

File Number: RA-1536 into RA-1200 (T)
 Applicant: Jarry Amparo, Dan Dee Dairy, LLC. & Farm Credit of NM
 County(s): Eddy & Chaves

NOTICE is hereby given that on March 2, 2021, Amparo Jarry, R49 North 26th Street, Artesia, NM and Dan Dee Dairy LLC & Farm Credit of NM filed with the **STATE ENGINEER** Application No. RA-1536 into RA-1200 (T) for Temporary Permit to Change Purpose of Use and Place of Use of water rights Under the Water Use Lease Act NMSA 1978 72-12-1 to 7 within the Roswell Artesian Basin of the State of New Mexico.

Chaves and Eddy Counties are the Counties affected by the diversion and in which the water has been or will be put to beneficial use. This notice is ordered to be published in both the Roswell Daily Record and the Artesia Daily Press.

The applicant seeks a temporary permit to change purpose of use and place of use of 225 acre-feet per annum plus carriage allowance (157.5 acre-feet per annum C.I.R.) of shallow groundwater right in the Roswell Artesian Basin by ceasing the diversion of said waters from the following shallow groundwater well on land owned by Amparo Jarry,

MOVE FROM

| <u>WELL</u> | <u>SUBDIVISION</u> | <u>SECTION</u> | <u>TOWNSHIP</u> | <u>RANGE</u> | <u>SOURCE</u> |
|-------------|--------------------|----------------|-----------------|--------------|---------------|
| RA-1536 | NW1/4NW1/4 | 19 | 16 S. | 26 E. | Shallow |

The subject water right is presently authorized to be used for the irrigation of up to 75 acres of land owned by Amparo Jarry described as below:

| <u>SUBDIVISION</u> | <u>SECTION</u> | <u>TOWNSHIP</u> | <u>RANGE</u> | <u>ACRES</u> |
|--------------------|----------------|-----------------|--------------|--------------|
| Pt. N1/2NW1/4 | 19 | 16 S. | 26 E. | 75 |

The applicant proposes to commence the diversion of said 225 acre-feet per annum plus carriage allowance (157.5 acre-feet per annum C.I.R.) of shallow groundwater from the following shallow well on land owned by Dan Dee Dairy LLC,

MOVE TO:

| <u>WELL</u> | <u>SUBDIVISION</u> | <u>SECTION</u> | <u>TOWNSHIP</u> | <u>RANGE</u> | <u>SOURCE</u> |
|-------------|--------------------|----------------|-----------------|--------------|---------------|
| RA-1200 | SE1/4SW1/4NE1/4 | 36 | 13 S. | 25 E. | Shallow |

The applicant proposes to commence the diversion of said waters for the irrigation of up to 222 acres of land owned by Dan Dee Dairy LLC:

| <u>SUBDIVISION</u> | <u>SECTION</u> | <u>TOWNSHIP</u> | <u>RANGE</u> | <u>ACRES</u> |
|--|----------------|-----------------|--------------|--------------|
| Pt. S1/2NE1/4, Pt. SE1/4 & Pt. W1/2SE1/4SW1/4 | 36 | 13 S. | 25 E. | 200 |
| Pt. SW1/4NE1/4 | 36 | 13 S. | 25 E. | 12 |
| Pt. SE1/4NE1/4 | 36 | 13 S. | 25 E. | <u>10</u> |
| | | | | 222 |

The aforesaid lands presently have water rights appurtenant to them under New Mexico Office of the State Engineer File Nos RA-450 & RA-1200.

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

Preliminary approval was NOT granted.

The final permit shall be effective on November 1, 2020 and expire on 10/31/2021.

The move from points of diversion and place of use is located at the intersection of Lawrence Ranch Road and 26th Street Eddy County, New Mexico. and move-to point of diversion and place of use are located at the intersection of Vineyard Road and Chickasaw Street in Chaves County, New Mexico.

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 asserting 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). If the protest does not include the complete name, phone number, email address, and mailing address, it may be deemed invalid and not accepted for filing unless Protester provides with the protest an affidavit stating that it does not have one of the above-listed elements/requirements (phone number, mailing address, email address, etc.). 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 shall be required to provide evidence showing how you will be substantially and specifically affected. The written protest must be filed, in triplicate, with the State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, on or before **June 4, 2021**. 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. 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.