

File Number: FS-159-1, FS-159-2, FS-163-1 & FS-163-2 (T)
 Applicants: Eastview Development, LLC & S&V Dairy, LLC
 County(s): DeBaca County

NOTICE is hereby given that on April 1, 2020, Eastview Development, LLC c/o Valerie Jones, 300 N. Chicago, Portales, NM 88130 and S&V Dairy, LLC c/o Stanley Jones, 300 N. Chicago, Portales, NM 88130, filed with the **STATE ENGINEER** Application No. FS-159-1, FS-159-2, FS-163-1 & FS-163-2 (T) for Permit under the Water-Lease Act (NMSA 1978, Sections 72-6-1 thru 7) to temporarily Change Point of Diversion and Change Place of Use, within the Ft Sumner Basin of the State of New Mexico.

DeBaca County is the County affected by the diversion and in which the water has been put to beneficial use. This notice is ordered to be published in the DeBaca County News.

The applicant seeks a permit to temporarily change point of diversion and place of use of 1128.6 acre-feet per annum of shallow with supplemental shallow groundwater in the Ft Sumner Basin by ceasing the diversion of said waters from the following shallow wells on land owned by Eastview Development, LLC,

MOVE FROM:

<u>WELLS</u>	<u>SUBDIVISION</u>	<u>SECTION</u>	<u>TOWNSHIP</u>	<u>RANGE</u>
FS-163	SE1/4	30	5 N.	26 E.
FS-163-S	NE1/4	32	5 N.	26 E.
FS-159	NE1/4	31	5 N.	26 E.

The subject water right is presently authorized to be used for the irrigation of up to 513.0 acres of land owned by Eastview Development, LLC described as below:

<u>SUBDIVISION</u>	<u>SECTION</u>	<u>TOWNSHIP</u>	<u>RANGE</u>	<u>ACRES</u>
SE1/4	30	5 N.	26 E.	133.3
SW1/4	29	5 N.	26 E.	133.3
NW1/4	32	5 N.	26 E.	119.9
NW1/4	31	5 N.	26 E.	126.5

The applicant proposes to commence the diversion of said 1128.6 acre-feet per of shallow groundwater from the following shallow wells on land owned by S & V Dairy, LLC,

MOVE TO:

<u>WELL</u>	<u>SUBDIVISION</u>	<u>SECTION</u>	<u>TOWNSHIP</u>	<u>RANGE</u>
FS-72	SW1/4SW1/4NW1/4	22	4 N.	26 E.
FS-74	SW1/4SW1/4NE1/4	15	4 N.	26 E.
FS-79	NE1/4SE1/4SE1/4	21	4 N.	26 E.
FS-73-POD3	SE1/4NE1/4NE1/4	16	4 N.	26 E.
FS-75	NE1/4SW1/4SE1/4	16	4 N.	26 E.
FS-73-POD4	NE1/4NE1/4NE1/4	16	4 N.	26 E.

The applicant proposes to commence the diversion of said waters for the irrigation of below described lands owned by S&V Dairy, LLC.

Existing Irrigated Lands

<u>SUBDIVISION</u>	<u>SECTION</u>	<u>TOWNSHIP</u>	<u>RANGE</u>	<u>ACRES</u>
Pt. E1/2	21	4 N.	26 E.)	
Pt. W1/2	22	4 N.	26 E.	117.2
Pt. W1/2	15	4 N.	26 E.)	
Pt. E1/2	16	4 N.	26 E.	128.8
Pt. Center	15	4 N.	26 E.	129.0
Pt. NE1/4	15	4 N.	26 E.	120.0
Pt. S1/2	16	4 N.	26 E.	123.7
Pt. SE1/4	21	4 N.	26 E.)	
Pt. SW1/4	22	4 N.	26 E.)	
Pt. NW1/4	27	4 N.	26 E.)	
Pt. NE1/4	28	4 N.	26 E.	<u>130.9</u>
			Total	749.6

New Irrigated Lands

<u>SUBDIVISION</u>	<u>SECTION</u>	<u>TOWNSHIP</u>	<u>RANGE</u>	<u>ACRES</u>
NW1/4	21	4 N.	26 E.	125.0

This application will result in a new installed 125.0 acre pivot and the remaining water rights to be stacked on to 874.6 acres of irrigated land. Application is made for a temporary period of 10 years to terminate 12/31/2029.

The move from points of diversion and place of use is located approximately 10.0 miles northwest of the Town of Fort Sumner, DeBaca County, New Mexico. The move to points of diversion and place of use is located approximately 6.0 miles northwest of the Town of Fort Sumner, DeBaca 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 Protestant 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 **July 10, 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. 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.

NOTE TO PUBLISHER: Immediately after last publication, publisher is requested to file affidavit of such publication both with the applicant and with Office of the State Engineer, 1900 West Second Street, Roswell, New Mexico 88201.