



WATER-RIGHT DOCKET

Pecos National Historical Park

Docket No: 3

MIDDLE PASTURE WELL, UP-00972

State Water Rights Documentation

02-07-2012: Letter from the New Mexico State Engineer regarding Change of Ownership

Scott A. Verhines, P.E.
State Engineer



State Office
PO BOX 25102
SANTA FE, NM 87504-5102

Trn Nbr: 494526
File Nbr: UP 00972

STATE OF NEW MEXICO OFFICE OF THE STATE ENGINEER

Feb. 07, 2012

CHIEF, WATER RIGHTS BRANCH
UNITED STATES OF AMERICA NATIONAL PARK SERVICE
1201 OAKRIDGE DR. STE 250
FORT COLLINS, CO 80522

Greetings:

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

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

Sincerely,

Jerri Trujillo
Upper Pecos Basin Manager
(505)827-6120

Enclosure

changowrc

File Number: UP-972
(For OSE Use Only)

**NEW MEXICO OFFICE OF THE STATE ENGINEER
CHANGE OF OWNERSHIP OF WATER RIGHT (CORPORATION)**

1. OWNER OF RECORD

Name: Forked Lightning Ranch(through The Conservation Fund)
Contact: _____ Work Phone: _____
Address: P.O. Drawer 5 Home Phone: _____
City: Pecos State: NM Zip: 87552

NEW OWNER United States of America, National Park Service

Name: Pecos National Historical Park
Contact: Chief, Water Rights Branch Work Phone: 970-225-3532
Address: 1201 Oakridge Dr, Ste 250 Home Phone: _____
City: Fort Collins State: NM Zip: 87552

2. AMOUNT CONVEYED

State Engineer File Number: UP-972
Sub-file Number _____ of Cause Number _____
Owner of record has conveyed all of said right.
(all or part)

Consumptive Use: 3 acre-feet per annum
Diversion Amount: _____ acre-feet per annum
Other: _____ (units)

3. PURPOSE OF USE

Domestic: _____ Livestock: X Irrigation: _____ Municipal: _____ Industrial: _____
Commercial: _____ Other (specify): _____
Specific use: National Park purposes

4. PLACE OF USE

5,993 acres of land described as follows:

Subdivision of Section (District or Hydrographic Survey)	Section (Map No.)	Township (Tract No.)	Range	Acres
Lands within the exterior boundaries of the Pecos Unit of Pecos National Historical Park	<u>2-6</u> <u>7-11</u> <u>14-17</u> <u>20-23</u>	<u>T15N</u>	<u>R12E</u>	<u>All</u> <u>5,993</u>
Drawing No. 430/80,032				

Do Not Write Below This Line

File Number: UP-972 Trn Number: 44452
Form: wr-02c (Corporation) -page 1 of 2

File Number: UP-972
(For OSE Use Only)

**NEW MEXICO OFFICE OF THE STATE ENGINEER
CHANGE OF OWNERSHIP OF WATER RIGHT (CORPORATION)**

5. WELLS TO ACCOMPANY CONVEYED RIGHT

Well File No.	Division	Section	Township	Range
UP-972	NW¼ SW¼ SE¼	16	15N	12E

6. CONSENT TO LAWFUL CHANGE IN PLACE AND/OR PURPOSE OF USE

(I, We) the above owner(s) of record, hereby consent to a lawful change in the place and/or purpose of use of the above-described water right: (To be completed only if it is an irrigation water right and has been conveyed separate from the land to which it was appurtenant.)

Not applicable
(Signature)

(Signature)

7. ADDITIONAL STATEMENTS OR EXPLANATIONS:

This change of ownership is for the Middle Pasture Well at the Pecos Unit of Pecos National Historical Park. This well may be made supplemental to the Headquarter's well (UP-500). The Pecos Unit is located along State Highway 63 between Pecos and Rowe, NM, within the Pecos Pueblo Grant. The well and place of use are located within the exterior boundary of the Park. The National Park Service acquired the well, land and structures in 1993 from The Conservation Fund who purchased the property from the Forked Lightning Ranch. Copy of warranty deed is attached. The Middle Pasture Well is located in a minor unnamed tributary to the Pecos River. See description of the Middle Pasture Well in the attached excerpt from the 1995 water resources management plan.

ACKNOWLEDGMENT FOR CORPORATION

William R. Hansen
Signature of Officer

State of (Colorado) ss.
County of (Larimer)

This instrument was acknowledged before me this 27 day of January, A.D., 2013, By William R. Hansen, Chief, Water Rights Branch
(Name of Officer) (Title of Officer)
of U.S.A., National Park Service, a Not applicable corporation,
(Name of Corporation Acknowledging) (State of Corporation)
on behalf of said corporation.

My commission expires 8/25/2014

Marilyn Morse
Notary Public

Do Not Write Below This Line

This Change of Ownership form is hereby accepted for filing in accordance with Section 72-1-2.1, NMSA-1978 (1985 Repl. Pam), as amended. The acceptance by the Office of the State Engineer does not constitute validation of the right conveyed.

File Number: UP-972 Trn Number: 494526
Form: wr-02c (Corporation) -page 2 of 2

0007710

Deed prepared by and
to be returned to the
National Park Service
P.O. Box 728 (OLR)
Santa Fe, New Mexico 87504-0728

Pecos National Historical Park
Tracts 101-05 and 101-06

SPECIAL WARRANTY DEED

THE CONSERVATION FUND, a Maryland Non-profit Corporation, GRANTOR,
does hereby DONATE, GRANT, AND CONVEY unto the UNITED STATES OF
AMERICA, GRANTEE, and unto its assigns forever, the following
described lands lying in the County of San Miguel and State of New
Mexico, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH all and singular the tenements, hereditaments, and
appurtenances thereto belonging, or in anywise appertaining and
the reversion and reversions, remainder and remainders, rents,
issues, and profits thereof.

TOGETHER WITH the buildings and improvements thereon and all
rights and appurtenances thereto.

SUBJECT TO: (1) Any oil, gas or mineral rights of record
reserved to or outstanding in third parties; (2) Existing
easements of record for public roads and highways, public
utilities, railroads, pipelines, ditches, and canals; (3)
Easement in favor of Mora-San Miguel Electrical Cooperative,
Inc., and rights incident thereto, recorded in Book 228, Page
9980, Records, San Miguel County, New Mexico.

TO HAVE AND TO HOLD the above described premises, together with all
and singular the rights and appurtenances thereto in anywise
belonging, unto the said GRANTEE, and unto its assigns forever, and it
hereby covenants with the said GRANTEE that it shall WARRANT AND
FOREVER DEFEND the title to said lands limited, however, to those
claims by, through, and under the GRANTOR.

The GRANTOR further renounces, releases, and forever quitclaims to the
UNITED STATES OF AMERICA and its assigns, all right, title, and
interest which the GRANTOR may have in and to water rights, banks,
beds, and waters of any stream or river bordering or traversing the
said land to be conveyed and also all interest in and to any alleys,
roads, streets, ways, strips, gores, or railroad rights-of-way
abutting or adjoining said land, and in any means of ingress or egress
appurtenant thereto.

PECOS NHP DEED NO. 11

Situated in the State of New Mexico, County of San Miguel, in a portion of Exception 294, Private Claim 330, of the Pecos Pueblo Grant, in Township 15 North, Range 12 East, of the New Mexico Principal Meridian, being more particularly described as Parcels A, F, G, and H, as follows:

PARCEL "A"

Situated in the State of New Mexico, County of San Miguel in a portion of Exception 294, Private Claim 330 of the Pecos Pueblo Grant, in Sections 7, 8, 17, 20 and 21, of Township 15 North, Range 12 East, of the New Mexico Principal Meridian, being more particularly described, as follows:

Commencing at angle point No. 44 of Exception 294, Private Claim 330, monumented with a United States General Land Office Survey brass cap;

Thence, N.09°30'E., 511.07 feet, to the point of beginning, a point on the westerly right-of-way line of United States Highway 85, having New Mexico State Highway Commission project no. F.A.P. 98-C(11);

Thence, N.00°30'E., 281.34 feet, crossing said United States Highway 85 to a point on the Easterly right-of-way line of said highway, said line being common with the Easterly line of Interstate Highway 25, having New Mexico State Highway Commission project numbers I-025-5(12)257 and I-025-5(10)303;

Thence, along said common right-of-way line of said United States Highway 85 and Interstate Highway 25 the following 8 courses:

1.) Southeasterly, along the arc of a curve to the right, having a radius of 6976.00 feet, a delta angle of 03°26'31", an arc length of 419.07 feet and a chord which bears S.43°54'16"E., 419.01 feet, to a point of tangent;

2.) S.42°11'E., 2900.00 feet;

3.) N.47°49'E., 200.00 feet;

4.) S.42°11'E., 200.00 feet;

5.) S.47°49'W., 200.00 feet;

6.) S.42°11'E., 4215.10 feet, to a point of curve;

7.) Southeasterly, along the arc of a curve to the right, having a radius of 5630.00 feet, an arc length of 3040.71 feet and a chord which bears S.27°14'30"E., 3006.36 feet, to a point of tangent;

8.) S.12°18'E., 3919.75 feet;

Thence, N.20°22'W., 1425.26 feet, along the Easterly access control line of said Interstate Highway 25, to a point on the Westerly right-of-way line of said United States Highway 85;

Thence, along said Westerly right-of-way line of United States Highway 85 the following 2 courses:

1.) N.12°18'W., 911.59 feet;

2.) S.77°42'W., 115.03 feet, to a point on the Easterly access control line of said Interstate Highway 25;

Thence, N.20°22'W., 303.00 feet, along the Easterly access control line of said Interstate Highway 25, to a point on the Westerly right-of-way line of said United States Highway 85;

Thence, along said Westerly right-of-way line of United States Highway 85, the following 5 courses:

- 1.) N.77°42'E., 157.60 feet;
- 2.) N.12°18'W., 1395.00 feet, to a point of curve;
- 3.) Northwestwardly, along the arc of a curve to the left, having a radius of 5630.00 feet, a delta angle of 29°53', an arc length of 2963.40 feet and a chord which bears N.27°14'30"W., 2903.23 feet, to a point of tangent;
- 4.) N.42°11'W., 7415.10 feet, to a point of curve;
- 5.) Northwestwardly, along the arc of a curve to the left, having a radius of 6776.00 feet, a delta angle of 61°47'23", an arc length of 211.66 feet and a chord which bears N.43°04'42"W., 211.65 feet, to the point of beginning, and containing 66.29 acres of land, more or less.

PARCEL "F"

Situated in the State of New Mexico, County of San Miguel, in a portion of Exception 294, Private Claim 330 of the Pecos Pueblo Grant, in Sections 20 and 21, of Township 15 North, Range 12 East of the New Mexico Principal Meridian, being more particularly described, as follows:

Commencing at the point of intersection of the East line of said Section 20 with the South line of the Pecos Pueblo Grant, monumented with a United States General Land Office Survey Brass cap;

Thence, N.89°52'11"E., 337.86 feet, along the South line of the Pecos Pueblo Grant, to the point of beginning;

Thence, N.12°18'W., 1830.31 feet, along the Westerly right-of-way line of United States Highway 85, having New Mexico State Highway Commission project no. F.A.P. 96-C(1);

Thence, S.20°22'E., 1425.26 feet, to a point on the Easterly right-of-way line of said United States Highway 85;

Thence, S.12°18'W., 462.20 feet along said Easterly right-of-way line of of United States Highway 85, to a point on the South line of said Pecos Pueblo Grant;

Thence, S.89°52'11"W., 204.60 feet, along the South line of said Pecos Pueblo Grant, to the point of beginning, and containing 5.26 acres of land, more or less.

STATE OF NEW MEXICO)
County of San Miguel) SS.
I hereby certify that this instrument
was filed for record on

6CT18 1993

EXHIBIT "A" Page 2 of 5

9:45
at 9:45 A.M. and duly
received in Book 9477 of
of the County Clerk's Office
By Patricia R. Galt County Clerk
Deputy

PARCEL "G"

Situated in the State of New Mexico, County of San Miguel, in a portion of Exception 294, Private Claim 330, of the Pecos Pueblo Grant, in Sections 17 and 20 of Township 15 North, Range 12 East, of the New Mexico Principal Meridian, being more particularly described, as follows:

Commencing at the point of intersection of the East line of said Section 20 with the South line of the Pecos Pueblo Grant, monumented with a United States General Land Office Survey Brass cap;

Thence, N.89°52'11"E., 337.88 feet, along the South line of the Pecos Pueblo Grant;

Thence, N.12°18'W., 2642.30 feet;

Thence, S.77°42'W., 115.08 feet, to the point of beginning;

Thence, along the Westerly right-of-way line of United States Highway 85, having New Mexico State Highway Commission project no. F.A.P. 90-C(1), the following 3 courses:

- 1.) S.77°42'W., 84.92 feet;
- 2.) N.12°18'W., 300.90 feet;
- 3.) N.77°42'E., 42.40 feet, to a point on the Easterly access control line of Interstate Highway 25, having New Mexico State Highway Commission project no. T-025-5(10)302, to the point of beginning and containing 0.44 of an acre of land, more or less.

PARCEL "H"

Situated in the State of New Mexico, County of San Miguel in a portion of Exception 294, Private Claim 330, of the Pecos Pueblo Grant, in Sections 4, 5, 8, 15, 27 and 31, in Township 15 North, Range 12 East of the New Mexico Principal Meridian being more particularly described as follows:

Commencing at the 2 mile marker on the South line of the Pecos Pueblo Grant;

Thence, N.88°50'W., 62.93 feet to the point of beginning, a point on the Easterly right-of-way line of New Mexico State Road 63, having New Mexico State Highway Commission project no. F.A.P. 90-C(1);

Thence, N.88°50'W., 85.54 feet crossing said State Road 63 to a point on the Westerly right-of-way line of said state road;

Thence, along said Westerly right-of-way line of said New Mexico State Road No. 63, the following 17 courses:

- 1.) N.19°35'W., 479.71 feet, to a point of curve;
- 2.) Northwestwesterly, along the arc of a curve to the right, having a radius of 7679.44 feet, a delta angle of 09°53', an arc length of 1335.65 feet and a chord which bears N.14°36'W., 1334.16 feet to a point of tangent;

- 3.) N.09°37'W., 5500.58 feet to a point of curve;
- 4.) Northwesteily, along the arc of a curve to the right, having a radius of 1185.90 feet, a delta angle of 12°07', an arc length of 259.79 feet, and a chord which bears N.03°33'30"W., 280.12 feet, to a point of tangent;
- 5.) N.02°30'E., 1612.33 feet;
- 6.) Northwesteily, along the arc of a curve to the left, having a radius of 1105.92 feet, a delta angle of 28°09', an arc length of 543.35 feet, and a chord which bears N.11°34'30"W., 537.90 feet, to a point of tangent;
- 7.) N.23°39'W., 516.73 feet to a point of curve;
- 8.) Northwesteily, along the arc of a curve to the right, having a radius of 756.20 feet, a delta angle of 25°55', an arc length of 342.05 feet and a chord which bears N.12°41'30"W., 339.14 feet, to a point of tangent;
- 9.) N.09°16'E., 1227.56 feet to a point of curve;
- 10.) Northeastely, along the arc of a curve to the right, having a radius of 954.92 feet, a delta angle of 17°45', an arc length of 308.22 feet and a chord which bears N.09°08'30"E., 306.90 feet, to a point of tangent;
- 11.) N.16°01'E., 778.53 feet, to a point of curve;
- 12.) Northeastely, along the arc of a curve to the left, having a radius of 1869.87 feet, a delta angle of 10°46', an arc length of 351.37 feet and a chord which bears N.12°38'E., 350.06 feet to a point of tangent;
- 13.) N.07°15'E., 1992.66 feet, to a point of curve;
- 14.) Northeastely, along the arc of a curve to the right, having a radius of 2204.83 feet, a delta angle of 4°23', an arc length of 222.23 feet and a chord which bears N.09°26'30"E., 228.18 feet, to a point of tangent;
- 15.) N.11°38'E., 902.50 feet, to a point of curve;
- 16.) Northeastely, along the arc of a curve to the right, having a radius of 1185.92 feet, a delta angle of 10°12', an arc length of 211.12 feet and a chord which bears N.16°44'E., 210.84 feet, to a point of tangent;
- 17.) N.21°50'E., 1580.99 feet;

Thence, S.89°29'E., 85.78 feet, crossing said New Mexico State Road No. 63, to a point on the Easterly right-of-way line of said state road;

Thence, along the Easterly right-of-way line of said New Mexico State Road No. 63, the following 17 courses:

- 1.) S.21°50'W., 1611.17 feet, to a point of curve;
- 2.) Southwestely, along the arc of a curve to the left, having a radius of 1105.92 feet, a delta angle of 10°12', an arc length of 195.88 feet and a chord which bears E.16°44'W., 196.63 feet, to a point of tangent;
- 3.) S.11°38'W., 902.50 feet, to a point of curve;
- 4.) Southwestely, along the arc of a curve to the left, having a radius of 2204.83 feet, a delta angle of 04°23', an arc length of 216.11 feet and a chord which bears S.09°26'30'W., 216.06 feet, to a point of tangent;

- 5.) S.07°15'E., 1992.66 feet, to a point of curve;
 6.) Southeasterly, along the arc of a curve to the right, having a radius of 1349.87 feet, a delta angle of 10°46', an arc length of 366.41 feet, and a chord which bears S.12°32'W., 365.07 feet, to a point of tangent;
 7.) S.18°01'W., 773.53 feet, to a point of curve;
 8.) Southeasterly, along the arc of a curve to the left, having a radius of 619.92 feet, a delta angle of 17°45', an arc length of 283.44 feet, and a chord which bears S.05°00'30"W., 282.31 feet to a point of tangent;
 9.) S.00°16'W., 1227.56 feet, to a point of curve;
 10.) Southeasterly, along the arc of a curve to the left, having a radius of 676.29 feet, a delta angle of 28°55', an arc length of 309.87 feet and a chord which bears S.12°41'30"E., 308.27 feet, to a point of tangent;
 11.) S.28°38'E., 516.73 feet, to a point of curve;
 12.) Southeasterly, along the arc of a curve to the right, having a radius of 1185.92 feet, a delta angle of 28°09', an arc length of 582.65 feet and a chord which bears S.11°54'30"E., 576.81 feet to a point of tangent;
 13.) S.02°30'W., 1612.33 feet, to a point of curve;
 14.) Southeasterly, along the arc of a curve to the left, having a radius of 1105.90 feet, a delta angle of 12°07', an arc length of 233.87 feet and a chord which bears S.02°35'30"E., 233.44 feet, to a point of tangent;
 15.) S.09°37'E., 5500.58 feet, to a point of curve;
 16.) Southeasterly, along the arc of a curve to the left, having a radius of 7595.44 feet, a delta angle of 09°38', an arc length of 1321.83 feet and a chord which bears S.14°36'E., 1320.26 feet, to a point of tangent;
 17.) S.19°15'E., 510.01 feet, to the point of beginning, and containing 33.35 acres of land, more or less.

The above described Parcels A, F, G, and H, contain a total of 105.34 acres of land, more or less, and are intended to be all of those lands encumbered in a Grant of Right of Way Easement, dated January 13, 1942, as conveyed by E. S. Fogelson, et ux., to the State of New Mexico, for United States Highway 85, having New Mexico State Highway Commission Project No. F.A.P. 90-C(1); also, a portion of those lands encumbered in a Grant of Right of Way Easement dated August 12, 1956, as conveyed by E. S. Fogelson, to the State of New Mexico, for New Mexico State Road No. 63 (also known as Alternate U.S. Highway 85) having New Mexico State Highway Commission Project No. S-1417(1). The above described parcels are intended to be all of those lands referenced as exclusions for United States Highway 85 and Alternate Highway 85 in a Warranty Deed conveyed by Greer Carson Fogelson to The Conservation Fund, dated December 27, 1990, and recorded in Book 231, page 8277, on January 3, 1991, in the Deed Records of the County of San Miguel.

000082

QUITCLAIM DEED

THE CONSERVATION FUND, a Maryland Non-Profit Corporation, GRANTOR, for consideration paid, does hereby convey and quitclaim to the UNITED STATES OF AMERICA, GRANTEE, the following described real estate located in San Miguel County, New Mexico, including any interest therein which it now has or may hereafter acquire:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Signed and dated this 23rd day of Dec, 1993.

THE CONSERVATION FUND,
a Maryland Non-Profit Corporation



By: Patrick F. Noonan
Patrick F. Noonan, President

STATE OF Virginia)
COUNTY OF Arlington) ss

ACKNOWLEDGMENT

On this day personally appeared before me, the undersigned Notary Public within and for the County and State aforesaid, duly commissioned and acting, the within named, Patrick F. Noonan, President of The Conservation Fund, a Maryland Non-Profit Corporation, who stated that as such he was duly authorized to execute the foregoing instrument, and further stated and acknowledged that he had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and official seal on this 23rd day of Dec, 1993.



Commission expires: April 30, 1995

Beth Ann Burns
Beth Ann Burns
Notary Public

PCOS NHP DEED NO. 11

0007 '0

Exhibit "A"
Page 1 of 2

The following described real estate in San Miguel County, New Mexico:

That certain tract of land known as the Forked Lightning Ranch, said tract being more particularly described as follows:

All that portion of the Pecos Pueblo Grant designated by the United States government as Exception 294 P.C. 330 according to the supplemental plat thereof approved by Frank W. Johnson, United States Supervisor of Surveys, February 22, 1934, and D. K. Parrott, Acting Assistant Commissioner of the General Land Office, November 13, 1934, and prepared from a survey executed by Everett H. Kimmell, United States Surveyor, November 1, 1928 to April 10, 1930, which said plat bears No. 19 and is on file in the office of the Bureau of Land Management of the United States Department of the Interior at Santa Fe, New Mexico, and in the office of the County Clerk of San Miguel County, New Mexico, the said plat, together with the courses and distances of the survey of said tract as thereon set forth being made a part hereof by reference thereto as fully as though at this point set out in detail, said Exception containing 6229.217 acres.

Being and intended to be the same lands conveyed by the Currier Ranch, Inc., a New Mexico corporation, and W. C. Currier and Pearl A. Currier, his wife, to E. E. Fogelson by Warranty Deed dated May 16, 1941 and recorded June 2, 1941 in Book 135, Deeds, Page 343-344 of the records of San Miguel County, New Mexico (not including the so-called Pedro Ruiz Tract described in said deed, which lies within Los Trigos Grant) and conveyed by L. C. Andrews as Trustee for the Reconstruction Finance Corporation, Frank H. Warren, R. J. Cudahee and Alice E. Dickinson to E. E. Fogelson by Warranty Deed dated May 17, 1941 and recorded on June 2, 1941 in Book 135, Deeds, Page 366-367 of the records of San Miguel County, New Mexico.

EXCLUDING lands within the exterior boundary of Pecos National Monument, as follows:

1. Lands conveyed by E. E. Fogelson and Greer Garson Fogelson, his wife, to the United States of America by Deed of Gift dated December 15, 1964 and recorded December 29, 1964 in Book 225 at Page 595 of the records of deeds of San Miguel County, New Mexico, containing 278.7 acres, more or less (not including 62.567 acres within the boundary of the State Monument formerly held by the Museum of New Mexico and shown on the above-mentioned supplemental government plat as Exception 329 P.C. 365).

Exhibit "A"
Page 2 of 2

2. Lands conveyed by E. E. Fogelson and Greer Garson Fogelson, his wife, to the United States of America by Donation Deed dated September 18, 1979 and recorded September 25, 1979 in Book 227, Page 5309 of the records of deeds of San Miguel County, New Mexico, Tract 01-103 containing 3.513 acres, more or less, and Tract 01-104 containing 19.991 acres, more or less.

ALSO EXCLUDING that certain tract of land conveyed by E. E. Fogelson and Greer Garson Fogelson to San Miguel County Sheriff's Posse - Pecos Division, a New Mexico non-profit corporation, by Deed of Gift dated September 5, 1967 and recorded September 21, 1967 in Book 224 at Page 2563 of the records of deeds of San Miguel County, New Mexico, containing 5.00 acres, more or less.

ALSO EXCLUDING the right-of-way of U. S. Highway No. 85 and Alternate Highway No. 85, containing 104.810 acres, more or less (according to plat of survey prepared by H. E. Belaman, C.E., P.E. & L.S.).

ALSO EXCLUDING the following lands acquired by the State Highway Commission of New Mexico for Interstate Highway No. 25:

1. Tract (11-1) conveyed by E. E. Fogelson to the State Highway Commission of New Mexico by Warranty Deed dated March 25, 1963 and recorded May 17, 1963 in Book 220 at Page 116 of the records of deeds of San Miguel County, New Mexico, containing 122.401 acres, more or less.

2. The following tracts condemned by Judgment entered in Cause No. 16,532-A in the District Court of San Miguel County, New Mexico on October 20, 1955:

Tract	ACRES
Portion (2-1)	137.579 (Estimated)
(4-1)	1.199
(4-2)	0.360
	139.138

said tracts being more particularly described in said Judgment.

Containing a net of 5,555.66 acres, more or less.

0007710

The land is being acquired by the Department of the Interior, National Park Service.

IN WITNESS WHEREOF, the GRANTOR, through its duly appointed officer, has hereunto set hand and seal this 12 day of May, 1993.



THE CONSERVATION FUND,
a Maryland Non-Profit Corporation

By: Patrick F. Noonan
Patrick F. Noonan, President

STATE OF Virginia ss
COUNTY OF Arlington ss

ACKNOWLEDGMENT

On this day personally appeared before me, the undersigned Notary Public within and for the County and State aforesaid, duly commissioned and acting, the within named, Patrick F. Noonan, President of The Conservation Fund, a Maryland Non-Profit Corporation, who stated that as such he was duly authorized to execute the foregoing instrument, and further stated and acknowledged that he had executed the same for the consideration and purposes therein mentioned and set forth.

Witness my hand and official seal on this 12th day of May, 1993.



Beth Ann Burns
Beth Ann Burns
Notary Public

STATE OF NEW MEXICO)
County of San Miguel SS.
I hereby certify that this instrument
was filed for record on

MAY 18 1993

At 8:36 o'clock AM on May 18 day of May, 1993, I, John A. [Signature], County Clerk, do hereby certify that this instrument was filed for record on May 18 day of May, 1993, at 8:36 o'clock AM in Book 410 Page 03943.
[Signature] County Clerk
[Signature] Deputy

WATER RESOURCE MANAGEMENT PLAN
PECOS NATIONAL HISTORICAL PARK

Prepared by

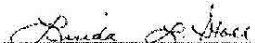
National Park Service
Water Resources Division
Fort Collins, Colorado 80501

Pecos National Historical Park
Pecos, New Mexico 87552

and

Leadership and Management Training Course
February 21 - April 1, 1994
Horace Albright Training Center
Grand Canyon National Park, Arizona 86023

Approved by:


Superintendent, Pecos National Historical Park

7/6/95
Date

TABLE OF CONTENTS

TABLE OF CONTENTS	i
LIST OF FIGURES	ii
LIST OF TABLES	ii
EXECUTIVE SUMMARY	iii
INTRODUCTION	1
MANAGEMENT GOALS AND OBJECTIVES	1
DESCRIPTION OF WATER AND RELATED RESOURCES	4
State Water Quality Standards	4
Pecos River	7
Glorieta Creek	16
Galisteo Creek	19
Other Water-Related Resources	19
Water Resource Issues Related to Park Development and Operations	23
WATER RESOURCE PLANNING ISSUES AND RECOMMENDATIONS	29
Water Quality	29
Aquatic Biological Resources and Fisheries	32
Wetland and Riparian Resource Management	33
Water Rights, Water Quantity, and Reservoirs	35
Erosion	37
Other Water Resource Issues	38
LITERATURE CITED	39
PREPARERS AND ACKNOWLEDGEMENTS	43
APPENDIX A. PROJECT STATEMENTS	44
PECO-N-002.005 Inventory Aquatic Biological Resources and Fisheries	45
PECO-N-002.006 Conduct Comprehensive Wetlands and Riparian Inventory	48
PECO-N-005.006 Water Quality Condition Assessment/Standards Evaluation	51
PECO-N-005.007 Inventory and Monitor Water Resources - Quantity	56
PECO-N-005.008 Inventory Watershed Condition - Erosion	58
PECO-N-005.009 Monitor Pecos River and Glorieta Creek Water Quality	61
PECO-N-015.002 Evaluate Glorieta Creek Reservoir Removal/Restoration	64

Cistern/Pumphouse at Forked Lightning Ranch House (Big House). Water for the Ranch House was pumped from a cistern on Glorieta Creek, probably through the 1940s, possibly until the new well above the house was drilled in the 1950s. There is no documentation of this water use on file in the State Engineer's Office.

Other Historic Diversion/Uses. For the Poos Unit other diversions and uses are unknown and/or undocumented, but uses were likely involved during Pueblo, Spanish and Anglo occupation periods. Associated rights, if any, are unknown. Diversion and uses in the Glorieta Unit are unknown and/or undocumented, but some uses are likely with current or former landowners.

Trading Post Spring near Glorieta Creek. This water source was used historically as a water supply for the Trading Post and Forked Lightning Ranch headquarters. The spring box collected water which was pumped to buildings and was active through the late 1970s. There is no documentation of this water use on file in the State Engineer's Office.

Middle Pasture Spring. This unimproved spring with an intermittent flow is located 300 yards south of the middle pasture well. There is no documentation of this water use on file in the State Engineer's Office.

Mud Spring. This spring, located 1/2 mile south of Forked Lightning Ranch House (Big House) has a mudflow. It is now an old collapsed well and stock pond impoundment. There is no documentation of this water use on file in the State Engineer's Office.

Gallardo Creek (Cañoncito Sub-Unit). Historic diversion/uses are unknown, but some uses are possible with current landowners.

Wells

The National Park Service has water rights recorded at the State Engineer's Office for only one of the four wells (the well servicing the administrative area) used in the operation of the park. In the Glorieta Unit, existing dwellings probably have small domestic and stock wells which may or may not be recorded with the State Engineer's office. As these facilities are acquired, existing water rights associated with them would also be acquired. The following is a list of groundwater sources.

Well in Administration Area (Declaration of Water Right #UP-509), (NW1/4, NW1/4, NE1/4, Section 8, T15N, R12E). This well was drilled to a depth of 100 feet below the surface sometime prior to December 7, 1941, and subsequently redrilled to a depth of approximately 300 feet in 1951. A Declaration of Water Right was filed with the State Engineer's Office on July 18, 1978, for this well which services the park's administration area.

Well at the Visitor Center. A well to provide potable water to the current park Visitor Center was drilled by the NPS in the 1980s. However, no documentation of this water use

was found on file in the State Engineer's Office. It is recommended that the park apply with the State Engineer's Office for the permit required to use this water.

Two Wells by Ruinas/Poison Spring. Applications were approved by the State Engineer's Office on August 1, 1978, to drill two exploratory wells (UP-x) (location NE1/4, NE1/4, Section 5, T15N, R12E) and (UP-x2 location SW1/4, SE1/4, Section 5, T15N, R12E) near the Ruinas/Poison Spring to support the planned site for the park's proposed Visitor Center. While both wells were successfully drilled (to 300 feet and 500 feet), and capped for future use, the presence of cultural resources near the proposed site of the Visitor Center caused its location to be moved.

Should the park decide that it is unlikely these wells will be used to supply water needs in the future, State of New Mexico regulations require that the wells not to be used for park purposes (as defined by their permits) be properly plugged and abandoned. The Water Rights Branch of the Water Resources Division could assist the park in determining either the appropriate approach for deciding if these wells will be used for park purposes, or determining requirements for abandoning the wells according to state regulations. In either case, further permit needs and requirements defined by the State Engineer's Office will need to be met.

Well at the Trading Post (Kozlowski's Stage Stop). This well was drilled by the Forked Lightning Ranch to a depth of 350 feet around 1978. While this well is currently used to supply potable water to administrative offices and a residence, there is no documentation of this water use on file in the State Engineer's Office. It is recommended that the park apply with the State Engineer's Office for the permit required to use this water.

Well at Forked Lightning Ranch House. This well was probably drilled by the Forked Lightning Ranch in the 1950s to a depth of approximately 800 feet to supply potable water to the Ranch House and Casita. While this water is still being used as a potable water supply by the park, there is no documentation of this water use on file in the State Engineer's Office. It is recommended that the park apply with the State Engineer's Office for the permit required to use this water.

Stock Well in Middle Pasture (Forked Lightning Ranch). This well was possibly drilled by the Forked Lightning Ranch in the early 1980s to a depth of 325 feet. There is no documentation of this water use on file in the State Engineer's Office.

Well at Glorieta House (NE1/4, NE1/4, SE1/4, S34, T16N, R11E). In the Glorieta Sub-Unit, the well was drilled in September, 1981, to a depth of 90 feet. Water is heavily contaminated and not currently being used. There is no documentation of this water use on file in the State Engineer's Office.

Well at Alvarez House. This Glorieta sub-unit well has no written information available. There is no documentation of this water use on file in the State Engineer's Office.

While the status of water rights of the remaining wells has not been documented by the park, a recent conversation with the New Mexico State Engineer's Office indicated that wells drilled prior to 1972 need to be registered and that the park is required to transfer the registration to denote the

change of ownership. Wells drilled after 1978 require permits which need to be registered in the name of the new owner (Ronald E. Palmer, NM State Engineer's Office, pers. comm.). It will be necessary

for the park to update these well permits to indicate the recent change in ownership with the acquisition of the Forked Lightning Ranch.

Potable Water Supply

Potable water systems at the Pecos National Historical Park Headquarters, Visitor Center, Ranch House and Casita, and the Trading Post have all been tested and managed for compliance with National Primary Drinking Water Regulations, the State of New Mexico Drinking Water Regulations, and the NPS Public Health Management Guidelines (National Park Service, 1993).

Several surveys of these systems have been conducted and provide the following overview of potable water quality in the park water supply systems (Sacoman, 1993; New Mexico Environment Department, 1994; National Testing Laboratories, 1994):

- **Park Headquarters:** Water for the Headquarters site is obtained from a drilled well on the west side of the picnic area. The system is classified as a public non-community system and is chlorinated. The water generally meets the requirements of the national and state regulations as well as NPS guidelines with the exceptions of sodium (221 mg/L; NPS action level = <200 mg/L), and total dissolved solids (TDS) (605 mg/L; Maximum Contaminant Level (MCL) = 500 mg/L). A reverse osmosis system is due to be installed on the primary drinking water fountain at the site (John Gibson, Pecos National Historical Park, pers. comm.).
- **Visitor Center:** Potable water for the Visitor Center is supplied from a 300-foot well drilled approximately 30 feet east of the building. The system is classified as a public non-community system and is chlorinated. The system meets the requirements of the national and state regulations as well as the NPS guidelines with the exception of iron (1.6 mg/L; MCL = .3 mg/L) and manganese (.056 mg/L; MCL = .05 mg/L). Sodium has also been observed to be at elevated levels, but meets compliance. A reverse osmosis unit will be installed on the primary drinking water fountain at the Visitor Center (John Gibson, Pecos National Historical Park, pers. comm.).
- **Ranch House and Casita:** Water for the Ranch House and Casita is obtained from a drilled well located approximately 1/4 mile from the Ranch House. Water is stored in a galvanized steel water storage tank. From there, water is chlorinated and stored in four pressure tanks before being used to supply four residential apartments. The water meets the requirements of the national and state regulations as well as NPS guidelines. TDS has been reported at elevated levels, but still is in compliance. A reverse osmosis system may be added later to this system (John Gibson, Pecos National Historical Park, pers. comm.).
- **Trading Post:** Water is supplied to the administrative offices and one apartment located at the Trading Post from a well located approximately 300 feet from the building. The system has not been classified. A chlorinator has been installed on the system. Water has been out of compliance for TDS (592 mg/L; MCL 500 mg/L) and pH (9.6; standard is between 6.6 and 8.8). A reverse osmosis system is being planned for installation in the apartment (John Gibson, Pecos National Historical Park, pers. comm.).

Wastewater Management



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Water Resources Division
1291 Oak Ridge Drive, Suite 250
Fort Collins, Colorado 80525-5596

January 30, 2012

LS4 (2380)
PECO/Water Rights

Ms. Jerri Trujillo
New Mexico Office of the State Engineer
P.O. Box 25102
407 Galisteo Street, Suite 102
Santa Fe, NM 87504-5102

RE: Water Use by the National Park Service at Pecos National Historical Park

Dear Ms. Trujillo:

It has come to the attention of the National Park Service (NPS) that its water use at Pecos National Historical Park (Park) needs to be clarified and brought into compliance with state water use regulations. Therefore, the NPS prepared six applications and declarations regarding five wells in the Pecos Unit of the Park.

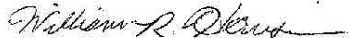
<i>Wells</i>	<i>Type of Application or Declaration</i>	<i>Fee</i>
Headquarters, UP-500	Application for permit to change place or purpose of use of underground waters	\$25.00
Visitor Center	Declaration of owner of underground water right	\$1.00
Trading Post	Declaration of owner of underground water right	\$1.00
Forked Lightning Ranch House	Declaration of owner of underground water right	\$1.00
Middle Pasture, UP-972	Change of ownership of water right, groundwater (corporation)	\$2.00
Headquarters, Visitor Center, Trading Post, Forked Lightning Ranch House, Middle Pasture	Application for permit to add supplemental wells to supplement groundwater	\$25.00
	Total	\$55.00

2012 JAN 31 PM 1:47

OFFICE OF THE STATE ENGINEER
SANTA FE, NM 87500

The six applications and declarations with supporting information are enclosed along with a check for \$55.00. The applications and declarations are submitted in triplicate as requested. If you have any questions or require additional information, please contact Paul Christensen of my staff at 970-225-3534 or paul_christensen@nps.gov.

Sincerely,



William R. Hansen
Chief, Water Rights Branch

Enclosures (19)

(All w/ one copy of each of the six applications and declarations)

cc: Carruth, PECO, Pecos, NM
David Gehlert, DOJ, Denver, CO

SAN MIGUEL COUNTY TRANSFERRENCE CENTER

DATE: 04/17/2012

ACCOUNT NUMBER: 101-000-0000	NAME: KEND
ACCOUNT NUMBER 101-001-4612:	\$18.00 TOTAL AMOUNT DUE: \$25.00
ACCOUNT NUMBER 101-001-4615:	\$0.00 TRANSACTION AMOUNT: \$25.00
ACCOUNT NUMBER 101-001-4618:	\$0.00 CHANGE: \$0.00
ACCOUNT NUMBER 101-001-4620:	\$0.00 CASH AMOUNT: \$0.00
ACCOUNT NUMBER 101-001-4616:	\$0.00 CHECK AMOUNT: \$25.00
ACCOUNT NUMBER 405 101-4620:	\$7.00 CHECK NUMBER: 1018
ACCOUNT NUMBER 909 101-4020:	\$0.00 REASON: RECORDING
ACCOUNT NUMBER 909 101-4020:	\$0.00 COOWN NAME: MATT
ACCOUNT NUMBER 907 101-4020:	\$0.00 COMMENTS
OTHER #1:	\$0.00
OTHER #2:	\$0.00
OTHER #3:	\$0.00

THANK YOU FOR YOUR PAYMENT

Scott A. Verhines, P.E.
State Engineer



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

Trn Nbr: 494526
File Nbr: UP 00972

STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER

Feb. 07, 2012

CHIEF, WATER RIGHTS BRANCH
UNITED STATES OF AMERICA NATIONAL PARK SERVICE
1201 OAKRIDGE DR. STE 250
FORT COLLINS, CO 87552

Greetings:

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

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

Sincerely,


Jerri Trujillo
Upper Pecos Basin Manager
(505) 827-6120

Enclosure

chnqowrc

COUNTY OF SAN MIGUEL)
STATE OF NEW MEXICO) ss
CHANGE OF WATER RIGHT
PAGES: 21

I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of April, 2012 at 02:12:18 PM
And Was Duly Recorded as Instrument #201201350
Of The Records Of San Miguel

Witness My Hand And Seal Of Office
Melanie Y. Rivera
Deputy M. Silva County Clerk, San Miguel, NM



United States Department of the Interior

NATIONAL PARK SERVICE
Water Resources Division
1201 Oakridge Drive, Suite 250
Fort Collins, Colorado 80525-5596



IN REPLY REFER TO:

L54 (2380)
PECO/Water Rights

April 9, 2012

Ms. Melanie Rivera
San Miguel County Clerk
500 West National Ave., Ste. 113
Las Vegas, NM 87701

RE: Request to Record Change of Water-Right Ownership

Dear Ms. Rivera,

The National Park Service (NPS) recently filed an application with the New Mexico Office of the State Engineer (OSM) to change ownership of a water right (well) within the exterior boundaries of Pecos National Historical Park in San Miguel County. The OSM accepted the application and requested that the NPS have this change of ownership recorded by the county clerk.

The NPS hereby requests that the enclosed documents be recorded by your office, which include the OSM cover letter and the accepted application. A \$25.00 check is also enclosed to cover fees.

If you have any questions or need additional information, please contact Paul Christensen of my staff at 970-225-3534 or paul_christensen@nps.gov.

Sincerely,

William R. Hansen
Chief, Water Rights Branch

Enclosures (2)

All w/enclosures

cc: PECO (email) — Superintendent
2380 (email) — Christensen

DEBRA REEF
NATIONAL PARK SERVICE
1201 OAKRIDGE DR., STE. 200
FORT COLLINS CO. 80525

PAID TO: *See Memo dated 4/12/12*

JP Morgan
JP Morgan Chase Bank, N.A.
Columbus, OH
Commercial Bank City Connections Check

Net Valid For Amount Over \$3003
Net Valid After 60 Days
Fax ID# 140007348

For Official Use Only
US Government Tax Exempt
Not Valid For Cash
DATE *4/12/12*
\$ *8572*

1013
32 155 12

104115514527220000589912012

Docket Information

Number of Documents in Docket 24

Documents Dated from 2/7/2012 to 4/12/2012

Docket Compiled: 5/21/2012