

Roswell, New Mexico  
Date: January 6, 2011

State of New Mexico Commissioner of Public Lands  
and Lea County  
% Mike Gallegher, County Manager  
100 N. Main, Suite 4  
Lovington, NM 88260

*Lea County*

*JAN 10 2011*

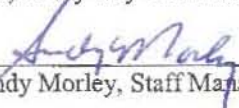
*Commission/Manager*

Greetings:

The following notice shall be published at applicant's expense once a week for three consecutive weeks in the **Hobbs News-Sun, Lea County, New Mexico**. First publication should be made as soon as possible after receipt of this notice. Publisher's affidavit of such publication must be filed with the State Engineer within sixty days from the date hereon. Failure to file proof of publication within the time allowed will cause the application to be cancelled.

The accuracy as to the content of this Notice is the responsibility of the applicant and the State Engineer is not obligated for any additional expense incurred by the necessity of re-advertisement.

Neither issuance of this Notice, nor lack of protest thereto, in any way indicates favorable action by the State Engineer or approval of the application as requested.

  
Andy Morley, Staff Manager

NOTE TO PUBLISHER: Immediately after last publication, publisher is requested to file affidavit of such publication with the State Engineer, 1900 W. Second St., Roswell, New Mexico 88201.

NOTICE is hereby given that on December 30, 2010, State of New Mexico Commissioner of Public Lands and Lea County % Mike Gallegher, County Manager, 100 N. Main, Suite 4, Lovington, NM 88260 filed application L-4719-A (T) with the STATE ENGINEER for permit to Temporarily Add Place and/or Purpose of Use and Supplement 50.0 acre-feet per annum (consumptive use) of shallow ground waters of the Lea County Underground Water Basin from the following described wells:

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
L-4719	NW $\frac{1}{4}$ NW $\frac{1}{4}$	23	19 S	36 E
L-4719-X	NE $\frac{1}{4}$ NE $\frac{1}{4}$	22	19 S	36 E
L-4719-X-2	NW $\frac{1}{4}$ NE $\frac{1}{4}$	22	19 S	36 E
L-4719-X-3	NE $\frac{1}{4}$ NW $\frac{1}{4}$	22	19 S	36 E
L-4719-S-5	SW $\frac{1}{4}$ NW $\frac{1}{4}$	14	19 S	36 E
L-4719-S-6	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	11	19 S	36 E
L-4719-S-7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	02	19 S	36 E
L-4719-S-8	NW $\frac{1}{4}$ NW $\frac{1}{4}$	11	19 S	36 E
L-4719 POD12 (proposed)	SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	27	18 S	36 E

and the industrial use of 50.0 acre-feet per annum (consumptive use) of shallow ground waters located in Part of Section 35, Township 19 South, Range 36 East N.M.P.M. and continue the diversion of 50.0 acre-feet per annum (consumptive use) of shallow ground waters for industrial and commercial use on land described as within a ten mile radius of and all of Section 27, Township 18 South, Range 36 East N.M.P.M.

Applicant also seeks to add a supplemental well 16 inches in diameter and approximately 200 feet in depth to be located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 27, Township 18 South, Range 36 East, N.M.P.M.

Applicant seeks approval of an expansion of the place and purpose of use of the subject 50.0 acre-feet per annum, to include the location of an area within a ten (10) mile radius around and all of Section 27, Township 18 South, Range 36 East, N.M.P.M. for a term of 40 years, pursuant to NMSA §72-6-3(c). Upon expiration of the forty-year period, the points of diversion, place and purpose of use of this portion of the water right shall automatically revert back to their pre-permit configuration.

The subject acreage and new well will be located approximately 3½ mile north east of U.S. Hwy 62-180 and just off of State Road 238 in Lea County, New Mexico.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). 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 must show you will be substantially affected. The written protest must be filed, in triplicate, with John R. D'Antonio, Jr. P.E., State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, within ten (10) days after the date of the last publication of this Notice. Facsimiles (fax) will be accepted as a valid protest as long as the hard copy is sent within 24 hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protest 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 Sections 72-2-16, 72-5-6, and 72-12-3.