



New Mexico Office of the State Engineer

Water Right Summary


[get image list](#)

WR File Number: RG 52714 **Subbasin:** TA **Cross Reference:** -
Primary Purpose: DOM 72-12-1 DOMESTIC ONE HOUSEHOLD
Primary Status: PMT PERMIT
Total Acres: **Subfile:** -
Total Diversion: 3 **Cause/Case:** -
Agent: THE C. THOMAS AND ELAINE BOYLEN LIVING TRUST
Contact: CHRISTOPHER JOHN STACHURA
Owner: THE C. THOMAS AND ELAINE N. BOYLEN LIVING TRUST
Contact: ELAINE N. BOYLEN - TRUSTEE

Documents on File

	Trn #	Doc	File/Act	Status		Transaction Desc.	From/		Acres	Diversion	Consum
				1	2		To				
get images	600777	COWNF	2016-12-12	CHG	PRC	RG 52714	T			0	
get images	327910	COWNF	2005-03-16	CHG	PRC	RG 52714	T			0	
get images	600758	72121	1990-07-27	PMT	LOG	RG 52714	T			3	

Current Points of Diversion

(NAD83 UTM in meters)										
POD Number	Well Tag	Source	Q						Other Location Desc	
			64	Q16	Q4	Sec Tw	Rng	X		Y
RG 52714		Shallow				03	26N 12E	441559	4041371*	PART OF TRACTS 3 & 4

An () after northing value indicates UTM location was derived from PLSS - see Help

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

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WATER RIGHT SU

Untitled Map

Write a description for your map.

Legend

RG-52714 (Howard Well)

Google Earth

© 2018 Google

300 ft





New Mexico Office of the State Engineer

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	Trn #	Doc	File/Act	Status		Transaction Desc.	From/		Acres	Diversion	Consumptive
				1	2		To				
	600777	COWNE	2016-12-12	CHG	PRC	RG 52714	T			0	
	327910	COWNE	2005-03-16	CHG	PRC	RG 52714	T			0	
	600758	72121	1990-07-27	PMT	LOG	RG 52714	T			3	

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		64Q16Q4	Sec	Tws	Rng	X	Y	
RG 52714	Shallow		03	26N	12E	441559	4041371*	PART OF TRACTS 3 & 4

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WATER RIGHT SUMMARY



New Mexico Office of the State Engineer

Point of Diversion Summary

		(quarters are 1=NW 2=NE 3=SW 4=SE)			(quarters are smallest to largest)		(NAD83 UTM in meters)		
Well Tag	POD Number	Q64	Q16	Q4	Sec	Tws	Rng	X	Y
	RG 52714				03	26N	12E	441559	4041371* 
<hr/>									
Driller License:	841	Driller Company:		ROCKY MOUNTAIN DRILLING INC.					
Driller Name:	JAMES C MCCANN								
Drill Start Date:	10/24/1990	Drill Finish Date:		10/24/1990		Plug Date:			
Log File Date:	10/29/1990	PCW Rev Date:				Source: Shallow			
Pump Type:		Pipe Discharge Size:				Estimated Yield: 25 GPM			
Casing Size:	4.50	Depth Well:		115 feet		Depth Water: 70 feet			
<hr/>									
Water Bearing Stratifications:		Top	Bottom	Description					
		75	80	Sandstone/Gravel/Conglomerate					
<hr/>									
Casing Perforations:		Top	Bottom						
		75	115						

*UTM location was derived from PLSS - see Help

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POINT OF DIVERSION SUMMARY

WELL RECORD

Section 1. GENERAL INFORMATION

(A) Owner of well William Achiff TRN-600758
 Street or Post Office Address P.O. Box 1036 Owner's Well No. _____
 City and State Taos, NM 87571

Well was drilled under Permit No. RG-52714

and is located in the:

Projected Sect. 34, TWP 26N, RGE 12E and in
 a. $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ of Section 3 Township 26N Range 12E N.M.P.M.
 Part of Tracts 3 & 4, Map 27 and
 b. Tract No. 1 of Map No. 46 of the Survey 4, 1941 NMRS

c. Lot No. _____ of Block No. _____ of the _____
 Subdivision, recorded in _____ County.

d. X= _____ feet, Y= _____ feet, N.M. Coordinate System _____ Zone in
 the _____ Grant.

(B) Drilling Contractor McCann Drilling & Pump Co. License No. WD-841
P.O. Box 257, Ranchos de Taos, NM 87557
 Address _____

Drilling Began 10/24/90 Completed 10/24/90 Type tools air rotary Size of hole 8 in.

Elevation of land surface or _____ at well is _____ ft. Total depth of well 115 ft.

Completed well is ☒ shallow ☐ artesian. Depth to water upon completion of well 70 ft.

Section 2. PRINCIPAL WATER-BEARING STRATA

Depth in Feet		Thickness in Feet	Description of Water-Bearing Formation	Estimated Yield (gallons per minute)
From	To			
75	80	5	Brown water sand	25

Section 3. RECORD OF CASING

Diameter (inches)	Pounds per foot	Threads per in.	Depth in Feet		Length (feet)	Type of Shoe	Perforations	
			Top	Bottom			From	To
4 $\frac{1}{2}$	PVC	--	0	115	115	--	75	115'

Section 4. RECORD OF MUDDING AND CEMENTING

Depth in Feet		Hole Diameter	Sacks of Mud	Cubic Feet of Cement	Method of Placement
From	To				

Section 5. PLUGGING RECORD

Plugging Contractor _____
 Address _____
 Plugging Method _____
 Date Well Plugged _____
 Plugging approved by _____

State Engineer Representative

No.	Depth in Feet		Cubic Feet of Cement
	Top	Bottom	
1			
2			
3			
4			

FOR USE OF STATE ENGINEER ONLY

Date Received 10-29-90

Quad 26N. 12E. 3 FWL _____ FSL _____

File No. RG-52714 Use Don Location No. TR. 1, Map 46,

Pt. of TR. 3 & 4, Map 47

Survey 4, 1941 TERS (Taos)

[illegible]

The undersigned hereby certifies that, to the best of his knowledge and belief, the foregoing is a true and correct record of the above described hole.

f, the foregoing is a true and correct record of the a

James C Mc Cann

Driller

INSTRUCTIONS: This form should be executed in triplicate, preferably typewritten, and submitted to the appropriate district office of the State Engineer. All sections, except Section 5, shall be answered as completely and accurately as possible when any well is drilled, repaired or deepened. When this form is used as a plugging record, only Section 1(a) and Section 5 need be completed.



New Mexico Office of the State Engineer

Transaction Summary

72121 All Applications Under Statute 72-12-1

Transaction Number: 600758

Transaction Desc: RG 52714

File Date: 07/24/1990



Primary Status: PMT Permit

Secondary Status: LOG Well Log Received

Person Assigned: *****

Applicant: WILLIAM ACHIEFF

Events

	Date	Type	Description	Comment	Processed By
	07/24/1990	APP	Application Received	*	*****
	07/27/1990	FIN	Final Action on application		*****
	07/27/1990	WAP	General Approval Letter		*****
	10/29/1990	LOG	Well Log Received	*	*****

Change To:

WR File Nbr	Acres	Diversion	Consumptive	Purpose of Use
RG 52714		3		DOM 72-12-1 DOMESTIC ONE HOUSEHOLD
**Point of Diversion				
RG 52714		441559	4041371*	in ANTOINE LEROUX Grant

An () after northing value indicates UTM location was derived from PLSS - see Help

Remarks

"PROJECTED SECTION 34, TWN 26N, RGE 12E AND IN SECTION 3, TWN 26N, RGE 12E. PART OF TRACTS 3 & 4, MAPS 46 & 47 OF THE SURVEY 4, NMRS".

Conditions

- 4 Use shall be limited to household, non-commercial trees, lawn and garden not to exceed one acre and/or stock use.

Action of the State Engineer

** See Image For Any Additional Conditions of Approval **

Approval Code: A - Approved

Action Date: 07/27/1990

Log Due Date: 07/15/1991

State Engineer:

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

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TRANSACTION SUMMARY

John R. D Antonio, Jr., P.E.
State Engineer



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

**STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER**

Trn Nbr: 657989
File Nbr: RG 52714

Aug. 26, 2019

CHRISTOPHER JOHN STACHURA
BRITTANY HOWARD
PO BOX 340020
NASHVILLE, TN 37203

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,

A handwritten signature in blue ink that reads "Marrisa E. Lewis".

Marrisa Lewis
(505) 827-6120

Enclosure

chngowrc

**NEW MEXICO OFFICE OF THE STATE ENGINEER****CHANGE OF OWNERSHIP OF 72-12-1 PERMIT FOR** (check one):

<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Corporation
<input type="checkbox"/> Trustee	<input type="checkbox"/> Partnership
<input type="checkbox"/> Estate	<input type="checkbox"/> Limited Liability Co.

1. OWNER OF RECORD (Seller)

Name: The C. Thomas and Elaine N. Boylen Living Trust, dated June 23, 2011		Name:	
Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell	Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell		
Phone (Work):		Phone (Work):	
a. Owner of Record File No: RG-52714	b. Sub-file No.: (none)	c. Cause No.: (none)	

2. NEW OWNER (Buyer) Note: If more owners need to be listed, attach a separate sheet. Attached? ☐ Yes

Name: Brittany Howard		Name:	
Contact or Agent: check here if Agent <input checked="" type="checkbox"/>	Contact or Agent: check here if Agent <input type="checkbox"/>		
Christopher John Stachura-Attorney at Law			
Mailing Address: P.O. Box 340020		Mailing Address:	
City: Nashville		City:	
State: Tennessee	Zip Code: 37203	State:	Zip Code:
Phone: 256 206-0609 <input type="checkbox"/> Home <input type="checkbox"/> Cell	Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell		
Phone (Work): (505) 620-1438 (agent)		Phone (Work):	
E-mail (optional):		E-mail (optional):	

Required: Submit warranty deed(s) or other instrument(s) of conveyance properly recorded with the county clerk's office.**3. PURPOSE OF USE & AMOUNT CONVEYED**

Check all that apply: <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Livestock <input type="checkbox"/> Multiple House <input type="checkbox"/> Drinking & Sanitary	Amount of Water (acre-feet per annum): 3
---	---

4. LIST ALL KNOWN WELL (POD) FOR THE 72-12-1 PERMIT CONVEYED

OSE POD No.	Well Tag ID No. (if applicable)	Subdivision	Section or X	Township or Y	Range
RG-52714			441286.03	4042944.16	

5. CHECK HERE IF WELL IS SHARED BY MULTIPLE HOUSEHOLDS: ☐

Note: Attach an updated list of lots served and owner contact information.

FOR OSE INTERNAL USE		Change of Ownership, Form wr-02d, Rev 6/30/17	
File No.:	Trm. No.:	Well Tag ID No. (if applicable):	
Trans Desc. (optional):	Sub-Basin:	Receipt No.: 6-44994	

6. ADDITIONAL STATEMENTS OR EXPLANATIONS

Well is on property located within the Arroyo Hondo and Antione Leroux Grants of Taos County, designated part of Tract 1, Map 46, and part of Tract 4, Map 47, Survey 4, of the 1941 TCRS, physically located off of Hondo-Seco Road, near Arroyo Hondo, Taos County, New Mexico. Latitude and Longitude: 36° 31' 48.27" North, 105° 39' 21.12" West. Copies of the documents in the chain of title from the Owner of Record (Boylan Trust) to the current Owner (Howard) are attached. First New Mexico Title Company File No. 99025415.

ACKNOWLEDGEMENT FOR INDIVIDUAL

I, We (name of owner(s)), Brittany Howard, a married woman dealing with her sole and separate property

Print Name(s)

affirm that the foregoing statements are true to the best of (my, our) knowledge and belief.

Signature

State of

County of

Tennessee
New Mexico
Davidson ss.

Signature

Brittany Howard

This instrument was acknowledged before me this 27 day of November, A.D., 20 18, by (name of owner(s)):

Brittany Howard



Notary Public:

My commission expires:

Susanne Gill
7/8/2019

ACKNOWLEDGEMENT FOR CORPORATION

MY COMMISSION EXPIRES:
JULY 08, 2019

I, We (name of owner(s)),

Print Name(s)

affirm that the foregoing statements are true to the best of (my, our) knowledge and belief.

Officer Signature

Officer Signature

State of

County of

ss.

This instrument was acknowledged before me this _____ day of _____, A.D., 20 _____, by the following on behalf of said corporation.

Name of Officer:

Title of Officer:

Name of Corporation Acknowledging:

State of Corporation:

Notary Public:

My commission expires:

FOR USE INTERNAL USE

Change of Ownership, Form wr-02d, Rev 6/30/17

File No.: <u>14-5-114-02 90A 610Z</u>	Tm. No.:	Well Tag ID No. (if applicable):
Trans Desc. (optional): <u>STATE ENGINEER</u>	Sub-Basin:	Receipt No.: <u>10-44994</u>

①

FWMT 99025415

TAOS COUNTY
ANNA MARTINEZ, CLERK
000433245
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11/29/2018 03:52:42 PM
BY BLANCAL

WARRANTY DEED

ELAINE N. BOYLEN, as Trustee of the C. Thomas and Elaine N. Boylen Living Trust, dated June 23, 2011, as may be amended or restated, for consideration paid, grants to BRITTANY HOWARD, a married woman dealing with her sole and separate property, whose address is 918 W. Eastland NE, Nashville, Tennessee 37206, the following described real estate in Taos County, New Mexico:

A certain parcel of land, lying and being situate within Survey 4, Tract 4, Map 47 and Survey 4, Tract 1, Map 46 of the 1941 Taos County Reassessment Survey, within the Antoine Leroux and the Arroyo Hondo Grants, New Mexico Principal Meridian, in Taos County, New Mexico, being more particularly described as follows:

BEGINNING at a point for the 3 Mile Corner on the south boundary of the Arroyo Hondo Grant, marked with a stone marked "3M", thence; N 78° 39' 05" E, 210.62 feet to a point marked with a ½ inch rebar with cap stamped "M. Noonan, NMPLS No. 6998", thence; N 04° 18' 02" W, 356.34 feet to the southwest corner of the property herein described, marked with a ½ inch rebar with cap stamped "M. Noonan, NMPLS No. 6998", thence from said point of beginning;

N 04° 18' 02" W, along the westerly boundary and along a fence line, a distance of 755.01 feet to a point marked with a ½ inch rebar with cap stamped "M. Noonan, NMPLS No. 6998", thence;

N 04° 22' 03" W, along said westerly boundary and fence line, a distance of 83.83 feet to a point marked with a ½ inch rebar with cap stamped "M. Noonan, NMPLS No. 6998", thence;

N 04° 22' 03" W, along said westerly boundary and fence line, a distance of 257.88 feet to a point marked with a ½ inch rebar with cap stamped "M. Noonan, NMPLS No. 6998", thence;

N 04° 14' 09" W, along said westerly boundary and fence line, a distance of 645.32 feet to a point marked with a ½ inch rebar with cap stamped "M. Noonan, NMPLS No. 6998", thence;

N 04° 28' 10" W, along said westerly boundary and fence line, a distance of 174.93 feet to a point marked with a ½ inch rebar with cap stamped "M. Noonan, NMPLS No. 6998", thence;

N 04° 02' 18" W, along said westerly boundary and fence line, a distance of 398.95 feet to a point marked with a ½ inch rebar with cap stamped "M. Noonan, NMPLS No. 6998", thence;

N 03° 09' 50" W, along said westerly boundary and fence line, a distance of 94.74 feet to the northwest corner, marked with a ½ inch rebar with cap stamped "M. Noonan, NMPLS No. 6998", thence;

N 87° 38' 29" E, leaving said westerly boundary and fence line, and along the northerly boundary and along a fence line, 291.62 feet to the northeast corner, marked with a ¾ inch rebar, thence;

S 03° 43' 54" E, leaving the northerly boundary and along the easterly boundary and along a fence line, 1152.53 feet to a point marked with a ¾ inch rebar, thence;

S 03° 48' 37" E, along said easterly boundary and fence line, 457.17 feet to a point marked with a ¾ inch rebar, thence;

S 09° 37' 37" E, along said easterly boundary, 748.70 feet to the southeast corner, marked with a ½ inch rebar with cap stamped "M. Noonan, NMPLS No. 6998", thence;

S 78° 14' 55" W, leaving said easterly boundary and fence line, and along the southerly boundary, 352.09 feet to the southwest corner, the POINT AND PLACE OF BEGINNING.

This tract contains 16.195 acres, more or less, and is being transferred together with all appurtenant, surface irrigation water rights, and all interest in that well bearing New Mexico State Engineer's File RG-52714

SUBJECT TO:

1. Easement Agreement dated December 29, 1991, by and between Lawrence P. Frank, Jr., and his wife, Alyce K. Frank, and Melissa Frank, married, and William B. Acheff, single, and file for record in Book M-150 at pages 27-36, records of Taos County, New Mexico.
2. Ten foot (10') telephone easement, deviation of fence line from property boundary and any easements or claims of easement for the well vault, telephone pedestals, electric meters, electric boxes, septic tanks, solar panel arrays, septic clean out and buried LP tanks, and any underground utility lines associated therewith; all as shown on that Improvement Location Report entitled, "Boyle Trust to Howard", by Craig T. Gillio, NMLS #14833, of Taos Surveying, dated November 16, 2018 and bearing project no. 218-209.
3. Easement Agreement dated March 29, 1996, by and between William B. Acheff, a single male, and Linda Hill, a married female, and filed for record in Book M-184 at pages 658-663, records of Taos County, New Mexico.

4. Rights incident to the use and maintenance of the irrigation ditch/Acequia.
5. Easement Agreement dated August 28, 1997, by and between Linda Hill and U.S. West Communications, Inc., and filed for record in Book M-199 at pages 16-19, records of Taos County, New Mexico.
6. Amendment to Easement Agreement filed for record in Book M-929 at pages 244 to 247, records of Taos County, New Mexico.

with warranty covenants.

Witness my hand and seal this 23 day of November, 2018.



TAOS COUNTY
ANNA MARTINEZ, CLERK
000433245
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11/29/2018 03:52:42 PM
BY BLANCAL

Elaine N. Boylen, TTE
ELAINE N. BOYLEN, as Trustee of
The C. Thomas and Elaine N.
Boylen Living Trust, dated June 23,
2011, as may be amended or restated

ACKNOWLEDGMENT IN A REPRESENTATIVE CAPACITY

STATE OF Louisiana)
Parish) ss.
COUNTY OF Orleans)

This instrument was acknowledged before me on November 23, 2018 by ELAINE N. BOYLEN, as Trustee of the C. Thomas and Elaine N. Boylen Living Trust, dated June 23, 2011, as may be amended or restated.

My Commission Expires:

is for life



John Mason
Notary Public