand with one critical unit out of service.

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Because the system lacks redundancy, delays associated with the standard application, publication, and hearing process would result in serious economic loss and/or serious adversity to the Association and its residents, including the risk of interrupted or insufficient potable water service.

5) Replacement Well Location (Within 100 Feet). The proposed replacement well (the "Replacement Well") will be located within one hundred (100) feet of the Original Well, at approximately:
   a) Proposed Location/Description: 239422.86 X, 1812835.91 Y NM State Plane East (NAD83)
   b) Distance from Original Well: 37 feet (≤ 100 feet)

6) Statutory Certifications (Section 72-12-22 NMSA 1978). Mora MWSWA certifies and attests that the Replacement Well is proposed as a replacement for the Original Well under emergency conditions and is intended to be drilled and used in compliance with Section 72-12-22 NMSA 1978 and applicable rules and requirements of the Office of the State Engineer.

7) No Foreseeable Detriment to Rights of Others. Mora MWSWA understands that the State Engineer will determine whether the proposed replacement well and emergency change in point of diversion will result in no foreseeable detriment to valid, existing rights of others, consistent with applicable law and review procedures.

8) Attachments. The Association may provide supporting documentation including:
   a) Site Plan showing CR-600-S and proposed Replacement Well locations
   b) a preliminary well design and proposed drilling scope.

FURTHER AFFIANT SAYETH NAUGHT.

DATED: _____, 20___

Mora Mutual Water and Sewer Works Association

By: _____
Henry Sanchez, President, Mora MWSWA
Phone: 505-718-2234
Email: h_sanchez717@yahoo.com
Mailing Address: _____

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District VII Cimarron Office

JURAT

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

Subscribed and sworn to before me this 25 day of February 2026, by Henry Sanchez, President of Mora Mutual Water and Sewer Works Association.

(Seal)

JULIE A. MARTINEZ
Notary Public
State of New Mexico
Comm. # 1124298
My Comm. Exp. Jun 15, 2027

_____
Notary Public

My Commission Expires: June 15, 2027

SF-3 SHORT FORM QUITCLAIM DEED—New Mexico Statutory Form—Rev. 6/75

000912

247

Exhibit A

QUITCLAIM DEED

ROBERTO R. ROMERO and LIBRADITA R. ROMERO, husband and wife,

for consideration paid, quitclaim to MORA MUTUAL DOMESTIC WATER AND SEWAGE WORKS ASSOCIATION, INC.

whose address is Mora, Mora County, New Mexico

the following described real estate in MORA County, New Mexico:

A certain tract of land measuring twenty (20) feet in width from East to West, and located immediately West of and contiguous to, and running from North to South the entirety of, the following described property, to wit:

Beginning at rail set and marked for Station 390 plus 00 on southerly line of Highway No. 3, Project S-1426 (13), Mora County, New Mexico, being on northerly line of this tract; Thence south 72° 50' east 2 feet along southerly line of said Highway to steel post at the northeast corner of this tract; Thence south 27° 30' west 144.80 feet, along fence and property of Roberto R. Romero, to wood stake at the southeast corner of this tract; Thence north 58° 30' west 50 feet, along fence on northerly side of ditch, property of Roberto R. Romero, to wood stake at the southwest corner of this tract; Thence north 27° 48' east 132.30 feet, along property of said Romero, to wood stake at the northwest corner of this tract, on southerly line of above mentioned Highway No. 3; Thence south 72° 50' east 48 feet, along said southerly line of Highway, to the place of beginning, containing 0.159 acre, more or less.

SAID TRACT IS HEREBY CONVEYED IN EXCHANGE FOR THAT CERTAIN BLACK WATER TANK WHICH THE MORA MUTUAL DOMESTIC WATER AND SEWAGE WORKS ASSOCIATION, INC., HAS RELINQUISHED TO GRANTORS.

WITNESS Our hand S and seal S this 27th day of January, 1986

Roberto R Romero (Seal) ROBERTO R. ROMERO

Libradita R Romero (Seal) LIBRADITA R. ROMERO

William Gandert (Seal)

Dilliam Romero (Seal)

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MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO }
COUNTY OF MORA } ss.

The foregoing instrument was acknowledged before me this 27th day of January, 1986

by Roberto R. Romero and Libradita R. Romero, husband and wife.
(Name or Names of Person or Persons Acknowledging)

My commission expires: 3-23-88 (Seal)

Diane M. Gandert
Notary Public

FOR RECORDER'S USE ONLY

STATE OF NEW MEXICO }
COUNTY OF MORA } ss.

I hereby certify that this instrument was filed for record on the 28 day of Jan A. D., 1986 at 3:01 o'clock P. M., and was duly recorded in Book 39 of the records of Deed pages 247

Witness my hand and Seal of Office

Judy O. Montoya
County Clerk, Mora Co., N. M.

Elizabeth Montoya
Deputy.

THE VALLIANT CO. ALBUQUERQUE, N. M.

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO }
COUNTY OF } ss.

The foregoing instrument was acknowledged before me this day of, 19

by
(Name of Officer)

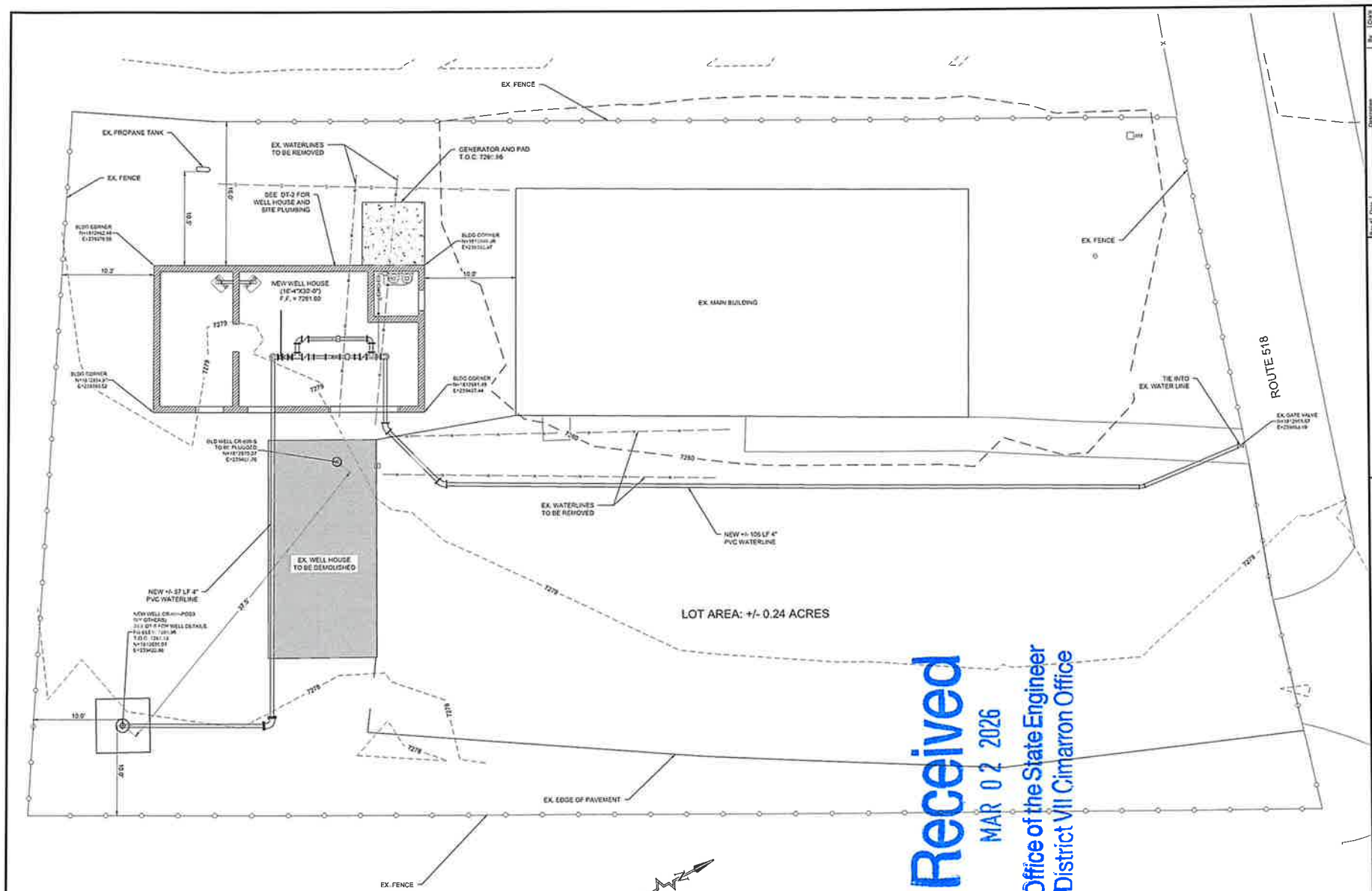
(Title of Officer) of (Name of Corporation Acknowledging)

a (State of Incorporation) corporation, on behalf of said corporation.

My commission expires:

(Seal)

Notary Public



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MORA, NM
MORA MDWCA
WATER SYSTEM IMPROVEMENTS
WELL SITE PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
2/2026

THIS DRAWING IS INCOMPLETE AND NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS STAMPED, SIGNED AND DATED

Designed	Drawn	Checked
SCW	XTC	KFC

Date: February 2026
Scale: Horiz. 1" = 5'
Vert. N/A
Project No: 6233686
Sheet: C-2

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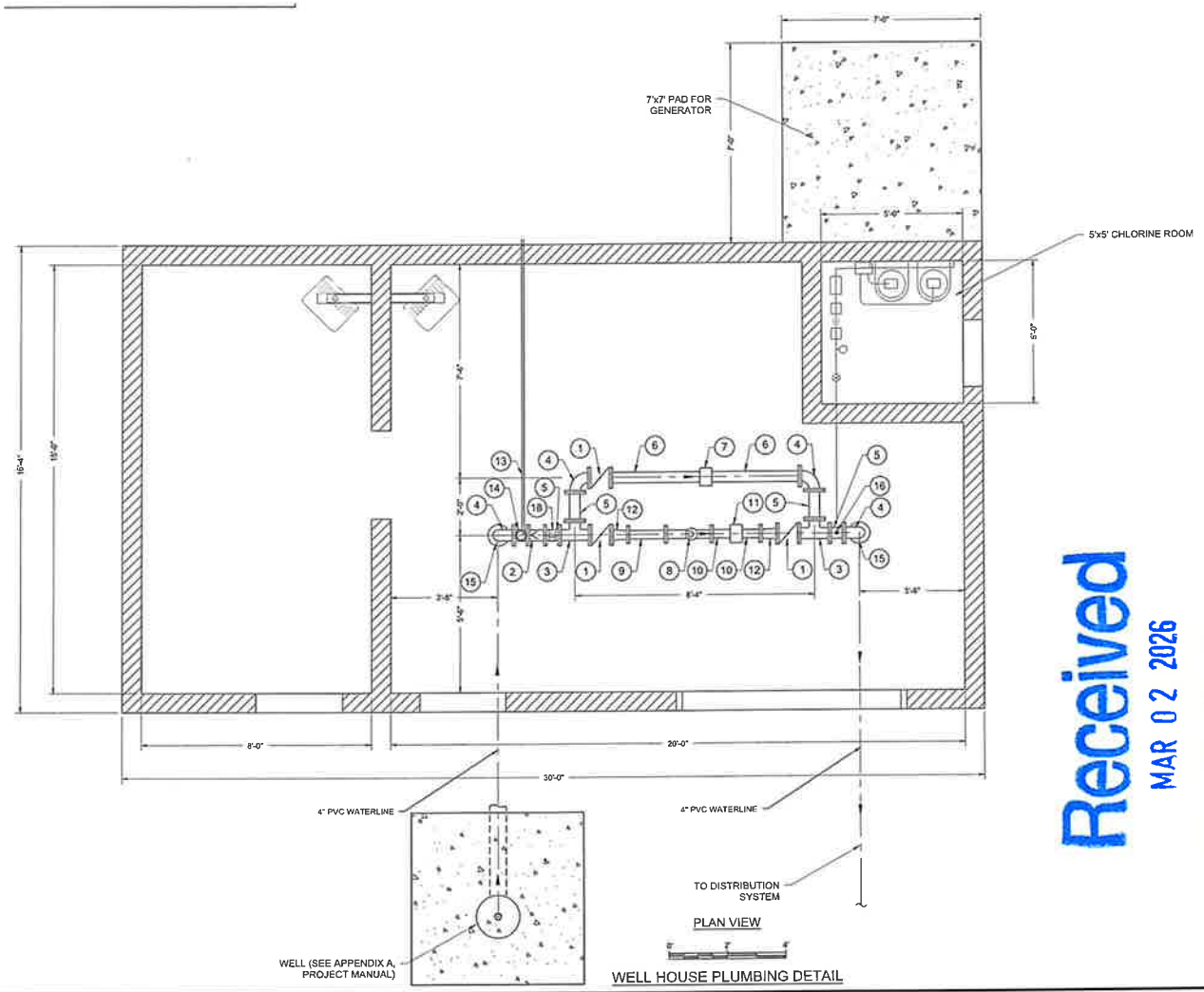
Exhibit B

KEYED NOTES - WELL HOUSE	
Item No.	Description
1	4" FL x FL GATE VALVE, AMERICAN FLOW CONTROL,OAE
2	4" FL x FL SILENT CHECK VALVE, FLOMATIC, OAE
3	4" FL x FL TEE, DI, 350 psi, TYLER UNION
4	4" FL x FL 90° BEND, DI, 350 psi,TYLER UNION
5	4" FL x FL DUCTILE IRON PIPE
6	4" FL x PE DUCTILE IRON PIPE
7	4" REPAIR COUPLING ADAPTER, MUELLER, 860-XX-0108-16, OAE
8	3" FL x FL BADGER RECORDALL TURBINE TYPE WATER METER (MODLE 450)
9	3" FL x FL DUCTILE IRON PIPE
10	3" FL x PE DUCTILE IRON PIPE
11	3" REPAIR COUPLING ADAPTER, MUELLER, 860-XX-0083-16, OAE
12	4" x 3" CONCENTRIC REDUCER, DI (FL x FL), TYLER UNION
13	1" GALVANIZED VENT PIPE WITH CEILING PIPE SUPPORT
14	1" AIR AND VACUUM VALVE WITH 1"X4" TAPPING SADDLE
15	3/4"x4" TAPPING SADDLE WITH SMOOTH HOSE BIB
16	CHLORINE INJECTION PORT (PVC LINED)
17	ADJUSTABLE PIPE SUPPORT W/ U-SHAPED CRADLE
18	PRESSURE SWITCH / GAUGE (0-150 psi)

NOTES:
1. ALL MATERIALS RATED TO AT LEAST MAINLINE PIPE PRESSURE, UNLESS OTHERWISE NOTED.
2. SOME PIPE SUPPORTS NOT SHOWN FOR CLARITY.
3. CONTRACTOR TO SUBMIT PIPING DETAILS TO ENGINEER FOR REVIEW AND APPROVAL. SUBMITTAL SHALL INCLUDE DIMENSIONS AND PROPOSED NUMBER AND LOCATIONS OF PIPE SUPPORTS AND HANGERS.



WELL HOUSE PLUMBING DETAIL

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MORA, NM
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WATER SYSTEM IMPROVEMENTS
WELL HOUSE PIPING PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
2/2026
THIS DRAWING IS INCOMPLETE AND NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS STAMPED, SIGNED AND DATED

Designed	Drawn	Checked
SCW	KTC	KFC

Date: February 2026
Scale: Horiz. 1" = 2' Vert. N/A
Project No: 6233886
Sheet: DT-2

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p:\6-mora water supply well (6233616)\CAD\Civil Construction Plans\6233616 Mora Well House Plumbing Detail.dwg, 2/4/2026 10:49:23 AM, XG

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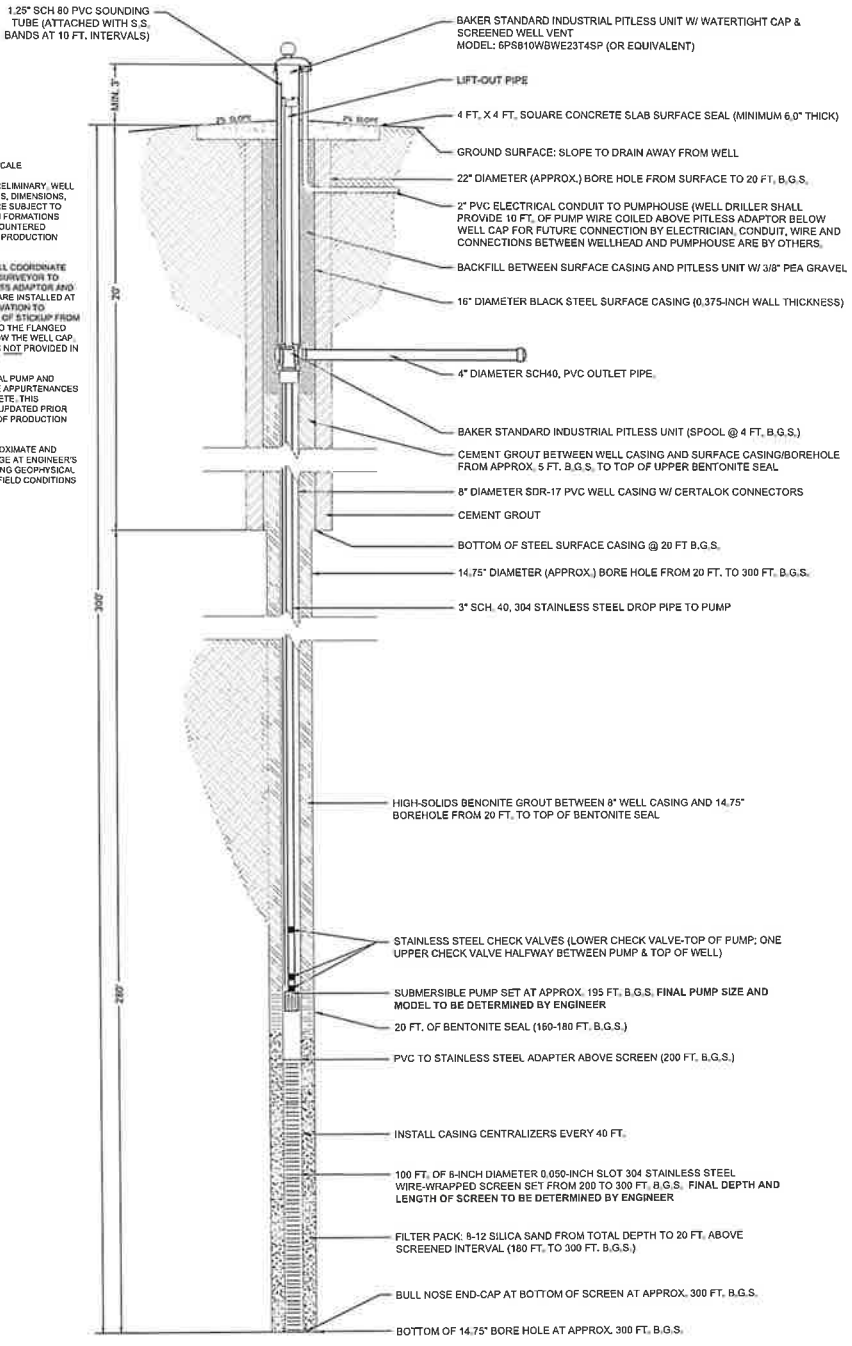

NOTES:

1. DIAGRAM NOT TO SCALE
2. WELL DESIGN IS PRELIMINARY. WELL LOCATIONS, DEPTHS, DIMENSIONS, AND MATERIALS ARE SUBJECT TO CHANGE BASED ON FORMATIONS AND RESULTS ENCOUNTERED DURING PILOT AND PRODUCTION WELL DRILLING.
3. CONTRACTOR SHALL COORDINATE WITH ENGINEER'S SURVEYOR TO ENSURE THE PITLESS ADAPTOR AND APPURTENANCES ARE INSTALLED AT THE CORRECT ELEVATION TO PROVIDE MIN. 3 FT. OF STICKUP FROM FINISHED GRADE TO THE FLANGED CONNECTION BELOW THE WELL CAP. FINISHED GRADE IS NOT PROVIDED IN THESE DRAWINGS.
4. SELECTION OF FINAL PUMP AND OTHER DOWNHOLE APPURTENANCES IS NOT YET COMPLETE. THIS DRAWING WILL BE UPDATED PRIOR TO INSTALLATION OF PRODUCTION PUMP.
5. DEPTHS ARE APPROXIMATE AND SUBJECT TO CHANGE AT ENGINEER'S DISCRETION PENDING GEOPHYSICAL LOGS AND OTHER FIELD CONDITIONS ENCOUNTERED.

NOTES: DIAGRAM NOT TO SCALE

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P:\6-mora water supply wells\623396\CAD\Civil\construction Plans\623396 Well Detail.dwg, 2/2/2026 4:43:37 PM, XG

PRELIMINARY NOT FOR CONSTRUCTION

Sheet: DT-5
Project No: 623396
Scale: Horz: N/A Vert: N/A
Date: February 2026
Designed: JCH | Drawn: XTG | Checked: KFC

MORA MDWCA — MORA, NM

MORA MDWCA
WATER SYSTEM IMPROVEMENTS
PITLESS UNIT, DROP PIPE AND PERMANENT PUMP DETAIL

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Rev #	Date	Description	By	Chk'd

SECTION 33 21 13

PUBLIC WATER SUPPLY WELLS

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District VII Cimarron Office

PART 1 GENERAL

1.1 SUMMARY

A. The work by the Contractor includes the furnishing of all labor, materials, transportation, tools, supplies, plant, equipment, and appurtenances necessary to drill, complete, test, and equip with pump and other downhole appurtenances a public water supply well, located near Mora, Mora County, New Mexico, to provide services to the Mora Mutual Domestic Water and Sewer Association (MDWSA), hereinafter referred to as Owner.

B. Work of the project will include the advancement of an 8-inch diameter pilot hole to an approximate depth of 300 feet to define local lithology and potential water-bearing zones. The hole will be geophysically logged and the depths of water bearing formations identified. The pilot boring will then be reamed to the appropriate depth to a diameter of 14.75-inches to allow for construction, development, and testing of an 8-inch production well with a targeted production of 150 gallons per minute (gpm) and an anticipated total depth between 150 and 300 feet below ground surface. The project area is located within an Artesian Planning Area as defined by the New Mexico Office of the State Engineer (NMOSE).

C. The work shall be completed in strict accordance with the specifications and drawings that are included in this document. All aspects of the well drilling, installation, materials, and development shall generally conform to the American Water Works Association Standard for Water Wells, ANSI/AWWA A100, most recent edition. While some of the ANSI/AWWA A100 specifications are outlined below, it is the Contractor's responsibility to ensure conformance with the ANSI/AWWA A100 standards and NMOSE regulations, except as specifically stated. The well, including all equipment and appurtenances shall be disinfected per AWWA C654, most recent edition, unless stricter requirements are included in this specification.

1.2 SYSTEM DESCRIPTION

A. Work required for construction and equipping of the supply well includes, but is not limited to, the following:

1. Submit Artesian Plan of Operations to New Mexico Office of the State Engineer for approval, unless deemed unnecessary by NMOSE District Office .
2. Inspect access routes to well sites and identify any vegetation or obstacles to be cleared (if any) within site or along access routes.
3. After requesting and obtaining approval from Owner or Engineer, clear vegetation as required and make minor improvements to access routes where needed.
4. Move equipment onsite and rig up.
5. Maintain drilling-time and daily drilling reports.

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6. Drill approximate 22-inch hole to accommodate a nominal 16-inch steel surface casing to 20 feet. Collect drill cuttings at 10-foot intervals, unless otherwise requested by the Engineer.
7. Install 20 feet of 16-inch surface casing and grout in place with neat cement grout. Allow for pitless adapter in cementing.
8. Drill 8-inch pilot borehole and collect drill cuttings from bottom of surface casing to 300 feet. Collect drill cuttings at 10-foot intervals, or as directed by the Engineer.
9. Geophysical logging of the pilot borehole if determined advantageous by the Engineer. Engineer to receive copies of all survey results.
10. Ream pilot borehole to 14.75-inch production borehole to 300 feet or depth specified by Engineer.
11. Install 8-inch diameter SDR-17 production casing and continuous-slot 304 stainless steel screen (0.050 slot size) to lengths and depths as directed by Engineer, which may differ from those shown on the Design Drawings.
    a. Install casing centralizers every 100 feet.
12. Condition the hole for filter packing by thinning the drilling fluid with clear water, as specified, depending on drilling method. Fluid must be maintained to near surface for the duration of well construction activities to ensure protection of casing
13. Install filter pack in the annulus from total depth to 20 feet above the screened interval, as shown in the Design Drawings or as directed by the Engineer.
14. Install 20-foot-thick bentonite seal above the filter pack of the screened interval, as shown in the Design Drawings or as directed by the Engineer.
15. Install high solids bentonite grout from the top of bentonite seal above the screened interval to 60 inches below ground surface to accommodate pitless adapter.
16. Develop the well by swabbing and zoned-air-lift pumping.
17. Disinfect the well, as specified.
18. Supply and install test pump and transducer line.
19. Develop the well by pumping.
20. Conduct pumping test (including required recovery periods), monitor equipment during tests, and record results to be copied to Engineer.
    a. Collect water quality sample for constituent analysis.
21. Bail sediments accumulated from the bottom of the well.
22. Allow water to clear and then complete video inspection of completed well and provide copy to Engineer.
23. Once production pump model is confirmed and submittals for pump, pitless adapter and other downhole accessories are reviewed and approved by Engineer, construct surface completion including installation of pitless adapter. Note that

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due to location of well within a flood plain, the pitless adapter needs to be completed no less than 36-inches above the ground surface/concrete pad, per design drawings.

24. Install production pump, drop pipe, check valves, pump wire, sounding/transducer pipe, and other downhole appurtenances. Drop pipe, check valves, and all unions to be 304 Stainless Steel.

25. Collect final bacteriological sample to ensure adequate disinfection.

26. Clean-up and restore well site.

1.3 LOCATION AND GENERAL DESCRIPTION

A. The well shall be drilled in the location staked by the Engineer and to the final depth determined by the Engineer, which may vary from that indicated on the drawings. The Contractor shall drill the well by either the direct-mud rotary, reverse-mud rotary, or air-rotary method. The well shall be of the gravel/sand-pack type. The construction and overall diameter of the well is specified herein and shown on the drawings. The Engineer may require drilling to depths shallower or deeper than specified. Unit bid prices will prevail.

1.4 GEOLOGY AND ANTICIPATED CONDITIONS

The well will be completed within unconsolidated Quaternary Alluvium overlying Precambrian-aged granite and metamorphic basement rock. The Quarternary alluvium is expected to be present from the surface to a depth of 150-200 feet below ground surface. The upper portions of the underlying granite may yield some water from fractures and will be evaluated for potential production as well.

Groundwater in the existing well adjacent to the proposed well is present at a depth of 90 feet below ground surface. The existing well was drilled in 1980, completed to a depth of 150 feet bgs, and reported a production of 100 gallons per minute.

Although artesian flow conditions are not anticipated, if the borehole or well starts to flow, the Contractor shall control the flow. The Contractor shall be reimbursed by the Owner at the customary rates for time and materials for costs associated with the control of flow.

1.5 RIGHT-OF-ENTRY AND ACCESS

A. The Owner will provide the necessary rights-of-entry to the site. Where special conditions are specified in connection with rights-of-entry, Owner will inform Contractor so that Contractor may meet these conditions. Owner shall furnish an uninterrupted access to and from the site for all equipment, supplies, material, and personnel associated with the work.

B. The Contractor shall be solely responsible for locating all existing underground installations in advance of any excavation or trenching by contacting the owners thereof. The Contractor shall not enter or occupy with personnel, tools, equipment or material, any ground outside the construction area without approval of the Owner and Engineer. Other contractors, employees or agents of the Owner may, for business purposes, enter the work site and premises used by the Contractor. The Contractor shall not impede any work being done by others on or adjacent to the site unless necessary as determined by the Engineer.

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District VI Division Office

C. The Contractor shall prevent damage to all structures, roads, utilities, or other operations during the progress of their work and shall maintain the location free of all cuttings, debris, and unused materials.

D. The Contractor shall be responsible for disposing of all debris, including but not limited to, drilling fluid, drill cuttings and water produced by test pumping or other operations, by methods which prevent interference with existing structures, roads or utilities, or with other construction projects.

E. Upon completion of the work, the Contractor shall restore the site to a condition as near to the original condition of the site as possible.

1.6 DRILLING REQUIREMENTS

A. Contractor shall be responsible for complying with the standard of care of the industry. Contractor shall assume all liability connected with settling or caving for a period of six months following drilling and hold Owner harmless from such for this period.

B. The completed well shall be sufficiently straight and plumb for the trouble-free installation and operation of a submersible pump regularly built for the diameter of the specified well casing and shall meet AWWA specifications for plumbness and alignment for the full depth of casing and perforated casing. The alignment shall be such that the center line of the well casing from ground level to total depth shall not deviate from vertical more than two thirds of the inside diameter of the casing per 100 feet of depth.

1. Should deviation exceed the allowed deviation specified above, unless otherwise approved by the Engineer, the Contractor shall plug and abandon the borehole with grout per applicable local regulations and redrill surface casing and borehole at a location approved by the Engineer and Owner at no additional cost to the Owner.

1.7 CONTRACTOR'S EQUIPMENT

A. With the bid, the Contractor shall furnish to the Owner and the Engineer a complete list of equipment, proposed to be used for the work, together with a description of the proposed methods of drilling, developing, and testing the well. The rig shall be of sufficient size and horsepower to safely and adequately carry out the proposed operations. If the Contractor fails to submit, or if the equipment and methods proposed are not approved by the Engineer, the bidder will be considered non-responsive and their bid will not be considered. The Contractor shall not employ equipment with a smaller capacity than that proposed with their bid. The Contractor shall include with their bid, a list of three similar projects performed including project references with current phone numbers.

B. The following equipment information shall be submitted with the Contractor's bid:

1. Rated hook-load of drilling rig
2. Mast height
3. Rotary-table size
4. Available rotary table horsepower
5. Sizes and weights of drill collars and drill pipe
6. Size and horsepower of each mud pump

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7. Maximum circulation rate capability
8. Compressor rating

C. The drilling rig shall be equipped with the following required accessory equipment. With their bid, the Contractor shall acknowledge that the following equipment will be on hand during well drilling. Drilling may not begin until this equipment is installed and operating properly.

1. Weight indicator
2. Mud pressure gage (direct rotary only)
3. Drilling-rate recorder
4. Approved equipment for measuring drilling fluid properties
5. Deviation-survey tool

D. The Contractor shall employ only competent workers for the execution of the work, which shall be performed under the direct supervision of an experienced drilling superintendent. The competency of the workers and superintendent shall be subject to the approval of the Engineer. The Contractor must provide for continuous operations from the time production casing begins to be run into the borehole until all annular materials are installed.

E. No unnecessary delays or work stoppages will be tolerated. The Contractor shall be held responsible, and payment will be withheld for damages to the well due to any act of omission, error, or faulty operation by the Contactor, their employees, or agents. Resulting repairs shall be completed by the Contractor to the satisfaction of the Engineer or a replacement well shall be drilled and completed in accordance with these specifications by the Contractor at no additional cost to the Owner and without claim against the Owner, Engineer, or their respective agents.

1.8 DRILLING METHODS

A. The Contractor shall drill the borehole by either the direct-mud-rotary, reverse-mud-rotary, or air-rotary method.

B. For mud-rotary drilling, strict control of the drilling fluid properties shall be adhered to at all specified times. Drilling fluid shall consist of a bentonite-based mud with approved additives for ease of drilling, filtrate control, and protection of the aquifer.

C. The Contractor shall, within fifteen (15) days of the award of the contract, submit to the Engineer a schedule of work, presenting proposed completion dates of the activities listed in Article 1.2 SYSTEM DESCRIPTION. The methods or combination of methods to be utilized shall be adequate to meet or exceed the completion schedule for the work.

D. The Contractor shall drill and install the specified surface casing prior to the drilling of the borehole below the required surface casing depth. Should the Contractor elect to install an additional conductor pipe to facilitate drilling and installation of the surface casing, the drilling and installation of the conductor pipe shall be incidental to the work. The Contractor will be paid for pilot hole surface casing if, after logging the pilot hole, the Owner decides to abandon the project.

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1.9 DRILLING WATER SUPPLY

A. The Contractor shall be responsible for purchasing of construction water. An allowance for water purchases has been included in the bidding schedule. Water may be available for purchase from the Mora MDWSA. Contractor shall be responsible for hauling water from the source to the drilling site.

B. All costs associated with the purchase, maintenance, transportation, and disposal of drilling and development water as required to fulfill the terms of the Contract shall be the responsibility of the Contractor. All water should be carefully conserved.

1.10 DRILLER'S LOG, RECORDS, AND SAMPLES

A. The Contractor shall keep an accurate, up-to-date log of operations at all times in the form of a Daily Drilling Report. The Contractor's Daily Drilling Report shall include the following information at a minimum:

1. In-hole drilling assembly, including bit, hole-openers, subs, collars, and Drill pipe lengths and diameters, and water consumption (water haulage)
2. Time devoted to each activity
3. Rotary RPM
4. Pump pressure
5. String weight and weight on bit
6. Drilling-fluid density and funnel viscosity
7. Record of deviation surveys
8. Description of formation drilled and depth at each change
9. Depth of lost-circulation zones and volumes of fluid lost
10. Water-meter readings for drilling-water source
11. Total Depth (TD) of borehole, as well as TD of installed casing run.
12. Lengths, diameters, and types of casing and perforated casing run
13. As-built depths of screens, di-electric coupling connectors and production casing.
14. Volumes of gravel, bentonite, and grout placed
15. The depth of the sand pack, bentonite seal, and surface seal
16. Time devoted to each stage of development, estimated production, and characteristics of fluid produced
17. The depth to the static water level (SWL) and observable changes in SWL and pumping water level (PWL).
18. Measurements and observations during aquifer testing of time at start and end of pumping, time at start and end of recovery, flowrate and water level as time elapses, and characteristics of fluid produced.
19. The sealing off of any water bearing zone, if any, and the exact location thereof
20. Any other pertinent information

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MAR 02 2026
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B. The Contractor shall provide a copy of the Daily Drilling Report to the Engineer on a daily basis.

C. Each joint of the in-hole drilling assembly, including bit, hole-openers, subs, collars and drill pipe, or other pipe run into the borehole shall be measured to the nearest 0.01 foot prior to running into the borehole. All pipe tallies shall be kept current and continuously updated.

D. The depth reference of each depth given in the report shall be denoted as "KB" (Kelly bushing), "DF" (drilling floor), or "GL" (ground level). The distance from ground level to the drilling floor and to the Kelly bushing shall be measured and included in the report. One copy of each Daily Drilling Report shall be furnished to the Engineer at the end of each day.

E. A drilling-rate recorder approved by the Engineer shall be in operation during all drilling operations. The driller shall mark the depth at each connection on the charts. The driller shall also record the drilling fluid viscosity and weight on the charts each time it is measured. One copy of each chart shall be furnished to the Engineer at the end of each day.

F. Cuttings samples shall be laid out on plastic sheeting by the Contractor, in a location agreed to by the Engineer. Samples shall be taken at intervals no greater than each 10 feet of drilling; additional samples shall be collected at formation changes. At least 1 quart of cuttings shall be collected from each 10-foot interval.

1.11 UNIT PRICE - MEASUREMENT AND PAYMENT

A. Mobilization and Demobilization

1. Basis of Measurement: By lump sum.

2. Basis of Payment: Includes transportation of all machinery to and from the site, coordination, protection of the well throughout project, disposal of fluids and cuttings, and site restoration, including all equipment necessary to construct and equip the well or wells not separately listed.
   a. No additional mobilizations or demobilizations will be eligible for payment besides those indicated on the bid form.

B. Surface casing:

1. Basis of Measurement: By vertical foot of casing installed

2. Basis of Payment: Includes drilling of specified diameter borehole, casing installation, and grouting, with all materials, equipment, labor, and construction water.

C. Drilling:

1. Basis of Measurement: By vertical foot of borehole depth

2. Basis of Payment: Includes drilling of specified diameter borehole and all equipment costs, labor, deviation surveys, materials, and construction water costs associated with completion of borehole.

D. Production well casing and well screen:

1. Basis of Measurement: By vertical foot of well depth.

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District VII Cimarron Office

2. Basis of Payment: Includes materials and installation of casing (blank casing or screen), landing clamp, end cap, casing centralizers and other appurtenances not separately listed on bid form.

E. Disposal of cuttings and drilling mud:

1. Basis of Measurement: By Lump Sum.

2. Basis of Payment: Includes removal of cuttings and waste drilling mud from the well site upon completion of drilling operations, prior to development. The cuttings and drilling mud disposal location shall be the responsibility of the Contractor and be in accordance with all local, State and Federal regulations. Any applicable permitting and all costs incurred in connection with the disposal of the drilling mud will be incidental to the drilling mud disposal bid item.

F. Grouting, Bentonite Seal, Pea Gravel, and Filter Pack:

1. Basis of Measurement: By cubic foot.

2. Basis of Payment: Includes materials, disinfection and placement of filter pack material, grout, pea gravel, and bentonite seals.

G. Well Development, Aquifer Testing, and Standby Time:

1. Basis of Measurement: By hour.

2. Basis of Payment: Includes well development by swabbing, airlifting, bailing and pumping, step and constant-rate discharge tests, pumping for zone sampling, and any requested standby time. Includes any labor, materials and equipment needed that are not separately listed on bid form. The following are incidental to this work or the work of other items included on the bid form and will not be paid at the hourly rate:
   a. Equipment startup, troubleshooting and repairs
   b. Initial trip in of airlifting and swabbing assembly to sufficient depth to 'unload or blow off the hole' until formation water is produced, as well as tripping out air-lifting and swabbing assembly after development with these tools is complete.
   c. Tripping in and tripping out pump and pumping appurtenances to complete work as specified.
   d. Required recovery periods after pumping.

H. Disinfect Well and Perform Bacteriological Testing:

1. Basis of Measurement: By lump sum.

2. Basis of Payment: Includes disinfection of equipment and materials placed in the well, and collection and delivery of bacteriological samples to laboratory, cost of laboratory testing and delivery of results to the Engineer. In the event of failed bacteriological tests, the Contractor is responsible for up to three additional disinfection procedures at no cost to the Owner.

I. Video Inspection of Completed Well

1. Basis of Measurement: By Each

2. Basis of Payment: Includes completion of video inspection, digital copy of video inspection recording, and summary report of video inspection results for the well. There will be no additional payment for rig or standby time while the video inspection is completed. There will be no additional payment for video inspections that must be redone if the initial inspection does not meet the requirements described in this Specification.

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MAR 02 2026
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District VII Cimarron Office

J. Surface Completion:

1. Basis of Measurement: By lump sum

2. Basis of Payment: Includes pipe fittings, pitless adapter, well cap, plumbing stub outs, concrete pad, accessories, and installation. Includes coordination of surface completion installation work by others. Excludes electrical conduit to be installed by others.

K. Pump:

1. Basis of Measurement: By each.

2. Basis of Payment: Includes pump, motor, flow inducer sleeve, centering bolts, fittings, sensor, and accessories; includes equipment and materials needed to perform start-up testing of installed pump.

L. Drop Pipe, Transducer Pipe, and Pump Wire

1. Basis of Measurement: By linear foot

2. Basis of Payment: Includes materials and installation of pipe, pipe couplings, pipe fittings, fasteners, connections, terminations for sounding tube, drop pipe, centralizers, and pump wire, as specified.

M. Check Valves:

1. Basis of Measurement: By each

2. Basis of Payment: Includes pipe fittings, check valve, and installation.

N. Other Items:

1. Basis of Measurement: As indicated in the Bid Schedule.

1.12 REFERENCES

A. American Petroleum Institute:

1. API 10A - Specification for Cements and Materials for Well Cementing.

B. American Society of Mechanical Engineers:

1. ASME Section VIII - Boiler and Pressure Vessel Code - Pressure Vessels.

C. ASTM International:

1. ASTM A53/A53M - Standard Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless.

2. ASTM C150 - Standard Specification for Portland Cement.

3. ASTM A312/A312M – Standard Specification for Seamless, Welded, and Heavily Cold Worked Austenitic Stainless Steel Pipes
4. ASTM D1784 – Standard Specification for Rigid PVC and CPVC Compounds
5. ASTM F480 – Standard Specification for Thermoplastic Well Casing Pipe and Couplings Made in SDR, SCH40 and SCH80.
6. ASTM F477 – Standard Specification for Elastrometric Seals (Gaskets) for Joining Plastic Pipe

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MAR 02 2026
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D. American Water Works Association:
1. AWWA A100 - Standard for Water Wells.
2. AWWA C654 - Disinfection of Wells.

E. NSF/ANSI:
1. NSF/ANSI Standard 60: Drinking Water Treatment Chemicals – Health Effects
2. NSF/ANSI Standard 61: Drinking Water System Components – Health Effects

F. National Electrical Manufacturers Association:
1. NEMA MG 1 - Motors and Generators.
2. NEMA 250 - Enclosures for Electrical Equipment (1000 Volts Maximum).

1.13 SUBMITTALS

A. Section 01 00 00 - Submittal Procedures: Requirements for Submittals.

B. Product Data: Include material properties, dimensions, rated capacities, weights, accessories, electrical nameplate data, and wiring diagrams for all items listed in Part 2 of this Specification.

C. Manufacturer's Installation Instructions: Indicate rigging, assembly, and installation instructions.

1.14 CLOSEOUT SUBMITTALS

A. Section 01 00 00 - Execution Requirements: Requirements for Submittals.

B. Project Record Documents: Accurately record actual locations of well, depth, subsoil strata, and drilling difficulties encountered.

C. Submit signed copy of the Contractor's Daily Drilling Report as specified herein.

D. Submit executed certification of well pump after performance testing.

E. Submit copies of Driller's Logs, Analysis results, and other records to the Engineer within ten (10) days of the completion of the well and submittal of a completed Well Record to the New Mexico Office of the State Engineer within thirty (30) days of the completion of the well.

F. Operation and Maintenance Data: Submit equipment manuals.

PART 2 PRODUCTS

2.1 MATERIALS AND PRODUCTS IN CONTACT WITH DRINKING WATER

A. Well casings, drop pipes, well screens, coatings, adhesives, pumps, switches, electrical wire, sensors and all other equipment or surfaces which may be in contact with drinking water must comply with ANSI/NSF Standard 61 or 60 as available.

B. All substances introduced into the well during construction or development shall comply with ANSI/NSF Standard 60 or 61 as available. This requirement applies to drilling fluids (biocides, clay thinners, defoamers, foamers, lubricants, oxygen scavengers, viscosifiers, weighting agents) and regenerants. This requirement also applies to well grouting and sealing materials which may come in direct contact with the drinking water.

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MAR 02 2026
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2.2 MATERIALS

A. Surface Casing:

1. Surface casing shall be new, Standard (STD) wall thickness, low-carbon steel well casing manufactured in accordance with ASTM Specification A53, Grade B or ASTM A139, Grade B.

B. Blank Production Casing:

1. Production casing shall be manufactured by Certa-lok, or approved equal
   a. 8-inch nominal diameter
   b. SDR-17 PVC
   c. Bell and spigot joints with spline connections.
      1) Certa-lok CLIC, Certa-lok CLIB, or approved equal.
      2) NBR gaskets meeting ASTM F477.
      3) Solvent-weld joints not permitted.
2. Factory assembled in not less than 20-foot sections, unless otherwise directed by Engineer.
3. Continuous and watertight from top to bottom, except for well screens.
4. New and free of cracks, pits, or other defects.
5. Manufactured in accordance with ASTM F480, with materials conforming to ASTM D1784.
6. Substitutions: Section 01 00 00 – Product Requirements.

C. Well screens shall be 8-inch nominal diameter Johnson, or approved equal, continuous-slot 304 stainless steel, and contain 0.050 inch slot size.
   a. Screens shall be 0.15 inch x 0.22 inch wire, 0.125 inch rod, 44 count; 375 psi collapse strength; and 5,600 lbs safe hang, with an approximate clear inside diameter at fittings of 7.81 inches.
   b. Substitutions: Section 01 00 00 – Product Requirements

2. The above screen dimensions and required strengths were designed assuming a total screened length of 100 feet located at the bottom of the PVC casing string. The final screen lengths, position, and dimensions for the well will be determined by the Engineer after reviewing the lithological and geophysical logs.

3. A bull nose cap shall be included and fabricated of the same material as the well screens, to be installed where shown on the Design Drawings.

D. Casing Centralizers

1. Each casing centralizer shall consist of a minimum of three rigid guides. Centralizers within the screen will be welded at screen joints and not placed within the screen itself.

2. Centralizers for PVC casing shall be stainless steel and mechanically attached.

3. Guide dimensions:
   a. Minimum Length:
      1) For centralizers on screened intervals: Size appropriately for welding across the joint without placing on screen itself.
      2) For centralizers on blank casing: 1-foot
   b. Minimum standoff from casing: 2-inches

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E. Filter Pack:

1. The filter pack shall be composed of sound, durable, well-rounded silica particles, free from organic matter, sift, clay, or other deleterious materials provided by Raptor Filter Sand or approved equal and shall be disinfected using a 50 mg/L chlorine solution prior to placement in the well.

   a. Substitutions: Section 01 00 00 – Product Requirements

2. Filter-pack material shall be uniformly-graded, contain no less than 95% siliceous material, and specified by the Engineer based on size distribution of aquifer material, estimated by the Engineer to be 8-12 Raptor Filter Sand, or approved equal. Minor variation, as approved by the Engineer, may be required due to the size distribution of the aquifer materials. Under no circumstances shall crushed rock or any material with an excess of flat faces be installed in the well.

F. Neat Cement Grout:

1. Grout shall consist of a mixture of Portland cement meeting the requirements of ASTM C150 Type II, and water in the ratio of 5.2 gallons of water per 94-lb sack. Grout density shall be approximately 15.6 lbs/gal (117 lbs/ft^3).

2. A maximum of 2 percent by weight of bentonite and 2 percent by weight of calcium chloride may be added. If bentonite is added, mixing water shall be increased by 0.6 gallons per sack for each 1-percent-by-weight addition of bentonite.

G. High Solids Bentonite Grout:

1. Manufacturer:

   a. WYO-BEN Grout-Well DF, or approved equal.

   b. Substitutions: Section 01 00 00 – Product Requirements.

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MAR 02 2026
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2. 20% solids bentonite product.
3. Slurry density: 9.4-9.5 lbs/gal (71 lbs/ft^3)
4. Dry bulk density: 55-60 lbs/cu. Ft.

H. Sand Cement Grout:

1. Grout shall consist of a mixture of Portland cement meeting the requirements of ASTM C150 Type II, sand and water. Proportions shall not exceed two (2) parts by weight of sand to one (1) part by weight of cement, with not more than 6 gallons of water per 94-lb sack of cement.

I. Well Development Additives:

1. All fluids introduced into the well shall be National Sanitation Foundation Certified
2. Mud-thinning polymer: Nu-Well 310 Polymer
   a. Substitutions: Section 01 00 00 – Product Requirements

J. Pitless Adapter (includes cast iron spool and watertight, cast iron, vented well cap with 24 mesh [or smaller] screen):

1. Manufacturers:
   a. Baker Manufacturing Co. Model 6PS810WBWE23T4SP, or approved equal.
   b. Specified Pitless Adapter Model allows for 4-foot bury depth plus height of 3-feet above ground surface due to location of well's proximity to a floodplain.
   c. Substitutions: Section 01 00 00 - Product Requirements.

K. Pump:

1. Manufacturers:
   a. Grundfos Model 160S200-10. (20HP with Three-Phase, 460V motor), or approved equal.
   b. Substitutions: Section 01 00 00 - Product Requirements.
   c. 6" nominal diameter pump and motor
   d. 3" threaded discharge outlet
   e. Pump equipped with integral check valve
   f. Pump/motor shall be equipped with flow inducer sleeve unless otherwise approved by Engineer.

L. Pump wire

1. Sufficient for the pump with 20 extra feet to be left coiled at the well head
2. #10 wire, jacketed

M. Drop pipe for pump:

1. 3-inch as per plans, 304 Stainless Steel Schedule 40 pipe manufactured in accordance with ASTM Specification A53
2. 304 Stainless Steel API Couplings

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N. Check valves:

1. Manufacturers:
   a. Flomatic Model 80S6, 316 Stainless Steel, or approved equal, with breakoff plugs.
   b. Substitutions: Section 01 00 00 – Product Requirements.

O. Transducer/Sounding pipe:

1. The transducer pipe shall be 1.25-inch (ID), Schedule 80 PVC pipe, as indicated on the Design Drawings.
2. Threaded pipe
3. Connect transducer pipe to the drop pipe with ½" stainless steel bands.
4. Includes all fittings at pitless adaptor, as well as capped, perforated end of transducer pipe per Design Drawings.

P. Pressure transducer:

1. Pressure transducer to be installed for Owner's use in production well
   a. Druck Model PTX 1835 Series, OAE
      1) 4-20 mA signal
      2) Polyurethane cable, with adequate length to reach from pump setting depth to termination inside panel onsite, assuming panel to be located 50 feet or less from wellhead.
      3) Lightning Surge Arrestor
      4) Accessories
         a) STE Moisture proof sensor termination enclosure
         b) Slimline sink weight
2. The pressure transducer used for testing purposes shall be provided and operated by the Contractor.

Q. Test Pumping Pressure transducer and Data Logger:

1. The pressure transducer and data logger used for testing purposes shall be provided and operated by the Contractor.

R. Formed and poured concrete slab around the well head:

1. 48" x 48" x 6" concrete slab, 2% slope away from casing.

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PART 3 EXECUTION

3.1 EXAMINATION

A. Section 01 00 00 - Administrative Requirements: Verification of existing conditions before starting work.

B. Verify site conditions are capable of supporting equipment for performing drilling operations and testing.

C. The Contractor must provide written notification to the Engineer of mobilization and anticipated commencement of drilling at least ten business days prior to beginning work on site.

3.2 MOBILIZATION/ DEMOBILIZATION

A. Mobilization/Demobilization includes the major move(s) to and from the drilling site. Also included is project coordination, site clean-up, maintenance of access to the site, and any necessary support equipment.

3.3 PROTECTION OF THE WELL

A. The open annulus shall be protected from entry of unwanted material at all times. The Contractor shall construct and maintain drainage berms around the wellhead to prevent surface runoff from reaching and entering the well during construction.

B. After installing the filter pack, the Contractor shall continue to prevent and guard against entry of unwanted objects and contaminants from entering the well casing and gauge line.

C. The Contractor shall place plastic below the rig, mud pump, compressors, generators, and all other equipment which has the potential to leak hydrocarbons. The plastic shall be bermed on all sides of the equipment such that it will contain any fluid that is spilled or leaks from the equipment.

D. The drilling rig and all drilling tools must be steam-cleaned prior to commencing operations, to ensure that bacteria are not transferred from previous drilling sites to the project site.

3.4 WELDING

A. All welding shall be done by competent and experienced workers with adequate equipment, using shielded arc welding, or other process approved by Engineer. Welders employed for field assembly of all casing shall be qualified in accordance with the latest revision of the section titled "Welding Procedure" of the ASME Boiler Construction Code, or by the AWS Standard Qualification Procedures.

1. Welders shall be qualified to weld stainless steel, carbon steel, and/or other materials, according to the materials being welded.

2. Electrodes used shall be selected and appropriate for the process used and material or materials being joined.

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

3.5 SURFACE CASING

A. The Contractor shall drill and ream the borehole to the depth specified for the surface casing and set and cement the surface casing prior to the drilling of the borehole below that depth.

1. The Contractor shall be paid for surface casing at the initial pilot hole if, after logging the pilot hole, the Owner decides to abandon the project.

B. The space between the surface casing and the boring shall then be cemented with neat cement grout or sand cement grout, as specified in this Section, placed through a tremie pipe. Cement grout shall be placed from the total depth of the reamed borehole to 5 feet below ground surface. Allow for the accommodation of the pitless adapter. The placing of the cement grout shall be done in a manner that shall seal the annulus against infiltration of water. Regardless of the cementing method used, the difference in density between the cement outside the surface casing and the fluid within the casing must not be greater that 6.5 lbs/gal, and the casing must be kept completely full of liquid at all times until cement is set. The cementing of the surface casing shall be approved by the Engineer. The grout shall be allowed to set for a minimum period of 24 hours, or longer if directed by the Engineer. However, the time shall not exceed 72 hours.

3.6 DRILLING FLUID

A. Drilling fluid shall consist of a mixture of water and high-yield bentonite gel, with additives as approved by the Engineer. The drilling fluid is to contain a minimum of drilled clay and sand in order to deposit a thin, soft, easily removable filter cake on the face of the aquifers. If there is a conflict between the drilling fluid requirements for ease in drilling, and the drilling fluid requirements for protection of the aquifers, then the drilling fluid requirements for aquifer protection shall govern.

B. Acceptable drilling fluid constituents include high-yield bentonite, synthetic polymers, inorganic-phosphate thinning agents, and drilling detergents and foaming agents. Use of weighting materials will be avoided if possible. Lost-circulation materials shall not be used without prior approval of the Engineer and, except in extreme conditions, shall be limited to acid-wool. Use of polymer mud without bentonite to contribute to wall-cake development will not be allowed.

C. Drilling-fluid samples shall be collected at the flow line or point of discharge from the hole at least every 4 hours during drilling and reaming. The Contractor shall maintain careful drilling fluid control and have on-site the equipment necessary to measure and log the following drilling-fluid properties when requested by the Engineer:

1. Temperature to the nearest one degree Fahrenheit.
2. Weight in pounds per gallon.
3. Funnel viscosity in seconds per quart.
4. Thirty-minute water loss, filter-cake thickness, and sand content.

D. The Contractor shall consult with a drilling fluid Engineer agreed to by the Contractor, Engineer, and Owner regarding the proposed drilling fluid program. The drilling fluid Engineer shall check the drilling fluid within the initial 24 hours of drilling and as needed

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

during pilot hole drilling and reaming. The drilling fluid Engineer will be available on a 24-hour basis to monitor the drilling-fluid properties.

E. The drilling fluid shall have the following properties in accordance with American Petroleum Institute (API) Code RP 138, "Recommended Standard Field Procedures for Testing Drilling Fluid." In the event that the following properties cannot be attained, the drilling fluid shall be replaced.

1. Weight: Drilling fluid weights below 9 pounds per gallon (lbs/gal), 67 pounds per cubic foot (lbs/ft^3 are recommended to speed drilling, minimize lost circulation, and prevent tight hole.

2. Funnel Viscosity: Normal viscosities of 30-40 seconds per quart are recommended with bentonite fluids to adequately clean the pilot hole. Viscosities of 40-60 may be needed for reaming by the direct-rotary method.

3. Water Loss: Filtrate values below 10 cc/30 minute should be maintained while drilling the pilot hole to allow time for logging and testing. Filtrate control should be maintained at 13 cc/30 minute or below while reaming.

4. Filter Cake: Filter cake thickness shall be 3/32-inch maximum.

5. Sand Content: Sand content of fluid entering the hole should not exceed two (2) percent by volume.

F. Containment: The uncontrolled discharge of drilling mud onto the surface of the ground shall be prevented by the use of portable or excavated mud pits.

1. If used, the portable drilling mud storage unit shall be appropriately sized to contain drilling fluids utilized for the well installation. Shale shakers and weir boxes shall be utilized as needed to process drill cuttings to maintain adequate drilling fluid characteristics.

2. If used, excavated mud pits should be sized large enough to contain drill cuttings estimated to be produced throughout the drilling process, plus drilling fluid volume required for drilling method utilized.

   a. Should mucking pits become necessary due to higher production of cuttings than anticipated, or other unexpected conditions, circulation shall be stopped while pits are mucked. Time for settling of mud pits shall be allowed after mucking is completed. Following mucking, contractor shall confirm acceptable mud-weight prior to restarting circulation.

3. The drilling mud shall be removed from the site after drilling has been completed.

4. The Contractor shall restore the land surface at the well site to the original condition following completion of drilling activities.

3.7 DEVIATION SURVEYS

A. The Contractor shall make deviation surveys at intervals of not more than 100 feet during drilling between ground level and the total depth of the well or as necessary to maintain specified plumbness and alignment. The maximum horizontal deviation shall not exceed

Received
MAR 12 2026
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District VI Cimarron Office

two-thirds the inside diameter of the casing per 100 feet of depth. Plumbness and alignment shall follow the standard set forth in Section 8 of the American Water Works Association (AWWA). Surveys shall be made with a Totco Self-Checking Mechanical Drift Indicator or approved equal. Alternate plans that call for deviation surveys at longer intervals or no deviation surveys during drilling of the pilot hole will not be approved.

B. The drift survey tool shall be tested above ground surface prior to performing any deviation surveys to verify proper operation. The test shall consist of suspending the tool vertically from a thin wire attached to the top of the tool. The tool shall be set and allowed to shoot and record the deviation noted. The tool shall then be set at an angle of several degrees from horizontal and shot again. The angle at which the tool was set and the deviation shall be noted, include documentation of same in records submitted to Engineer.

3.8 DRILLING OR REAMING BELOW THE SURFACE CASING

A. The borehole shall be drilled (or reamed when completing the production well after completion of the pilot hole) to the specified diameter from the bottom of the surface casing to the total drilled depth. If using mud-rotary methods, the Contractor shall keep the borehole completely filled with drilling fluid from the time the borehole is drilled to total depth until the well is completed.

B. To obtain accurate depth determination, representative cuttings samples, and a straight and plumb hole, the Contractor shall comply with the following:

1. Maintain a reasonably constant rotary speed.
2. Maintain reasonably constant weight on the bit.
3. Maintain specified drilling fluid properties.
4. Maintain adequate facilities for the collection of representative cuttings samples.
5. Operate and maintain a drilling-rate recorder.
6. Use drill collars of appropriate diameter, weight, and length. Drill collar diameter should be of the maximum size allowable without interference with fluid circulation.

C. To assure that the borehole is started straight and plumb, the drilling rig shall be leveled so the drilling tools hang free and plumb in the center of the rotary table. The drilling rig shall be supported on jack pads properly designed and constructed so that undue settling does not occur. The Contractor shall periodically check the drilling rig level and make adjustments as necessary to maintain consistently level.

3.9 DRILL CUTTING DISPOSAL

A. The Contractor shall be responsible for removal of all drill cuttings from the site and shall dispose of the material in accordance with all local, State and Federal regulations. The Owner may allow for spreading of cuttings within the well installation area.

3.10 PILOT HOLE

A. The pilot hole shall be drilled for the purpose of determining the thickness and characteristics of formations from ground surface to the bottom of the hole, the location of

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

water-bearing strata, and other geologic and hydrologic information. Plumbness and alignment of the pilot hole shall be carefully monitored and, if found to exceed specifications, corrected by the Contractor before proceeding.

B. The pilot hole shall be approximately 8 inches in diameter (+/-1/2" bit size). It shall be drilled from the bottom of the surface casing to the full depth as directed by the Engineer.

3.11 PILOT HOLE ABANDONMENT

A. If the results of the discreet interval sampling or other information indicate that completion of the production well or wells is not justified, then the Contractor shall abandon the pilot borehole at the request of the Owner. The Contractor shall complete and file a well plugging plan of operations with the New Mexico Office of the State Engineer (NMOSE) for approval prior to abandoning the borehole. The Contractor will complete the pilot hole abandonment by plugging with neat cement grout in accordance with the approved Plan, to be paid at the unit price for grout identified on the Contractor's bid.

1. Abandonment of the pilot hole due to borehole deviation outside of specifications that would render it unsuitable for completion of a production well by reaming shall be incidental to the Contractor's work and completed at no cost to the Owner.

3.12 GEOPHYSICAL LOGS

A. Upon completion of the pilot borehole, at the Engineer's discretion, the hole may be surveyed by means of geophysical well log equipment, such as that provided by reputable contractors approved by the Engineer. The survey shall include the following logs unless otherwise agreed upon between the Engineer and the geophysical survey company:

1. Resistivity (short and long normal)
2. Spontaneous potential
3. Gamma ray
4. Sonic
5. Caliper
6. Hole deviation

B. In the event that geophysical survey of the hole is found necessary, the Contractor shall enter into an agreement with the geophysical survey company to conduct the scope of work specified by the Engineer. On the completion of this work, the Contractor shall invoice the Owner for the actual cost of the geophysical survey plus 10% processing fee to cover expenses incurred by the Contractor in handling the arrangement. An allowance is included in the Bid Schedule to cover the cost of the possible geophysical logging of the drill hole.

C. There will be no additional payment for rig time or standby time while performing the Geophysical Log. No standby time will be paid for a 16-hour period after the geophysical log has been completed while the Engineer interprets the results and identifies discrete interval water sampling zones.

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

3.13 PRODUCTION WELL INSTALLATION AND COMPLETION

A. Work in connection with the production well shall commence after completion of all onsite work pertaining to the borehole. Materials for production well construction shall not be ordered until the Engineer has reviewed the drill cuttings, sieve analysis of the cuttings, and geophysical logs, as applicable.

3.14 WELL CASING INSTALLATION

A. Casing installation shall be handled by methods that will cause no damage. Installation of casing shall not begin until all required materials are on-site, tallied and marked. The Contractor shall provide the casing tally for review to Owner's representative before beginning casing installation. The Contractor shall be responsible for ensuring well casing and screens are installed at the depths indicated on the Design Drawings or as directed by the Engineer.

B. The casing shall be suspended above the bottom of the hole a sufficient distance to assure that none of the casing is supported from the bottom. The weight indicator shall be monitored continuously while the casing string is being lowered; at no time shall the casing string be placed in compression.

C. Inspect the end of each section to be joined for debris, residue, burrs or other conditions that may prevent proper alignment and joining of the sections.

D. Verify casing is properly seated and plumb at the alignment holes prior to commencing welding.

E. Complete casing welding with qualified personnel, approved methods, and appropriate electrodes for the material or materials being joined and in accordance with Section 3.4 of this Technical Specification.

F. Perforations

1. Exact depths for the screen shall be determined by the Engineer based on lithological logs and geophysical logs.

2. A bull nose end cap of the same material shall be attached to the end of the casing, below the screened interval.

G. Centralizers

1. All centralizers shall consist of a minimum of three rigid guides, composed of the same screen or blank casing material to which they are being welded.

2. All guides shall be welded to the casing with 2-inches minimum standoff from the casing, spaced evenly around the circumference of casing.

3. Centralizing guides shall be installed throughout the length of well casing by the Contractor, at no more than 100-foot intervals, including guides at the top and bottom of each perforated section.

a. Guides within screened intervals shall be placed across the welded joint of the two sections and never on the screen itself.

H. Landing Clamp

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

1. After the casing has been successfully installed in the well, and suspended in tension, the casing string shall be landed. The casing string shall be landed on the surface casing with the casing clamp resting on the stiffener ring. The casing clamp shall be installed on the production casing as instructed by the Engineer, first bolted to and then welded top and bottom to the casing. The casing clamp arms shall be inserted into notches cut into the surface casing so that they rest on the stiffener ring. The casing clamp shall then be welded to the surface casing and the stiffener ring.

3.15 THINNING OF DRILLING FLUID

A. After the assembled casing is centered in the borehole, tubing or drill pipe shall be inserted into the casing to total depth. The drilling fluid shall be thinned by introducing a steady stream of clear water to the settling pit at the well discharge trench as fluid is circulated through the hole.

B. While clear water is being added, heavy fluid shall be pumped to waste from the lower part of the suction pit. The fluid shall be circulated through the tremie pipe in the annulus and tubing, or drill pipe inside the casing, until the drilling fluid has been thinned until it has the following properties:

1. Weight: Drilling fluid weight shall be a maximum of 8.5 lbs/gal (64 lbs/ft^3).
2. Viscosity: Funnel viscosity shall be a maximum of 28 seconds.
3. Sand Content: Sand content of mud entering the well bore shall be a maximum of 1 percent by volume.

C. The Contractor shall make adequate preparations to ensure that circulation will be continuous from the time that watering-back of the drilling fluid begins until the time the filter pack is completely in place.

3.16 FILTER-PACK PLACEMENT

A. The annular space between the borehole and the casing shall be filled with the specified filter pack to the depths above and below the screened interval or intervals as shown on the Design Drawings or directed by the Engineer. The sand shall be placed to ensure continuity without bridging, voids, or segregation.

B. Gravel/sand must be placed through a string of tremie tubing installed in the borehole by the Contractor prior to installation of the well casing. Bottom of the tremie tubing shall run to within 40 feet of the bottom of the borehole. During filter pack installation, the tremie pipe shall be no more than 40 feet above the top of the filter pack level during placement. A minimum of 1/2 gallon of 12.5 percent sodium hypochlorite solution shall be added to every 1 cubic yard of gravel/sand as it is placed. Calcium hypochlorite will not be allowed. The tremie line shall be gradually withdrawn as the filter pack is deposited.

C. The Contractor shall provide means of measuring the volume of gravel/sand as it is installed, and continual checks must be made to prevent voids or bridging of the filter pack. The volume of all gravel/sand added shall be calculated and recorded at all times. Any amount placed which is less than the computed amount required shall be deemed a sign of voids or bridging and corrective measures shall be undertaken by the Contractor.

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

D. For each screened interval, once the filter pack has been measured at or near the upper depth called for on the Design Drawings, before placing bentonite seal, the Contractor shall swab the screened interval in 20-foot sections to settle the filter pack, remeasure the filter pack depth, and add additional filter pack. Then the Contractor shall repeat this process until the filter pack is settled at the designed depth. This swabbing to ensure proper settling is incidental to placement of annular materials and shall not be paid as hourly work.

3.17 ANNULAR SEAL

A. Bentonite seals shall be placed via tremie above and below the screened intervals to prevent commingling of waters. The Design Drawings indicate the position and thickness of the seal or seals.

3.18 SANTIARY GROUT SEAL

A. The sanitary grout seal shall be placed in the annulus above the uppermost bentonite seal to within 60 inches of ground surface in accordance with the approved NMOSE Artesian Plan of Operations. The grout shall be placed using a sufficient number of stages such that casing will not be damaged. Each stage of grout shall be allowed to set for 12 hours prior to placing the overlying stage.

B. The sanitary seal shall be placed through a tremie pipe, which shall be set no greater than 20 feet above the top of the area to be sealed.

C. Regardless of the grouting method used, the well casing must be kept completely full of liquid at all times until grout is set.

3.19 STEEL ANNULAR-CAP PLATE

A. The Contractor shall supply and install by continuous welds a steel annular-cap plate to cover the space between the production casing and the surface casing.

3.20 CAP FOR CASING

A. The top of the production casing shall be provided with a cap of the same material as the casing securely affixed to the casing to cover and protect the well until the permanent pump installation has begun. The cap as specified above shall be affixed to the casing at all times during which no member of the Contractor's crew is present at the well site. The Contractor shall protect the well casing from entry of unwanted material at all times.

3.21 DISPOSAL OF WASTEWATER

A. Water produced by development and test pumping or other operations shall be disposed of on-site in a manner and at a location approved by the Owner and Engineer. Disposal of wastewater will be by such methods and to such locations that damage to structures, roads, or utilities does not occur. All costs incurred in connection with the disposal of wastewater are considered incidental to well drilling.

3.22 DISPOSAL OF DRILLING MUD

A. Waste drilling mud shall be removed from the well site upon completion of drilling operations and prior to well development. The drilling mud disposal location shall be the responsibility of the Contractor, and all mud shall be disposed of in accordance with all

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

local, State and Federal regulations. The cost of drilling mud removal is considered to be incidental to well drilling.

3.23 WELL DEVELOPMENT, DISINFECTION AND WATER QUALITY TESTING

A. Well Development and Disinfection consists of the application of appropriate techniques designed to bring the well to its maximum production capacity with attendant optimization of well efficiency, specific capacity, stabilization of aquifer material, and control of suspended solids.

3.24 WELL DEVELOPMENT BY SWABBING AND ZONED AIR-LIFT PUMPING

A. The perforated portion of the well shall be developed by zoned air-lift pumping in contiguous 20-foot sections, from the bottom of the well to the top of the perforated casing. The air-lift pumping device for isolating the air-lift pump zones shall consist of a 20-foot length of pipe with double-disc rubber washers, which fit tightly to the inside of the perforated casing, placed at each end. The design of the rubber washers shall be such that they will fold over if they become sanded in but are firm enough to create thorough mechanical agitation of the filter pack. The pipe shall be perforated with holes no greater than 1-inch diameter to allow formation water to enter the device. The device shall be constructed such that the holes do not significantly reduce the strength of the pipe. The bottom of the pipe shall be sealed.

B. An air-induction pipe shall be run within the column pipe to provide an air source. The air compressor used for air-lift pumping shall be capable of producing a minimum flow of 50 gpm from the well assuming an air-lift pumping water level at the top of the screened interval. The air-induction pipe shall be set above the top of the perforated casing, or a depth (agreed upon with the Engineer) having sufficient submergence to perform air-lift development and maintained at that depth as the zoned air-lift pumping device is withdrawn from the well, zone by zone.

C. The general procedure to be used during air-lift pumping development for each zone shall be:

1. Begin air-lift pumping a zone, measuring average flow and noting color and sand content of the water.
2. As the water clears, the air-lift tool shall be swabbed up and down several times and returned to the same zone. This shall be repeated until the discharged water remains relatively clean after swab throws.
3. The Contractor shall develop the perforated section with a minimum of two complete passes. The minimum amount of time devoted to each 20-foot zone during each pass is estimated at 30 minutes.
4. During development, the Contractor shall introduce through the column pipe a mud-thinning polymer to allow for break-up of fines.
5. Variation of the procedure, and additional time for development of each zone, shall be determined by the Engineer. Additional development time, if any, shall be paid for at the unit bid price.

D. The Contractor shall discharge the produced water to a tank such that the pumping rate, appearance, and sand content of the produced water can be measured. The Contractor shall

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

record the time required for the water to clear, the pressure and air flow required to air-lift each zone, and the interval being developed for each period of pumping. Produced water in the tank will be discharged to a location approved by the Owner and Engineer prior to well development.

E. After air-lift pumping has been completed, the tool shall be withdrawn from the well. The well shall be sounded, and if directed by Engineer, accumulated fill shall be bailed from the well to within two feet of the bottom of the casing.

3.25 DISINFECTION AFTER AIR-LIFT PUMPING

A. Immediately after well development by zoned air-lift pumping or swabbing is complete and prior to installing the test pump, the Contractor shall completely disinfect the well, per AWWA C-654 and AWWA 100 Section 4.9. Sixty-five percent HTH granular calcium hypochlorite shall be distributed evenly throughout the water column with a chlorine-basket. The chlorine basket shall have a fine mesh exterior and be of such design so that it can be lowered on a wire line to the full depth of the well and be capable of holding at least 10 lbs of chlorine. Disinfection with sodium hypochlorite will not be allowed with the exception of filter pack installation.

B. The quantity of chlorine used shall be equal to one half (1/2) pound (lb) for each 100 feet of water column in the well. The quantity of chlorine shall be sufficient to initially produce a chlorine concentration of 100 milligrams per liter (mg/l). Based on the above ratio, the total quantity of chlorine shall be determined and placed in the chlorine basket. The basket shall then be run to the bottom of the well on a wire line and slowly retrieved. This process shall be repeated until all of the chlorine has dissolved. The chlorine-bearing solution shall remain in the well for a period of at least 24 hours.

C. In conjunction with disinfection with the chlorine basket, the Contractor shall wash the upper casing with a solution of chlorine and water. The solution shall be mixed in the ratio of one (1) pound of chlorine for each 1,000 gallons of potable water, yielding a chlorine concentration of at least 100 mg/l. The inside of the production casing and the gage line shall be washed with the solution followed by thorough flushing with potable water.

D. During the time interval between disinfection, as described above and installation of the test pump, the well shall be capped with a 3/8-inch steel plate securely welded to the casing.

3.26 DEVELOPMENT BY PUMPING

A. The Contractor shall furnish, disinfect, install, operate, and remove a deep-well turbine pump or a submersible pump for developing the well. The permanent production pump furnished and installed for the Owner shall not be used for well development or well testing. The test pump and drop pipe shall be thoroughly disinfected pursuant to AWWA 100 Section 4.9 and AWWA C-654 prior to installation in the well. A chlorine solution of 100 mg/L minimum concentration shall be circulated through the pump for a minimum of 30 minutes. The exterior of the pump and the interior and exterior of the drop pipe shall be rinsed with the chlorine solution prior to installation. Development pumping shall be initiated within 14 (fourteen) days after development by air-lift pumping is complete, unless otherwise approved by Engineer.

Received
MAR 02 2026
Office of the State Engineer
District 1 Roswell Office

B. The pump and prime mover shall have a pumping range of 10 gpm to 70 gpm at a pumping level equal to the top of the uppermost screen, estimated at 350-400 feet. If a turbine pump is used, the prime mover shall be a variable speed type.

1. For the basis of bid, the test pump shall be capable of producing at least 70 gpm at 250 ft total dynamic head (TDH), and also be capable of being reliably throttled to 10 gpm.
2. Contractor shall submit cut sheets for the proposed test pump for review by Engineer prior to testing, considering flow and water levels observed during air lift development.

C. The Contractor shall install an electric-line probe calibrated to 0.01 foot increments and measure water depth.

D. The initial pumping rate shall be restricted and, as the water clears, be gradually increased until the maximum rate is reached. The maximum rate will be determined by the Engineer after consideration of the well drawdown and discharge characteristics for each well. The Contractor shall be responsible for providing a flow meter, suitable to measure the rate of water discharge.

E. The development pumping shall be continued until the discharged water is clean of sand, silt, and mud and until there is no increase in specific capacity during at least 4 hours of continuous pumping and surging, or as directed by Engineer.

F. The Contractor shall continue development until the following conditions have been met, unless otherwise specified by Engineer:

1. Sand production is less than 15 parts per million (ppm) within 20 minutes after commencement of pumping at the maximum rate.
2. Average sand production does not exceed 5 ppm for a 2-hour cycle after commencement of pumping at the maximum rate as determined by the Engineer.
3. Specific capacity of the well is essentially stable for a minimum of 4 hours, and the specific capacity is the same for all of the different flow-rate steps after equal amounts of time.

G. Sand production shall be measured by a centrifugal-sand-separating meter as described in Journal of AWWA, Vol. 26, No. 2, February 1954 (Rossum sand sampler). The Contractor shall keep independent records of pumping time, flow rate, pumping level, sand production, and other discharge characteristics to be included in documentation submitted to Engineer.

3.27 WELL TESTING

A. The Contractor shall furnish all necessary equipment and materials and make a complete pumping test of the well following development work. Test pumping for each production well shall consist of up to a 360-minute step-drawdown test (three 120-minute steps), a 1,000 minute constant-rate test, and associated recovery tests, unless otherwise specified by Engineer. The Contractor shall also supply an inline flow meter to quantify discharge during the pump test. The Contractor shall be responsible for providing equipment and collecting all flow and water-level measurements during the testing. Water level measurements shall be collected at one-minute intervals utilizing a transducer during all portions of the tests.

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

B. The step test shall commence no sooner than 24 hours after development pumping or other pumping is completed to allow the well to recover to static water level.

C. The flow rates for the step test shall be 50%, 100%, and 150% of the design flowrate of the well, which is estimated to be 40 gpm. The anticipated design flowrate may change at Engineer's discretion pending results and observations gathered during air lift and pumping development within the well.

D. The driller shall supply an in-line sample port with a gate valve or other valve system approved by the Engineer, suitable for collecting water samples during the test. Upon completion of the step pumping test, the well shall be allowed to recover and remain shut off for 24 hours. Then a 1000-minute constant-rate pumping test shall be conducted, followed by at least a 24-hour water-level-recovery period.

E. Unless otherwise approved by the Engineer, the totalizing flow meter shall be installed before the centrifugal-sand-separating meter, which shall be followed by the valve used to throttle well flow, so as to ensure all water discharged by the sand separator is captured in flow meter readings, and to provide backpressure to facilitate proper function of both the flow meter and sand-separating meter.

F. If the pump is shut off for any reason during the pumping portion of the test, or equipment problems interfere with maintaining a constant discharge rate, the pump shall remain shut off for 24 hours and the complete test rerun at no additional cost.

3.28 WATER QUALITY CONSTITUENT SAMPLING AND TESTING:

A. Constituent Sampling and Testing:

1. The Contractor shall collect the water sample for constituent analysis at the end of the constant-rate pumping test. Testing costs shall be the responsibility of the Contractor. Analysis shall include EPA National Primary and Secondary Drinking Water Contaminants.

3.29 BAILING

A. After development by pumping, pump test, and recovery periods are complete, the test pump and appurtenances shall be withdrawn from the well. The well shall be sounded, and accumulated fill shall be bailed from the well to within two feet of the bottom of the casing.

3.30 VIDEO INSPECTION

A. Following the completion of well development and well testing, the Contractor shall complete a video inspection of the completed well from ground surface to total depth for the Owner's review and records. The video recording shall indicate depth below ground surface at all times and shall provide a clear image of the completed well casing, screens, adaptors and connections/joints both above and within the water column.

B. The video camera used shall be equipped with centralizers, adequate lighting, and a focusing side-scan lens to inspect all points of interest. The video equipment shall automatically record depth.

C. The maximum speed of the video inspection survey shall be 30 feet per minute.

Received
MAR 02 2026
Office of the State Engineer
District VII Cimarron Office

D. Submittals: Prior to performing the work, the Contractor shall submit the name and qualifications of the subcontractor (or Contractor personnel) to be used to complete the video inspection. The digital recording shall be provided on a USB flash drive to the Engineer immediately after the inspection is complete. A summary report of video inspection observations and results shall also be submitted.

E. The video image quality, at a minimum, shall allow confirmation of the following:
1. Static water level.
2. Constructed depths of all screened intervals.
3. Condition and integrity of all screens, blank production casings, transitions, and end-cap at bottom of well.
4. Presence or absence of settled material at bottom of well.

F. If the image provided by the video inspection is inadequate to confirm the above, as determined by the Owner's Representative, the Contractor shall make arrangements to clear the water, modify equipment and methods used, and repeat the video inspection process at no additional cost until an adequate video recording is provided.

G. There will be no additional payment for rig or standby time while the video inspection is conducted/performed.

3.31 PRODUCTION PUMP INSTALLATION AND SURFACE COMPLETION

A. If more than three (3) months passes between initial development and pump testing of the well and production pump installation, Contractor shall perform additional development by pumping as directed by Engineer.

1. The production pump shall not be used for this development by pumping.

2. The pump used shall be of equivalent or greater capacity as pump specified in initial development by pumping.

B. Surface completion shall include the following:

1. Cutting of the surface casing to the appropriate depth for pitless installation.

2. Installation of the pitless adaptor with 2-foot casing stickup above finished grade and cast or forged, bolted, locking, watertight cap with screened air vent (24 mesh or smaller).
   a. Contractor shall coordinate with Engineer's surveyor to ensure the pitless adaptor and appurtenances are placed at the correct elevation relative to finished grade at each well site as per the Engineer's site design.

3. Installation of discharge line stub-outs (capped and marked), aligned as per site design as directed by Engineer.
   a. Contractor shall coordinate with Engineer to ensure the stub outs for each well are placed at the correct orientation as per final site design determined by Engineer. Final site design may vary from the preliminary orientation of stub-outs or connections shown in the drawings provided during bidding.
   b. Install cold-applied tape coating over well discharge line stub-out, manufactured and installed in accordance with AWWA C209, applied with a minimum overlap width of 1-inch.Total coating thickness shall be a minimum of 80 mils.

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District VII Cimarron Office

4. Installation of electrical conduit and discharge line stub-outs shall be coordinated with Electrician.

5. Installation of a minimum 6" thick, formed and poured concrete slab around the well head, sloped to drain away from the well head, and appurtenances.
   a. Concrete strength requirements:
      1) 3,000 psi min. 28-day compressive strength
      2) 1-inch max aggregate size

C. The well shall be equipped with a production pump and necessary appurtenances to produce water, as directed by the Engineer after well production is determined by the well test. Other well appurtenances to be installed downhole will include:

1. Drop pipe and three (3) check valves, with check valves spaced as indicated on drawings.

2. Pump wire sufficient for the pump with 20 extra feet to be left coiled at the well head.

3. The transducer/sounding pipe and pump wire shall be fastened to the drop pipe at ten foot intervals as the pump assembly is installed.
   a. Connect transducer pipe to the drop pipe with ½" stainless steel bands, unless otherwise directed by Engineer.
   b. Connect pump wire to the drop pipe separately.
   c. See Design Drawings for transducer pipe terminations at pump depth and at surface.

D. The Contractor shall complete a start-up test of the pump and motor installed in the well.

3.32 BACTERIOLOGICAL TESTING

A. Required bacteriological sampling shall be completed at the end of the start-up test of the installed production pump for each well, following flushing of at least three (3) casing volumes, or more at Contractor's discretion.

B. In order to determine if the well contains unacceptable numbers of bacteria, the Contractor shall collect and properly preserve water samples from the well for bacteriological testing. No residual chlorine shall be detected at the time of sampling.

C. Bacteriological tests shall include total coliforms (presence/absence method). The water shall be deemed unacceptable if coliform bacteria are "present" in the collected water samples.

D. It shall be the Contractor's responsibility to see that each well is so tested and, if unacceptable, follow the disinfection procedures specified by the Engineer. Disinfection and subsequent testing shall continue until test results are approved, indicating acceptable conditions, or until a maximum of three disinfection procedures have been followed as outlined in the paragraph of this specification entitled "Disinfection After Air-Lift Pumping." If additional disinfection procedures are required, they shall be paid at the unit bid price.

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District Information Office

E. Results of all bacteriological testing shall be provided for approval prior to the use of the well.

3.33 RESTORATION OF DISTURBED AREAS

A. After the work is completed, the Contractor shall fill the mud pits with previously excavated material and/or cuttings. All trash and debris generated by the Contractor shall be contained and disposed of in a manner acceptable to the Owner. The Contractor shall restore the site to its original condition as approved by the Owner.

B. Contractor shall exercise care to minimize damage from the use of equipment in paved, lawn, or landscaped areas, and unless otherwise specified in the contract agreement. Contractor shall repair wheel ruts and track marks, patch pavements, and restore the ground or paved surface to the extent practicable, to its former condition. All surplus material shall be handled as specified herein and the site left in a neat condition.

C. All costs associated with the restoration of the work site not separately listed on the bid form will be incidental to the work.

3.34 SECURITY AND PROTECTION OF THE WELL

A. Security and protection of the water well prior to the installation of a final pitless adapter shall be ensured by a cap or lid securely fastened to the production casing. Between disinfection and well development activities the lid will be padlocked. Upon completion of the well and installation of the pitless adapter, production pump and appurtenances, the Contractor shall perform final bacteriological testing. Following Engineer's approval of the bacteriological testing confirming "absence" of total coliform, the casing shall be sealed. The well vent and all other openings shall be screened (24 mesh or smaller).

END OF SECTION

Coordinates

UTM - NAD 83 (m) - Zone 13

Easting: 470217.03

Northing: 3980846.36

State Plane - NAD 83 (ft) - Zone E

Easting: 246329.00

Northing: 1810442.56

Degrees Minutes Seconds

Latitude: 35° 58' 17.70"

Longitude: -105° 19' 49.24"

Spatial Information

OSE District: 7 County: Mora

Land Grant: Mora

Declared GW Basin: Canadian River

Sub-Basin:

Abstracting Project Area:

Canadian River

Regulation Area:

Artesian Plan Area

PLSS Description

NW SE SE SE Qtr of Sec 10 of 20N 15E

Derived from Projected PLSS- Qtr Sec. locations are calculated and are only approximations

File Number: CR-600

Owner: Mora Mutual Domestic

Purpose:

Author: GLQ

NEW MEXICO OFFICE OF THE STATE ENGINEER

1:3,810

ft

0 70 140 280

N

Source: Maxar

Date: 02/08/2024

Resolution (m): 0.31

Accuracy (m): 8.47

3/2/2026

Reasonable efforts have been made by the New Mexico Office of the State Engineer (OSE) to verify that these maps accurately represent the records data used in their preparation. However, a degree of error is inherent in all maps, and these maps may contain omissions and errors in scale, interpretation, positional accuracy, completeness, timeliness, correctness, and other uses and misuses. The OSE makes no warranty, representation or guarantee as to the content, sequence, accuracy, timeliness, or completeness of any of the data provided and assumes no responsibility for any misinterpretation and/or misuse of the data contained on these maps. These maps are not to be used as a substitute for any official survey required by law.

GIS WATERS PODs

POD Status

Active	Active	Capped	Capped
Pending	Pending	Plugged	Plugged
Change Location of Well	Change Location of Well	Inactive	Inactive
		Unknown	Unknown

USGS Live Stream Gauges

New Mexico State Trust Lands

- Subsurface Estate
- Surface Estate
- Both Estates
- PLSS Special Survey

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

1.2m Resolution Metadata

Coordinates

UTM - NAD 83 (m) - Zone 13

Easting: 468103.80

Northing: 3981573.50

State Plane - NAD 83 (ft) - Zone E

Easting: 239409.57

Northing: 1812876.49

Degrees Minutes Seconds

Latitude: 35° 58' 41.06"

Longitude: -105° 21' 13.72"

Spatial Information

OSE District: 7 County: Mora

Land Grant: Mora

Declared GW Basin: Canadian River

Sub-Basin:

Abstracting Project Area:

Canadian River

Regulation Area:

Artesian Plan Area

PLSS Description

NW NE NW SE Qtr of Sec 9 of 20N 15E

Derived from Projected PLSS- Qtr Sec. locations are calculated and are only approximations

File Number: CR-600-S

Owner: Mora Mutual Domestic

Purpose: Move From

Author: GLQ

NEW MEXICO OFFICE OF THE STATE ENGINEER

1:3,810

ft

0 70 140 280

N

Source: Maxar

Date: 05/01/2024

Resolution (m): 0.46

Accuracy (m): 8.47

3/2/2026

Reasonable efforts have been made by the New Mexico Office of the State Engineer (OSE) to verify that these maps accurately represent the source data used in their preparation. However, a degree of error is inherent in all maps, and these maps may contain omissions and errors in scale, resolution, verification, analytical accuracy, development methodology, interpretation of source data, and other considerations. These maps are distributed "as is" without warranty of any kind.

GIS WATERS PODs

POD Status

Active	Active
Pending	Pending
Change Location of Well	Change Location of Well

Capped	Capped
Plugged	Plugged
Inactive	Inactive
Unknown	Unknown

USGS Live Stream Gauges

New Mexico State Trust Lands

- Subsurface Estate
- Surface Estate
- Both Estates
- PLSS Special Survey

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

1.2m Resolution Metadata

Coordinates

UTM - NAD 83 (m) - Zone 13

Easting: 467919.20

Northing: 3981712.31

State Plane - NAD 83 (ft) - Zone E

Easting: 238806.80

Northing: 1813336.21

Degrees Minutes Seconds

Latitude: 35° 58' 45.54"

Longitude: -105° 21' 21.11"

Spatial Information

OSE District: 7 County: Mora

Land Grant: Mora

Declared GW Basin: Canadian River

Sub-Basin:

Abstracting Project Area:

Canadian River

Regulation Area:

Artesian Plan Area

PLSS Description

~~SW SW SW NE Qtr~~ of Sec 9 of 20N 15E

Derived from Projected PLSS- Qtr Sec. locations are calculated and are only approximations

File Number: CR-600-S-2

Owner: Mora Mutual Domestic

Purpose:

Author: GLQ

NEW MEXICO OFFICE OF THE STATE ENGINEER

1:1,905

ft

0 35 70 140

N

Source: Maxar

Date: 05/01/2024

Resolution (m): 0.46

Accuracy (m): 8.47

3/2/2026

Although efforts have been made by the New Mexico Office of the State Engineer (OSE) to verify that these maps accurately orientate the source data used in their preparation, it cannot be guaranteed that these maps are free from errors or inaccuracies and errors in scale, resolution, rectification, additional accuracy, omissions, methodology, interpretation of source data, and other problems. These maps are distributed "as is" without warranty of any kind.

GIS WATERS PODs

POD Status

- Active
- Pending
- Change Location of Well

Active
Pending
Change Location of Well

- Capped
- Plugged
- Inactive
- Unknown

Capped
Plugged
Inactive
Unknown

USGS Live Stream Gauges

New Mexico State Trust Lands

- Subsurface Estate
- Surface Estate
- Both Estates
- PLSS Special Survey

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

60cm Resolution Metadata

Coordinates

UTM - NAD 83 (m) - Zone 13

Easting: 468096.82

Northing: 3981571.73

State Plane - NAD 83 (ft) - Zone E

Easting: 239386.61

Northing: 1812870.82

Degrees Minutes Seconds

Latitude: 35° 58' 41.00"

Longitude: -105° 21' 14.00"

Spatial Information

OSE District: 7 County: Mora

Land Grant: Mora

Declared GW Basin: Canadian River

Sub-Basin:

Abstracting Project Area:

Canadian River

Regulation Area:

Artesian Plan Area

PLSS Description

~~NW NE NW SE Qtr~~ of Sec 9 of 20N 15E

Derived from Projected PLSS- Qtr Sec. locations are calculated and are only approximations

File Number: CR-600

Owner: Mora Mutual Domestic

Purpose: Mojeto

Author: GLQ

NEW MEXICO OFFICE OF THE STATE ENGINEER

1:1,905

ft

0 35 70 140

N

Source: Maxar

Date: 05/01/2024

Resolution (m): 0.46

Accuracy (m): 8.47

3/2/2026

Reasonable efforts have been made by the New Mexico Office of the State Engineer (OSE) to verify that these maps accurately represent the source data used in their preparation. However, in spite of any attempts at data entry and these maps may contain omissions and errors in scale, resolution, projection, horizontal accuracy, annotation, methodology, interpretation of source data, and other circumstances.

These maps are produced "as is" without warranty of any kind.

GIS WATERS PODs

POD Status

Active	Active	Capped
Pending	Pending	Plugged
Change Location of Well	Change Location of Well	Inactive
		Unknown

USGS Live Stream Gauges

New Mexico State Trust Lands

- Subsurface Estate
- Surface Estate
- Both Estates
- PLSS Special Survey

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

60cm Resolution Metadata

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

OFFICIAL RECEIPT NUMBER: 7 - 03657 DATE: 3-2-26 FILE NO.: CR-600

TOTAL: $25.00 RECEIVED: $25 DOLLARS CHECK NO.: 9960 CASH: —

PAYOR: Mora MDWSA ADDRESS: P.O. Box 304 CITY: Mora STATE: NM

ZIP: 87701 RECEIVED BY: Greg Quarles

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
___	7. 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
1	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

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

___ @ 0.25¢ $_____

___ Map(s) $_____

E. Certification $_____

F. Other $_____

G. Comments:

All fees are non-refundable.