

#2500
6-20413

File Number: G-732

**NEW MEXICO OFFICE OF THE STATE ENGINEER
DECLARATION OF OWNER OF UNDERGROUND WATER RIGHT
AMENDED**

1. DECLARANT

Name: Yates Petroleum Corporation* Work Phone: (505)982-3566
Contact: Peter B. Shoenfeld Home Phone: _____
Address: 100 LaSalle Circle Suite A
P.O. Box 2421
City: Santa Fe State: NM Zip: 87504-2421

2. LOCATION OF WELL (A, B, C, or D required, E or F if know)

A. SE 1/4 SE 1/4 SW 1/4 Section: 2 Township: 7 N., Range: 19W., N.M.P.M.
in Cibola County.

B. X = _____ feet, Y = _____ feet, N.M. Coordinate System
_____ Zone in the _____ Grant
U.S.G.S. Quad Map _____

C. Latitude: _____ d _____ m _____ s Longitude: _____ d _____ m _____ s

D. East _____ (m), North _____ (m), UTM Zone 13, NAD _____ (27 or 83)

E. Tract No. _____, Map No. _____ of the _____ Hydrographic Survey

F. Lot No. _____, Block No. _____ of Unit/Tract _____ of the
_____ Subdivision recorded in _____ County.

G. Other: _____

H. On land owned by (required): Declarants

3. DESCRIPTION OF WELL

Date drilled: Before 1954 Driller: Unknown

Depth: 412 feet. Outside diameter of casing 5 1/2" inches;

Original capacity unk gal. per min.; Present capacity 3.5 gal. per min.;

Pumping lift: _____ feet; Static water level: unk feet (~~above~~) (below) land

surface; Make of pump: _____; Type of pump: windmill

Make, type, horsepower, etc., of power plant: AerMotor

Fractional or percentage interest claimed in well: 100%

File Number: G-732
Form: wr-03

Trn Number: 292510

Exhibit 12-14

UNDER NEW MEXICO LAW, A DECLARATION IS ONLY A STATEMENT OF DECLARANT'S CLAIM AND FILING DOES NOT CONSTITUTE APPROVAL OR REJECTION OF CLAIM.

04 JAN 13 PM 2:13
STATE ENGINEER OFFICE
SAN ANTONIO, NEW MEXICO
0003 DEC 31 AM 11:57
OFFICE OF STATE ENGINEER
SANTA FE, NEW MEXICO

File Number: G-732

**NEW MEXICO OFFICE OF THE STATE ENGINEER
DECLARATION OF OWNER OF UNDERGROUND WATER RIGHT**

4. QUANTITY

Consumptive Use: 3.314 acre-feet per annum
 Diversion Amount: _____ acre-feet per annum

5. PURPOSE OF USE

Domestic: ___ Livestock: X Irrigation: ___ Municipal: ___ Industrial: ___
 Commercial: ___ Other (specify): _____
 Specific use: _____

6. PLACE OF USE

N/A acres of land described as follows: stock tank and overflow pond

Subdivision of Section (District or Hydrographic Survey)	Section (Map No.)	Township (Tract No.)	Range	Acres
<u>SE$\frac{1}{4}$SE$\frac{1}{4}$SW$\frac{1}{4}$</u>	<u>2</u>	<u>7N</u>	<u>19W</u>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Who is the owner of the land? Declarants

7. WATER WAS FIRST APPLIED TO BENEFICIAL USE ON: Before 1954 (date)
 and since that time has been used fully and continuously for all of the above
 described purposes except as follows: _____

8. ADDITIONAL STATEMENTS OR EXPLANATIONS:

*Paragraph 1: Additional owners are John A. Yates and Trust Q Under the Last Will and Testament of Peggy A. Yates, Deceased; the owners reflected in this amended declaration are and at all times were the true owners of the water right. The original declaration erroneously showed ownership in Jack W. McCaw, who was never the owner of the water right, but was an employee of Yates Petroleum Corporation. This amended declaration is filed to correct the error of ownership reflected in the original declaration. In addition it is filed for the purpose of showing corrected amount of water, and corrected priority date, all of which were erroneously shown in the original declaration which was filed by Mr. McCaw without an adequate basis in fact. This well is known as the " Chalk Well". *¶ 4: 0.314 a/f/a evaporation from the overflow tank, three acre feet consumed from the stock tank supplied by the well.

STATE ENGINEER OFFICE
ALBUQUERQUE, NEW MEXICO
01 JAN - 8
11:13

UNDER NEW MEXICO LAW, A DECLARATION IS ONLY A STATEMENT OF CLAIMANT'S CLAIM AND FILING DOES NOT CONSTITUTE APPROVAL OR REJECTION OF CLAIM.

File Number: G-732
 Form: wr-03

Trn Number: 292510

File Number: G-732

**NEW MEXICO OFFICE OF THE STATE ENGINEER
DECLARATION OF OWNER OF UNDERGROUND WATER RIGHT**

ACKNOWLEDGEMENT FOR NATURAL PERSONS

PETER B. SHOENFELD

(I, We) ATTORNEY AT LAW FOR DECLARANTS, affirm that the
(Please Print)
foregoing statements are true to the best of my knowledge and belief.

Declarant Signature

[Signature]
Declarant Signature

NOTARY

This instrument was acknowledged before me this 31 day of DEC,

A.D. 2003, By PETER B. SHOENFELD
ATTORNEY AT LAW
Name of Applicant

My commission expires 8/16/04

[Signature]
Notary Public



STATE ENGINEER OFFICE
ALBUQUERQUE, NEW MEXICO
JAN - 8 PM 2:13

ACCEPTANCE OF STATE ENGINEER

This Declaration form is hereby accepted for filing in accordance with NMSA-1978 (1985), as amended.

The acceptance by the State Engineer Office does not constitute validation of the right claimed.

File Number: G-732
Form: wr-03

Trn Number: 292510

UNDER NEW MEXICO LAW, A DECLARATION IS ONLY A STATEMENT OF DECLARANT'S CLAIM AND FILING DOES NOT CONSTITUTE APPROVAL OR REJECTION OF CLAIM.