

File Number: C-1246-AJAB, C-3766-POD1, C-3767-POD1, C-3997-POD1, C-4076-POD1 and C-4126-POD1

Applicant: Water Spur LLC c/o J.D. Rose and Darrill J. Woodfield Jr., Judy D. Nesbit and Western Commerce Bank (Lien holder)

County(s): Eddy County

NOTICE is hereby given that on December 18, 2019, Water Spur LLC c/o J.D. Rose, P.O. Box 1322, Carlsbad, New Mexico 88221 and Darrill J. Woodfield Jr., Judy D. Nesbit and Western Commerce Bank (Lien holder), 5408 S. Thomason Road, Carlsbad, New Mexico 88220, filed with the **STATE ENGINEER** Application No. C-1246-AJAB into C-3766-POD1, C-3767-POD1, C-3997-POD1, C-4076-POD1 and C-4126-POD1 (T) for permit under Water-Use Leasing Act (NMSA 1978, Sections 72-6-1 thru -7) to temporarily Change the Point of Diversion, Place and Purpose of Use of 24.0 acre-feet per annum (16.8 acre-feet per annum C.I.R.) from the following described shallow groundwater wells within the Carlsbad Basin of the State of New Mexico.

MOVE FROM:

<u>WELL NO.</u>	<u>SUBDIVISION</u>	<u>SECTION</u>	<u>TOWNSHIP</u>	<u>RANGE</u>
C-1246	SW1/4SW1/4SW1/4	20	22 S.	27 E.
C-1246-X	SW1/4NW1/4NW1/4	29	22 S.	27 E.

This notice is ordered to be published in the Carlsbad Current Argus.

The applicant proposes to temporarily cease the irrigation of 8.0 acres of land from the irrigation of land described as follows:

<u>SUBDIVISION</u>	<u>SECTION</u>	<u>TOWNSHIP</u>	<u>RANGE</u>	<u>ACRES</u>
Pt. SW1/4SW1/4SE1/4SW1/4 & Pt. SW1/4SE1/4SE1/4SW1/4 a.k.a. Tract 10 Nesbit Tracts	20	22 S.	27 E.	5.0
Pt. SE1/4SE1/4SW1/4SW1/4 & Pt. SW1/4SW1/4SE1/4SW1/4 a.k.a. Tract 9B Nesbit Tracts 2	20	22 S.	27 S.	<u>3.0</u>
				<u>8.0</u>

The applicant proposes to temporarily commence the diversion of 16.8 acre-feet per annum (Consumptive Use), of ground water to be diverted from the following described points of diversion:

MOVE TO:

<u>WELL NO.</u>	<u>SUBDIVISION</u>	<u>SECTION</u>	<u>TOWNSHIP</u>	<u>RANGE</u>
C-3766-POD1	SW1/4SW1/4NW1/4	14	23 S.	27 E.
C-3767-POD1	SE1/4SW1/4NW1/4	14	23 S.	27 E.
C-3997-POD1	NE1/4SW1/4NW1/4	14	23 S.	27 E.
C-4076-POD1	NE1/4SW1/4NW1/4	14	23 S.	27 E.
C-4126-POD1	NE1/4SE1/4NW1/4	14	23 S.	27 E.

for commercial water sales on State, Private and BLM lands in Eddy and Lea County, New Mexico.

This application is filed under the Water-Use Leasing Act, NMSA 1978, Sections 72-6-1 through 72-6-7.

Application is made for a permit to temporarily transfer 16.8 acre-feet per annum (Consumptive Use) to Water Spur LLC that, if granted, would expire on December 31, 2024. Upon termination or expiration of the desired permit, the subject water right will automatically revert to the move-from point of diversion and the move-from place and purpose of use.

The above described move-from point of diversion and place of use are located near the intersection of Center Avenue and South Thomason Road, Carlsbad, Eddy County, New Mexico. The above described move to points of diversion is located near the intersection of Forehand Drive and Grandi Road, 8.4 miles south east of the City of Carlsbad, Eddy County, New Mexico. The move to place of use is State, Private and BLM land in Eddy & Lea County.

To view the application and supporting documentation contact the State Engineer District 2 Office on (575) 622-6521 to arrange a date and time for an appointment located at Office of the State Engineer – District 2 Office, 1900 West Second Street, Roswell, New Mexico 88201.

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 must show how you will be substantially and specifically affected. The written protest must be filed, in triplicate, with the State Engineer, Office of the State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, on or before April 3, 2020. 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 Office of the State Engineer, (575) 623-8559. A copy of the written protest filed with the State Engineer must also be sent to the applicant by certified mail. 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.
