

File Number: \_\_\_\_\_  
(For OSE Use Only)

NEW MEXICO OFFICE OF THE STATE ENGINEER  
CHANGE OF OWNERSHIP OF WATER RIGHT (INDIVIDUAL)

1. OWNER OF RECORD

Name: \_\_\_\_\_  
Contact: Larry Marker Work Phone: 505-  
Address: P.O. Box 3188 Home Phone: 505-  
City: Roswell State: NM Zip: 88202

02-27947  
2<sup>2</sup>

NEW OWNER

Name: Robert Cody Burson & Cheri K. Burson  
Contact: Robert Cody Burson Work Phone: \_\_\_\_\_  
Address: 2100 E. Berrendo Home Phone: \_\_\_\_\_  
City: Roswell State: NM Zip: 88201

2. AMOUNT CONVEYED

State Engineer File Number: RA-2376 -A  
Subfile Number 1703 Case Number 20294  
Owner of record has conveyed Partial of said right.  
(all or part)

Consumptive Use: \_\_\_\_\_ acre-feet per annum  
Diversion Amount: 240 acre-feet per annum  
Other: \_\_\_\_\_ (units)

3. PURPOSE OF USE

Domestic: \_\_\_\_\_ Livestock: \_\_\_\_\_ Irrigation: X Municipal: \_\_\_\_\_ Industrial: \_\_\_\_\_  
Commercial: \_\_\_\_\_ Other (specify): \_\_\_\_\_  
Specific use: \_\_\_\_\_

4. PLACE OF USE

80.00 acres of land described as follows:

Subdivision of Section	Section (Map No.)	Township (Tract No.)	Range	Acres	Priority
Tract C Marker Boundary Survey	PT Sec 5	09S	24E		11/1/47

STATE ENGINEER OFFICE  
ROSWELL, NEW MEXICO  
200 FEB 25 A 11.35

Do Not Write Below This Line

File Number: \_\_\_\_\_ Trn Number: 461260  
Form: wr-02i (Individual) - page 1 of 2  
File Number: \_\_\_\_\_  
(For OSE Use Only)

**NEW MEXICO OFFICE OF THE STATE ENGINEER  
CHANGE OF OWNERSHIP OF WATER RIGHT (INDIVIDUAL)**

**5. WELLS TO ACCOMPANY CONVEYED RIGHT**

Well File No.	Subdivision	Section	Township	Range
RA 2376-S	NE/4SW/4SW/4	05	09S	24E

**6. CONSENT TO LAWFUL CHANGE IN PLACE AND/OR PURPOSE OF USE**

(I, We) the above owner(s) of record, hereby consent to a lawful change in the place and/or purpose of use of the above-described water right: (To be completed only if it is an irrigation water right and has been conveyed separate from the land to which it was appurtenant.)

(Signature)

(Signature)

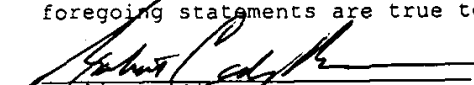
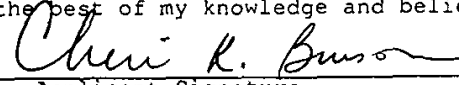
**7. ADDITIONAL STATEMENTS OR EXPLANATIONS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

STATE ENGINEER OFFICE  
 ROSWELL, NEW MEXICO  
 2010 FEB 25 A 11 37

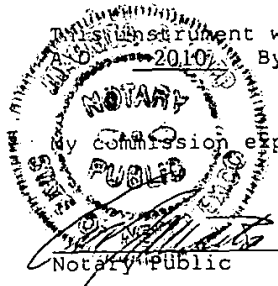
**ACKNOWLEDGEMENT**

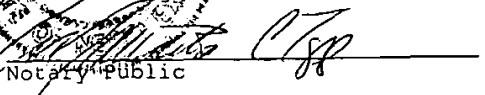
(I, We) \_\_\_\_\_ affirm that the  
 (Please Print)  
 foregoing statements are true to the best of my knowledge and belief.


  
 Applicant Signature                      Applicant Signature  
 Robert Cody Burson                      Cheri K. Burson

**NOTARY**

This instrument was acknowledged before me this 24th day of February,  
 2010, by Robert Cody Burson and Cheri K. Burson  
 Name of Applicant



My commission expires 6-20-2012  
  
 Notary Public

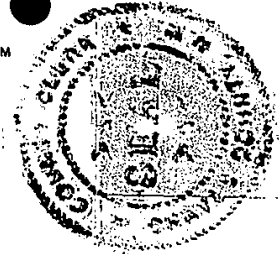
Do Not Write Below This Line

This Change of Ownership form is hereby accepted for filing in accordance with Section 72-1-2.1, NMSA-1978 (1985 Repl. Pamp), as amended. The acceptance by the Office of the State Engineer does not constitute validation of the right conveyed.

File Number: \_\_\_\_\_ Trn Number: 461260  
 Form: wr-02i (Individual) - page 2 of 2



STATE OF NEW MEXICO, COUNTY OF CHAVES  
 FILE FOR RECORD FEB 12, 2010 AT 03:31 O CLOCK PM  
 Receipt Number: 325050 Fee: \$11.00  
 Book 00856 Page 00226 Pages 2  
 To Whom Returned: LANDMARK TITLE  
 WILL PICK UP



BOOK 0656 PAGE 0226

Rhoda C. Coakley, County Clerk  
 Deputy

**WARRANTY DEED-JOINT TENANTS**

GF#200901213

**MARKERS 3-D RANCH, LLC**, a New Mexico Limited Liability Company for consideration paid,

grants to: **ROBERT CODY BURSON and CHERI K. BURSON**, husband and wife, as Joint Tenants

Whose address is: 2100 E. Berrendo  
Roswell, NM 88201

the following described property situated in Chaves County, New Mexico.

**TRACT C** of the **MARKER BOUNDARY SURVEY**, being a part of the W1/2 Section 5, Township 9 South, Range 24 East, and a part of the E1/2 of Section 6, Township 9 South, Range 24 East, N.M.P.M., Chaves County, New Mexico, as shown in that certain survey prepared by Atkins Engineering Associates, Inc and filed in the Chaves County Clerk's office on December 21, 2009 and recorded in Book 17 at Page 3.

**TOGETHER WITH** a twenty feet (20') Private Road Right-of-Way for ingress and egress to Tracts B & C as shown on the Marker Boundary Survey, prepared by Atkins Engineering Association Inc., and filed in the Chaves County Clerk's Office on December 21, 2009 and recorded in Book 17 at Page 3.

**SUBJECT** to all reservations contained in the Patent and all covenants, easements and restrictions of record.

With Warranty Covenants

WITNESS our hands and seals this 6th day of February, 2010.

Markers 3-D Ranch, LLC

[Signature]  
 Larry B. Marker, Managing Member

**ACKNOWLEDGEMENT FOR NATURAL PERSONS**

STATE OF NEW MEXICO )  
 ) ss.  
 COUNTY OF CHAVES )

This instrument was acknowledged before me this 6th day of February, 2010 by Larry B. Marker, Managing Member of Markers 3-D Ranch, LLC, a New Mexico Limited Liability Company.

My Commission Expires: 2010

[Signature]  
 Notary Public

STATE ENGINEER OFFICE  
 ROSWELL, NEW MEXICO  
 2010 FEB 25 A 11:37

461260

CERTIFICATION OF FILING

BOOK 0656 PAGE 0225

Required for the recording of all deeds and contracts for property within the unincorporated areas of Chaves County that are outside of official subdivisions

Name of Seller: Dean Gutshall

By signing this certification, the undersigned certifies the filing of this deed does not create a new parcel of land in violation of the Chaves County Subdivision Ordinance.

AFFIDAVIT

STATE OF NEW MEXICO )
) ss
COUNTY OF CHAVES )

Comes now Dean Gutshall and after being first duly sworn, states as follows:

I certify, to the best of my knowledge, that the information provided by me in this certification is true and correct; that I have visited with the Chaves County Planning and Zoning officer about any exemption that I am claiming; and that I have the permission of the current owner or legal representative of the property to take this action.

Company or Organization Represented (when applicable) Address (street) Telephone
City, State, ZIP

Signature of Dean Gutshall
SIGNATURE Dean Gutshall

SUBSCRIBED AND SWORN to before me this 12th day of February, 2010

My commission expires

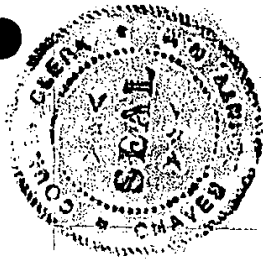


Signature of Notary Public
Notary Public

461260



STATE OF NEW MEXICO, COUNTY OF CHAVES  
 FILE FOR RECORD FEB 12, 2010 AT 03:31 O CLOCK PM  
 Receipt Number: 325050 Fee: \$11.00  
 Book 00656 Page 00224 Pages 2  
 To Whom Returned: LANDMARK TITLE  
 WILL PICK UP



BOOK 0656 PAGE 0224

Rhoda C. Coakley, County Clerk  
 By Rhoda Coakley Deputy

**WARRANTY DEED**

GF#200901213

DEAN GUTSHALL, a widower and single person, for consideration paid,

grants to: **MARKER 3-D RANCH, LLC**

Whose address is: 87 Blue Bell  
Roswell, N.M. 88203

the following described property situated in Chaves County, New Mexico.

**TRACT C of the MARKER BOUNDARY SURVEY**, being a part of the W1/2 Section 5, Township 9 South, Range 24 East, and a part of the E1/2 of Section 6, Township 9 South, Range 24 East, N.M.P.M., Chaves County, New Mexico, as shown in that certain survey prepared by Atkins Engineering Associates, Inc and filed in the Chaves County Clerk's office on December 21, 2009 and recorded in Book 17 at Page 3.

**SUBJECT** to all reservations contained in the Patent and all covenants, easements and restrictions of record.

With Warranty Covenants

WITNESS our hands and seals this 12 day of February, 2010.

Dean Gutshall  
 Dean Gutshall

STATE ENGINEER OFFICE  
 ROSWELL, NEW MEXICO  
 2010 FEB 25 A 11:31

**ACKNOWLEDGEMENT FOR NATURAL PERSONS**

STATE OF NEW MEXICO )  
 ) ss.  
 COUNTY OF CHAVES )

This instrument was acknowledged before me this 12 day of February, 2010 by DEAN GUTSHALL, a widower and single person

My Commission Expires:



[Signature]  
 Notary Public

461260

CERTIFICATION OF FILING

BOOK 0656 PAGE 0227

Required for the recording of all deeds and contracts for property within the unincorporated areas of Chaves County that are outside of official subdivisions

Name of Seller: Markers 3-D Ranch, LLC

By signing this certification, the undersigned certifies the filing of this deed does not create a new parcel of land in violation of the Chaves County Subdivision Ordinance.

AFFIDAVIT

STATE OF NEW MEXICO )
COUNTY OF CHAVES ) ss

Comes now Larry W. Marker, and after being first duly sworn, states as follows:

I certify, to the best of my knowledge, that the information provided by me in this certification is true and correct; that I have visited with the Chaves County Planning and Zoning office about any exemption that I am claiming; and that I have the permission of the current owner or legal representative of the property to take this action.

Company or Organization Represented (when applicable)

Address (street)

City, State, ZIP

Telephone

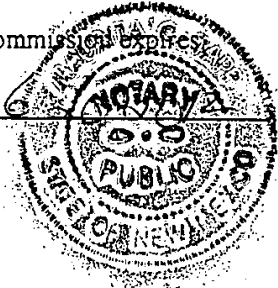
SIGNATURE

Larry W. Marker

STATE ENGINEER OFFICE
ROSWELL, NEW MEXICO
2010 FEB 25 A 11:31

SUBSCRIBED AND SWORN to before me this 12th day of February, 2010

My commission expires



[Signature]
Notary Public

461260

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



Roswell Office  
1900 WEST SECOND STREET  
ROSWELL, NM 88201

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

Trn Nbr: 461260  
File Nbr: RA 02376 A

Jun. 29, 2010

LANDMARK TITLE ROSWELL  
109 W 3RD STREET  
ROSWELL, NEW MEXICO 88201

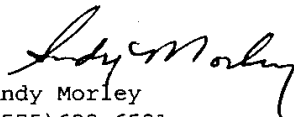
Greetings:

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.

These rights are currently part of a lawsuit (State v. Lewis, et al. Nos., 20294 & 22600, Consolidated) to determine all water rights in the Pecos River Stream System. All water right owners on record with the State Engineer Office Legal Division are defendants in the lawsuit. Unless you submit the Motion for Substitution, which is enclosed, the previous owner of these water rights will continue to receive all court documents concerning these water rights. If you need any assistance filling our the form, call the office at (575)622-6521. You should attach a copy of your Change of Ownership form to the Motion for Substitution and return both to: Office of the State Engineer, District II, 1900 West Second Street, Roswell, NM 88201.

Sincerely,

  
Andy Morley  
(575)622-6521

Enclosure

chngowrc