



WATER-RIGHT DOCKET

Fort Union National Monument

Docket No: 2

ADJUDICATION OF PECOS RIVER BASIN

Land History

00-00-0000: warranty deed: the union land and grazing company

WARRANTY DEED

The Union Land and Grazing
Company, a corporation

TO

United States of America

STATE OF NEW MEXICO,
County of **Mora**

I hereby certify that this instrument was filed
for record on the **28th** day of
August A. D. 19**55** at
9:00 o'clock **A.** M., and was duly
recorded in Book **016** of Records of
Deeds and Conveyances, page **188**
on this **28th** day of **August**
A. D. 19 **55**

[Handwritten signatures and stamps]

D.
Fort Union

WARRANTY DEED

016 171

THIS INDENTURE, Made this 16th day of June, in the year of our Lord
 One Thousand Nine Hundred and fifty-five between
THE UNION LAND AND GRAZING COMPANY, a corporation,
 of the first part and
UNITED STATES OF AMERICA AND ITS ASSIGNS

WITNESSETH, That the said party of the first part, for and in consideration of the sum of
BY DONATION AS AUTHORIZED BY THE ACT OF CONGRESS APPROVED June 20, 1954, (68 Stat. 298)
 lawful money of the United States, to it in hand paid by the said party of the second
 part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold, remised,
 conveyed, released and confirmed, and by these presents do grant, bargain, sell, remise, convey,
 release and confirm unto the said party of the second part, its assigns forever
 all the following described lot or parcels of land and real estate, situate, lying and being in the County
 of Mora and State of New Mexico, to-wit:

PARCEL 1:

BEGINNING at corner No. 1 (a stake in stone mound), from which the corner common to
 the northwest corner of Section 6, Township 19 North, Range 19 East, NPM, and the
 southeast corner of Section 11, Township 20 North, Range 19 East, NPM, bears North
 67° 30' East, a distance of 8707.35 feet;
 thence South 60° 24' 30" West, a distance of 5261.04 feet to corner No. 2 (a stake
 in stone mound);
 thence North 29° 35' 30" West, a distance of 1674.66 feet to corner No. 3 (a stake
 in stone mound);
 thence North 17° 11' 30" West, a distance of 844.6 feet to corner No. 4;
 thence North 47° 12' 30" West, a distance of 598.20 feet to corner No. 5;
 thence North 29° 35' 30" West, a distance of 2209.0 feet to corner No. 6 (a stake
 in stone mound);
 thence North 60° 24' 30" East, a distance of 5279.53 feet to corner No. 7;
 thence South 29° 35' 30" East, a distance of 5278.9 feet to corner No. 1, the point
 of beginning;
 containing 637 acres more or less; and

PARCEL 2:

BEGINNING at corner No. 1 (a stake in stone mound), from which corner No. 6, Parcel
 No. 1, described above, bears North 69° 56' East, a distance of 2475.6 feet;
 thence South 24° 51' East, 1926.4 feet to corner No. 2 (a stake in stone mound);
 thence South 65° 9' West, a distance of 1890.3 feet to corner No. 3 (a stake in
 stone mound);
 thence North 24° 51' West, a distance of 1926.4 feet to corner No. 4 (a stake in
 stone mound);
 thence North 65° 09' East, a distance of 1890.3 feet to corner No. 1, the point
 of beginning;
 comprising 83.6 acres more or less;

Parcel No. 1 described above is subject to right-of-way for state highway granted to
 the County of Mora, State of New Mexico, by the grantor herein by deed executed on the
16th day of June, 1955.

ALL MINERALS AND MINERAL RIGHTS in and under the above described land ARE RESERVED in
 and to grantor, its successors and assigns; provided, however, that the surface of
 said lands shall not be used or disturbed in connection with such reservation of min-
 eral rights without the consent of the Secretary of the Interior of the United States
 of America, so long as said premises and title thereto remains vested in the grantee
 named in this Deed.

THIS DEED IS HEREBY GIVEN upon the specific condition that the title conveyed
 hereby shall automatically revert to Union Land and Grazing Company, a corporation,
 its successors and assigns, if the

016-123

TOGETHER WITH ALL AND SINGULAR THE HEREDITAMENTS AND APPURTENANCES THEREUNTO BELONGING OR IN ANYWISE APPERTAINING, AND THE REVERSION AND REVERSIONS, REMAINDERS, RENTS, ISSUES AND PROFITS THEREOF AND OF THE ESTATE, RIGHT, TITLE, INTEREST, CLAIM AND DEMAND WHATSOEVER, OF THE PART Y OF THE FIRST PART, EITHER IN LAW OR EQUITY, OF, IN AND TO THE ABOVE BARGAINED PREMISES, WITH THE HEREDITAMENTS AND APPURTENANCES;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said part Y of the second part, ~~120~~ assigns forever. And the said part Y of the first part, for ~~itself~~, ~~120~~ ~~and assigns~~ do ~~as~~ covenant and agree to and with the said part Y of the second part, ~~120~~ ~~that~~ ~~at the time of the executing and delivery of these presents~~ ~~it is~~ well seized of the premises above conveyed, of a good, sure, perfect, absolute and indefeasible estate of inheritance in law and in fee simple and has ~~as~~ good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of what kind and nature soever; and the above bargained premises, in the quiet and peaceable possession of the part Y of the second part, ~~120~~ ~~assigns~~, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said part Y of the first part shall and will warrant and forever defend.

IN WITNESS WHEREOF, the said part Y of the first part has ~~as~~ hereunto set ~~120~~ hand and seal ~~the day and year last above written~~.

~~THE UNION LAND AND GRAZING COMPANY~~ [SEAL]

~~ATTEST:~~

~~Paul L. Rogers~~

By

~~Amos Stevens~~

~~Vice President~~

STATE OF NEW MEXICO, ss.
County of _____

On this _____ day of _____, 19____, before me personally appeared _____

to me known to be the person described in and who executed the foregoing instrument and acknowledged that _____ executed the same as _____ free act and deed.

Witness my hand and seal the day and year last above written.

My commission expires _____

Notary Public

STATE OF ~~Massachusetts~~ ~~Suffolk~~

County of _____
On this ~~16~~ day of ~~June~~ ~~1955~~, before me personally appeared _____ Vice President

THE UNION LAND AND GRAZING COMPANY

State of ~~New Mexico~~

County of _____

who being by me duly sworn, did say that he is _____

and that he is the duly authorized representative of _____

and that he is the duly authorized representative of _____

and that he is the duly authorized representative of _____

and that he is the duly authorized representative of _____

and that he is the duly authorized representative of _____

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and that he is the duly authorized representative of _____

and that he is the duly authorized representative of _____

and that he is the duly authorized representative of _____

and that he is the duly authorized representative of _____



Office of the Attorney General
Washington, D.C.

October 18, 1955

INTERIOR DEPT.

OCT 21 1955

COLLECTOR Honorable Douglas McKay
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

A re-examination has been made of the title data relating to 720.6 acres of land, more or less, acquired for the establishment of the Fort Union National Monument in Mora County, New Mexico. This land was conveyed to the United States of America under the provisions of existing legislation by The Union Land and Grazing Company, a corporation, under deed dated June 16, 1955, filed for record on August 25, 1955, and recorded among the land records of the county in Book O-16 of Deeds at page 122. Your reference is L58-AS and the file number of this Department is 33-32-226.

The land which was acquired by donation is described in the aforesaid deed.

The title insurance policy, dated as of August 25, 1955, was issued by Lawyers Title Insurance Corporation and is satisfactory.

The title policy, recorded deed, and accompanying data disclose valid title to be vested in the United States of America subject to:

1. Easements for public roads, rights of way and utilities, including the right of way for State highway mentioned in Schedule B of the title policy.
2. Reservation by the grantor in the deed to the United States of certain minerals and mineral rights and a right of reversion, operable until the expiration of the term of the deed.

Sgt. J. L. ...
201. ...

Price
Lands notified
10/21/55

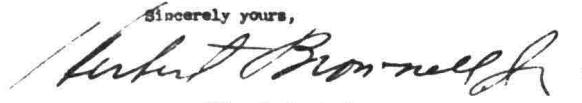
- 2 -

3. Taxes for the year 1955. You have advised that satisfactory evidence of the payment of these taxes will be furnished this Department after such payment is made prior to November 1, 1955.

Your Department has advised that objections 1 and 2 not interfere with the contemplated use of the land.

The title insurance policy, deed and related papers are enclosed.

Sincerely yours,

A handwritten signature in cursive script, reading "Arthur T. Bronwell".

Attorney General

Other Supporting Information

Southwest Region
P. O. Box 728
Santa Fe, New Mexico 87501

L54

MAY 23 1974

Mr. Cayle Manges, Solicitor
P. O. Box 1042
Santa Fe, New Mexico 87501

Dear Mr. Manges:

In response to your request for additional information, enclosed are a list of all known developed and undeveloped springs for each of the following park areas.

NO FOUN SPRINGS

Fort Union National Monument
Pecos National Monument
Gran Quivira National Monument
Carlsbad Caverns National Park

Should additional information be required please contact, as you have done, Garland Moore, extension 412, of this office.

Sincerely yours,

/S/ Carl O. Walker

JR Joseph Rumburg
Regional Director
Southwest Region

Enclosures

cc:
Superintendents, CACA, GRQU, PECO, and FOUN
Chief of Maintenance, MRM-WASO
Attn: Vic Berte', Water Resources
✓ DEN-SWR

GMoore:ba 5/22/74

Fort Union and Gran Quivira National Monuments have no developed or undeveloped springs.

Pecos National Monument

Poison Spring (Undeveloped)

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>
15N	12E	5	NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

CARLSBAD CAVERNS NATIONAL PARK

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Status</u>	<u>Status</u>
24S	24E	25	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Developed	Kid Spring Improvements date - 1918-1920 Type - Metal Tank, Dam By Whom - Unknown Flow, 5-20 gph
		28	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Developed	East and West Seep-Lechugilla Canyon. Developed for stock watering with earth and rock tank. Developed in conjunction with Lowe property. By Whom - Unknown Date - Unknown Flow, 3-15 gph
		31	NW $\frac{1}{4}$	Undeveloped	Seep Pot holes in stream bed - no record of improvements or flow available.
		33	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Developed	Lowe Ranch Spring Improvements - Date Unknown Type - Pipe, Metal Tub, Rock Tank By Whom - Lowe Flow, 0-4 gph NPS acquired property by condemnation, September 7, 1951.

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Status</u>	<u>Remarks</u>
		33	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Developed	Upper Lowe Ranch Seep Improvements - Date Unknown Type - Earthen Tank By Whom - Lowe Flow, 1-5 gph
		34	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Undeveloped	Seep Flow, Unknown
		34	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Undeveloped	Potholes Quantity, 50-60 Gallon/Pothole (Estimated)
		35	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Undeveloped	Spider Cave Seep Flow, 115 to 3 gph
		36	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Developed	Oak Springs Improvement Date - 1930 Type - Water Tanks and Pumping System By Whom - NPS Flow, 2-307 gph
	25E	19	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Undeveloped	Grammer Seep (Middle Upper) Flow, 0-15 gph
		19	S $\frac{1}{2}$ SW $\frac{1}{4}$	Undeveloped	Grammer Spring (East Upper) Flow, 0-4 gph
		30	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Developed	Big Hill Seep Improvements Date - 1935 (?) Type - Road Container By Whom - NPS Flow, 2-7 gph

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Status</u>	<u>Remarks</u>
		30	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Undeveloped	Lower Grammer Seep Flow, 0-0.5 gph
		30	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Undeveloped	Grammer Seep (West Upper) Flow, 2-2.5 gph
25N	22E	36	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Undeveloped	Name - None Flow, ? gph
	23E	6	E $\frac{1}{2}$ SW $\frac{1}{4}$	Undeveloped	Name - None Flow, 4 gph
		7	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Developed	Kirkland Spring Improvement Date - Unknown Type - Earthen Tank By Whom - Unknown Flow, 3-5 gph
		8	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Developed	Able Seep Improvement Date - Unknown Type - Cement Catch Basin By Whom - Unknown Flow, No Record
		9	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Undeveloped	Potholes Capacity of each 200-300 gallons (estimated).
		9	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Undeveloped	Old Quaker Flow, Seep
		9	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Undeveloped	Name - None Flow, Seep

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Status</u>	<u>Remarks</u>
		10	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Undeveloped	Name - None Flow, 8 gph (Estimated)
		10	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Undeveloped	Name - None Flow, 5 gph (Estimated)
		11	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Undeveloped	Slaughter Pothole Flow, No Record
		12	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Developed	Maple Spring Improvement Date - Unknown Type - Metal Tank, Pipe By Whom - Unknown Flow, 0-5 gph
		12	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Developed	Rock Wren Springs Improvement Date - 1920s Type - Metal Tank Check Dam By Whom - Coldwell and Clements Flow, 3-5 gph
		14	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Developed	Clemond Roach Seep Improvement Date - 1906 (?) Type - See Below By Whom - Kip McKinney Flow, 1-5 gph <u>Type of Improvement:</u> Water piped from seep to metal tank setting on concrete base. Base exists.

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Status</u>	<u>Remarks</u>
		18	SW $\frac{1}{4}$ NW $\frac{1}{4}$	Developed	Putnam Spring Improvement Date - 1965 Type - Pipeline to building, corral By Whom - NPS Flow, 1.5-8 gph
		28	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Developed	Iron Pipe Spring Improvement Date - 1920s Type - Pipe, Earth Tank By Whom - Unknown Flow, 3-8 gph
		28	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Undeveloped	Cut Log Spring Seeps cover area 50'x100' Flow, No Record
		28	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Unknown	Pine Cone Spring Flow, No Record
		29	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Developed	Longview Spring Improvement Dates - 1912-1918 (?) Type - Pipe from Spring to Earth Tank By Whom - Nunn and Roberts Flow, Drip - 20 gph
		29	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Developed	Crown Rock Spring Improvement Date - 1914 (Approx.) Type - Pipe from Spring to Earth Tank By Whom - Nunn Flow, Dry to 8 gph

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Status</u>	<u>Remarks</u>
		29	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Undeveloped	Dog Pen Seep Flow, 3-10 gph
25N	24E	4	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Developed	Name - None Improvement Date - 1957 Type - 3 Check Dams By Whom - O'Neal and Patterson Flow, No Record
		5	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Developed	Stone Ranch Spring Improvement Date - 1918 Type - 5,000 Gallon Tank By Whom - Stone Flow, 3-15 gph
		5	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Undeveloped	Stone West Seep Flow, Dry to Seeping (?)
		5	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Undeveloped	Stone East Seep Flow, Dry to Seeping (?)



United States Department of the Interior
NATIONAL PARK SERVICE
SOUTHWEST REGION
P.O. Box 728
Santa Fe, New Mexico 87501

Water Rights File

IN REPLY REFER TO:

L1425 (SWR) MLA

April 15, 1974

Memorandum

To: Hydraulic Engineer, Water Resources, PSN-SWR

From: Chief, Division of Land Acquisition, SWR

Subject: Water Rights Adjudication (CACA, GRQU, PECO and FOUN)

We have the following comments on your draft letter to Field Solicitor Manges:

1. Inasmuch as there is no explanation of the nature of the amended response in the case cited, the significance of the exclusions is not apparent.
2. Even without the benefit of that information, however, it seems that in the case of Pecos National Monument the United States' claims to "all waters" are specifically denied by the reservations in the deed.

We assume the legal descriptions have been checked for accuracy and completeness in your office.

Brewster Lindner
Brewster Lindner

Southwest Region
P. O. Box 728
Santa Fe, New Mexico 87501

Water Right
encl
GRAB
PECC
FOUN

L54

4/24/74

Mr. Gayle Manges, Solicitor
P. O. Box 1042
Santa Fe, New Mexico 87501

Dear Mr. Manges:

It has recently been brought to our attention that in 1965, the U. S. amended response to the case entitled, State of New Mexico, et al. v. L. T. Lewis, et al., Civil No. 20294, the total areas of Carlsbad Caverns National Park, Gran Quivira National Monument, Pecos National Monument, and Fort Union National Monument were not included except for the following:

1. A water right with priority of 1880 recognized by permit No. 0432 issued December 27, 1937, and by permit No. 0432 and C-1129 for supplemental well (groundwater) dated July 8, 1963, for .5 c.f.s. Surface diversion is from Rattlesnake Springs (N.79°39'E., 1,842 ft. from SW corner, Sec. 23, T. 25 S., R. 24 E., N.M.P.M.) and supplemental well located 200 ft. north and 1,400 ft. east of SW corner, Sec. 23, T. 25 S., R. 24 E., N.M.P.M. Part of the water is used for domestic purposes at Headquarters, Carlsbad Caverns National Park, (.2 c.f.s. - 42 acre-feet per annum) and part is used for irrigation at Rattlesnake Springs (.3 c.f.s. - 63 acre-feet per annum).
2. The right to 50 gallons of water per minute from a well located in ~~NW 1/4 SW 1/4~~ Sec. 4, T. 1 S., R. 8 E., N.M.P.M., to be used for domestic and irrigation purposes at Gran Quivira National Monument.
3. A water right under Declaration of Owner of Underground Water Right dated January 8, 1960, numbered Misc. 1-MA-5, and acknowledged by State Engineer on July 13, 1961, for 50 gallons per minute produced by a well in ~~SE 1/4 SW 1/4~~ Sec. 3, T. 19 N., R. 18 E., N.M.P.M.; to be used for domestic use for permanent personnel, 50,000 visitors per year and irrigation of lawns, trees, etc., at Fort Union National Monument, Mora County, New Mexico.

We would appreciate your reviewing the enclosed legal descriptions for each park area with the view towards protecting, under the same case, U. S. claims to all waters (surface and underground) for each National Park Service area located within the Pecos River drainage basin. Please inform us what evidence, if any, will be required to support these claimed rights.

If there are any questions with respect to this letter, please contact Hydraulic Engineer Garland Moore of this office.

Sincerely yours,

Joseph Rumburg
Regional Director
Southwest Region

Enclosures

cc:
Superintendents, CACA, GRQU, PECO, and FOUN
Chief of Maintenance, MRM-WASO
Attn: Vic Berte', 4/C enclosures
✓ PSN-SWR

GMoore:ba 4/23/74

NOTE - SUPT., CACA:

File this information in your permanent Water Right Docket No.1 and 2, Folder 4, Part K - Adjudication of Pecos River Basin.

NOTE - SUPTS., GRQU, PECO AND FOUN:

Make a permanent Water Right Docket No. 2 entitled, "Adjudication of Pecos River Basin."

CARLSBAD CAVERNS NATIONAL PARK

1. A right to use all groundwaters underlying and surface water on the following described lands which were unappropriated at the time of withdrawal from public domain and reserved for National Park status by Executive Order No. 3984 dated April 2, 1924; No. 4870 dated May 3, 1928; No. 5370 dated June 17, 1930, etc., which presently define the boundaries of Carlsbad Caverns National Park (revised by Public Law 88-249, 88th Congress, S. 1175, December 30, 1963).

NEW MEXICO PRINCIPAL MERIDIAN

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Date Initially Reserved</u>	<u>Possible Exception to Reservation</u>
24S	23E	35	S $\frac{1}{2}$	4/ 2/24	
		36	A11	4/ 2/24	See 2a.
	24E	25	A11	4/ 2/24	
		26	A11	4/ 2/24	
		27	A11	4/ 2/24	
		28	A11	4/ 2/24	
		29	A11	4/ 2/24	
		31	A11	4/ 2/24	
		32	A11	4/ 2/24	See 2a.
		33	A11	4/ 2/24	See 2c.
		34	A11	4/ 2/24	See 2c.
		35	A11	4/ 2/24	
		36	A11	4/ 2/24	
	25E	19	S $\frac{1}{2}$ SE $\frac{1}{4}$	6/17/30	
		20	S $\frac{1}{2}$ S $\frac{1}{2}$	Unknown	
		21	S $\frac{1}{2}$ S $\frac{1}{2}$	Unknown	
		26	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Unknown	See 2d.
		27	A11	5/ 3/28	See 2d.
		28	A11	5/ 3/28	
		29	A11	4/ 2/24	See 2d.
		30	A11	4/ 2/24	See 2d.
		31	A11	4/ 2/24	See 2e.
		32	A11	4/ 2/24	See 2a.
		33	A11	5/ 3/28	
		34	W $\frac{1}{2}$; NW $\frac{1}{2}$ NE $\frac{1}{4}$	5/ 3/28	See 2d.
25S	22E	24	A11	4/ 2/24	
		25	A11	4/ 2/24	
		35	A11	4/ 2/24	
		36	A11	4/ 2/24	
	23E	1	A11	4/ 2/24	
		2	A11	4/ 2/24	
		3	A11	4/ 2/24	
		4	A11	4/ 2/24	

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Date Initially Reserved</u>	<u>Possible Exception to Reservation</u>
		5	A11	4/ 2/24	
		6	A11	4/ 2/24	
		7	A11	4/ 2/24	
		8	A11	4/ 2/24	
		9	A11	4/ 2/24	
		10	A11	4/ 2/24	
		11	A11	4/ 2/24	
		12	A11	4/ 2/24	
		13	A11	4/ 2/24	
		14	A11	4/ 2/24	
		15	A11	4/ 2/24	
		16	A11	4/ 2/24	
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		30	A11	4/ 2/24	
		31	A11	4/ 2/24	
		32	A11	4/ 2/24	
		33	A11	4/ 2/24	
		34	NW $\frac{1}{4}$	4/ 2/24	
	24E	1	N $\frac{1}{2}$	4/ 2/24	
		2	W $\frac{1}{2}$; NE $\frac{1}{4}$	4/ 2/24	See 2a.
		3	A11	4/ 2/24	
		4	A11	4/ 2/24	See 2b.
		5	A11	4/ 2/24	See 2b.
		6	A11	4/ 2/24	
		7	A11	4/ 2/24	
		8	A11	4/ 2/24	See 2b.
		9	W $\frac{1}{2}$; NE $\frac{1}{4}$	4/ 2/24	See 2b.
		10	NW $\frac{1}{4}$	4/ 2/24	
		17	W $\frac{1}{2}$; NE $\frac{1}{4}$	4/ 2/24	
		18	A11	4/ 2/24	
		19	NW $\frac{1}{4}$	4/ 2/24	
	25E	5	N $\frac{1}{2}$	4/ 2/24	
		6	N $\frac{1}{2}$	4/ 2/24	

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Date Initially Reserved</u>	<u>Possible Exception to Reservation</u>
26S	22E	1	N $\frac{1}{2}$; W $\frac{1}{2}$ SW $\frac{1}{4}$	4/ 2/24	See 2a. & 2f.
		2	All	4/ 2/24	
		11	All	4/ 2/24	
		12	W $\frac{1}{2}$ W $\frac{1}{2}$	4/ 2/24	
		14	NW $\frac{1}{4}$	4/ 2/24	
	23E	6	NW $\frac{1}{4}$	4/ 2/24	

2. POSSIBLE EXCEPTIONS TO RESERVATION

Within Carlsbad Caverns National Park the following lands were acquired by land exchange, condemnation or purchase.

NEW MEXICO PRINCIPAL MERIDIAN

<u>2a. Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>
24S	23E	36	All
	24E	32	All
	25E	32	All
25S	24E	2	Lots 1,2,3,4, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$
26S	22E	2	S $\frac{1}{2}$

The above transaction includes 2,721.12 acres. The U. S. acquired title to all above lands by quitclaim deed No. 2876 executed by State of New Mexico on September 30, 1964 and recorded in Book 186, Page 10 of the records of Eddy County, New Mexico.

NEW MEXICO PRINCIPAL MERIDIAN

<u>2b. Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>
25S	24E	4	SW $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$
		5	SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$
		8	NE $\frac{1}{4}$ NE $\frac{1}{4}$
		9	NW $\frac{1}{4}$ NW $\frac{1}{4}$

The above transaction includes 320 acres more or less. U. S. acquired title to all of the above lands by warranty deed executed by Thurman A. Mayes and Mahalo O. Mayes, husband and wife, on 17 April 1965 and recorded in Book 183, Page 228 of the Record of Deeds in Eddy County, New Mexico.

NEW MEXICO PRINCIPAL MERIDIAN

<u>2c. Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>
24S	24E	33	W $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$
		34	N $\frac{1}{2}$ S $\frac{1}{2}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$

The above transaction includes 320 acres more or less. U. S. acquired title to all of the above by condemnation action in U.S. vs. 320 Acres of Land, more or less, situate in Eddy County, State of New Mexico, Alan J. Lowe, et al., Civil Action No. 1672 dated 7 day of September 1951.

NEW MEXICO PRINCIPAL MERIDIAN

<u>2d. Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>
24S	25E	26	SE $\frac{1}{4}$ SE $\frac{1}{4}$
		27	S $\frac{1}{2}$ SE $\frac{1}{4}$
		29	SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$
		30	NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$
		34	NW $\frac{1}{4}$ NE $\frac{1}{4}$

The above transaction includes 480 acres more or less. U. S. acquired title to all of the above on 20 January 1933 from W. B. Grammar.

NEW MEXICO PRINCIPAL MERIDIAN

<u>2e. Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>
24S	25E	31	NE $\frac{1}{4}$ NW $\frac{1}{4}$

The above transaction includes 40 acres more or less. U. S. acquired title on 26 October 1940 with the reservation that for 25 years from the above date the right to mine guano shall be reserved plus an additional 60 days the right to remove from the land any buildings, structures, machinery, equipment, or improvements. The reservation period has expired. The entire transaction is recorded on Page 286 of Volume 76 of the Deed Records of Eddy County, New Mexico.

NEW MEXICO PRINCIPAL MERIDIAN

2f. Our records show that the only inholder is located N $\frac{1}{2}$ of Sec. 2, T. 26 S., R. 22 E. (Ed. Jordon).

FORT UNION NATIONAL MONUMENT

A right to use all groundwater and surface waters on the following described lands known as Fort Union National Monument..

PARCEL 1:

BEGINNING at corner No. 1 (a stake in stone mound), from which the corner common to the northwest corner of Section 6, Township 19 North, Range 19 East, NMPM, and the southwest corner of Section 31, Township 20 North, Range 19 East, NMPM, bears North 67° 30' East, a distance of 8707.30 feet;

thence South 60° 24' 30" West, a distance of 5281.04 feet to corner No. 2 (a stake in stone mound);

thence North 29° 35' 30" West, a distance of 1674.66 feet to corner No. 3 (a stake in stone mound);

thence North 17° 11' 30" West, a distance of 844.6 feet to corner No. 4;

thence North 47° 12' 30" West, a distance of 598.70 feet to corner No. 5;

thence North 29° 35' 30" West, a distance of 2209.0 feet to corner No. 6 (a stake in stone mound);

thence North 60° 24' 30" East, a distance of 5279.53 feet to corner No. 7;

thence South 29° 35' 30" East, a distance of 5278.9 feet to corner No. 1, the point of beginning;

containing 637 acres more or less; and

PARCEL 2:

BEGINNING at corner No. 1 (a stake in stone mound), from which corner No. 6, Parcel No. 1, described above, bears North 69° 56' East, a distance of 2475.6 feet; thence South 24° 51' East, 1926.4 feet to corner No. 2 (a stake in stone mound); thence South 65° 9' West, a distance of 1890.3 feet to corner No. 3 (a stake in stone mound);

thence North 24° 51' West, a distance of 1926.4 feet to corner No. 4 (a stake in stone mound);

thence North 65° 09' East, a distance of 1890.3 feet to corner No. 1, the point of beginning;

comprising 83.6 acres more or less;

The above transaction consisting of 720.6 acres more or less reserves to the grantor, "The Union Land and Grazing Company, a corporation, all

minerals and mineral rights in and under the above described land. Title to the land will revert to the grantor should the area be discontinued as a National Monument."

GRAN QUIVIRA NATIONAL MONUMENT

A right to use all groundwater underlying and surface waters on the following described lands which was unappropriated at the time of withdrawal from public domain and reserved for National Monument status under the Act of Congress approved June 8, 1906, entitled, "An Act for the Preservation of American Antiquities."

1. NEW MEXICO PRINCIPAL MERIDIAN

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Date Initially Reserved</u>	<u>Possible Exception to Reservation</u>
1N	8E	34	S $\frac{1}{2}$ SW $\frac{1}{4}$	11/25/19	
			S $\frac{1}{2}$ SE $\frac{1}{4}$	11/25/19	See 2.
		35	S $\frac{1}{2}$ SW $\frac{1}{4}$	11/25/19	See 2,
1S	8E	2	N $\frac{1}{2}$ NW $\frac{1}{4}$	11/25/19	
		3	N $\frac{1}{2}$ N $\frac{1}{2}$	11/ 1/09	
		4	N $\frac{1}{2}$ NE $\frac{1}{4}$	11/25/19	

Presidential Proclamations No. 882 dated November 1, 1909 - 36 Stat. 2503 and No. 1545 November 25, 1919 - 41 Stat. 1778 set the area aside for National Monument purposes.

2. POSSIBLE EXCEPTION TO RESERVATION

Within the boundaries of Gran Quivira National Monument the following areas were acquired from the University of New Mexico, May 12, 1959.

NEW MEXICO PRINCIPAL MERIDIAN

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>
1N	8E	34	S $\frac{1}{2}$ SE $\frac{1}{4}$
		35	S $\frac{1}{2}$ SW $\frac{1}{4}$

PECOS NATIONAL MONUMENT

A right to use all groundwater underlying and surface waters on the following described lands known as Pecos National Monument (Act of June 28, 1965 - 79 Stat. 195).

NEW MEXICO PRINCIPAL MERIDIAN

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>
15N	12E	5	SE $\frac{1}{4}$; E $\frac{1}{4}$ E $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$
		8	E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$

Of the above transaction, consisting of 278.7 acres more or less, reserves to the grantor, E. E. Fogelson and Greer Garson Fogelson, his wife, the right to take water for domestic and irrigation purposes from the lands conveyed, and the right to explore for water, to drill wells and install, maintain and replace pumps, flumes, etc. included are the rights of ingress and egress to exercise the rights reserved. All water used by the U. S. must be used for the administration and maintenance of Pecos National Monument. Deed to the U. S. was executed by E. E. Fogelson, et ux., on December 15, 1964, filed for record on December 29, 1964, and recorded in Miscellaneous Record 225 at Page 595, San Miguel County, New Mexico.

Title to the remaining 62.6 acres more or less, lying within the above description was acquired by the U. S. from the Board of Regents of the Museum of New Mexico on December 13, 1965. Mineral interests to the same parcel of land was quitclaimed to U. S. by Gross, Kelly and Company, a New Mexico Corporation on December 13, 1965.

Docket Information

Number of Documents in Docket 24

Documents Dated from 10/18/1955 to 5/23/1974

Docket Compiled: 3/22/2011