

File Number: _____
(For OSE Use Only)

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

02-28740
2^e

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

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
Subfile Number 1703 Case Number 20294
Owner of record has conveyed ALL of said right.
(all or part)

Consumptive Use: _____ acre-feet per annum
Diversion Amount: 242.1 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

80.7 acres of land described as follows:

STATE ENGINEER OFFICE
ROSWELL, NEW MEXICO
1 200 SEP - 3 P 1: 18

Subdivision of Section	Section (Map No.)	Township (Tract No.)	Range	Acres	Priority
	Pt Sec 5	09S	24E		11/1/47

Do Not Write Below This Line

File Number: _____ Trn Number: _____
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

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
1 2010 SEP -3 P 1:18

ACKNOWLEDGEMENT

(I, We) Larry Marker affirm that the foregoing statements are true to the best of my knowledge and belief.

Applicant Signature _____

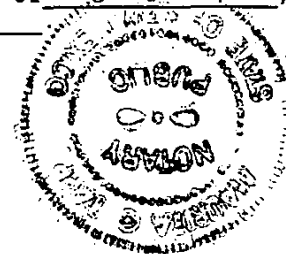
Applicant Signature _____

NOTARY

This instrument was acknowledged before me this 17th day of August, A.D., 2010, By Larry Marker Name of Applicant

My commission expires 6/20/2012

[Signature]
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: _____
Form: wr-02i (Individual) - page 2 of 2



STATE OF NEW MEXICO, COUNTY OF CHAVES
 FILE FOR RECORD AUG 18, 2010 AT 11:20 O CLOCK AM
 Receipt Number: 330822 Fee: \$8.00
 Book 00665 Page 01005 Pages 1
 To Whom Returned: LANDMARK TITLE
 WILL PICK UP

BK 665 PG 1005

Rhoda C. Coakley, County Clerk
 By *Tracee Fortis* Deputy

WARRANTY DEED

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

KNOW ALL MEN BY THESE PRESENTS:

Dean Gutshall, ^{UNMARRIED AND} surviving joint tenant of Lois Gutshall, deceased, whose address is 1001 West Second Street, Roswell, New Mexico, 88201, for adequate consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, convey and transfer to **Markers 3-D Ranch, LLC**, a New Mexico limited liability company, of Post Office Box 3188, Roswell, New Mexico, 88202, that certain property located in Chaves County, New Mexico, which is more particularly described as follows:

Tract B and Tract C of the Gutshall Boundary Adjustment Survey as shown in that certain survey prepared by Wagener Engineering and filed in the Chaves County Clerk's office on May 16, 2003 and recorded in Book S10 at pages 46 and 47, including all improvements affixed thereto and all rights of any kind or character appurtenant thereto, and subject to all valid reservations, restrictions and encumbrances of record, with warranty covenants.

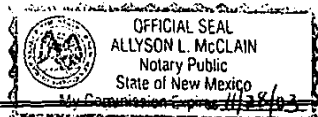
Dean Gutshall
 Dean Gutshall

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

The foregoing instrument was acknowledged before me this 29th day of May, 2003, by **Dean Gutshall**, a widower.

Allyson L. McClain
 Notary Public

My Commission Expires: 11/28/03



STATE ENGINEER OFFICE
 ROSWELL, NEW MEXICO
 2010 SEP -3 P 1:18



STATE OF NEW MEXICO, COUNTY OF CHAVES
FILE FOR RECORD AUG 18, 2010 AT 11:20 O CLOCK AM
Receipt Number: 330622 Fee: \$13.00
Book 00665 Page 01006 Pages 3
To Whom Returned: LANDMARK TITLE
WILL PICK UP

5/3

Rhoda C. Coakley, County Clerk

By: *Tracee Porter* Deputy

GF#10-00853

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

Markers 3-D Ranch, LLC, a New Mexico limited liability company, of Post Office Box 3188, Roswell, New Mexico, 88202, for adequate consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby grant, convey and transfer to Robert Cody Burson and Cheri Burson, husband and wife, as joint tenants, of 2100 East Berrendo Road, Roswell, New Mexico, 88201, that certain property located in Chaves County, New Mexico, which is more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein for all purposes,

including all improvements affixed thereto and all rights of any kind or character appurtenant thereto, and subject to all valid reservations, restrictions and encumbrances of record, with warranty covenants.

IN WITNESS WHEREOF, the Grantor has set his hand hereto on the date indicated below.

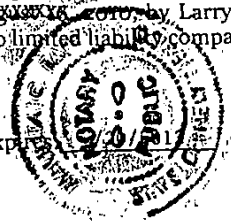
MARKERS 3-D RANCH, LLC

By: *[Signature]*
Larry Marker, Member

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

The foregoing instrument was acknowledged before me this 17th day of August, ~~2008~~ 2010, by Larry Marker, member of Markers 3-D Ranch, LLC, a New Mexico limited liability company, by and on behalf of said company.

My Commission Expires
[Signature]
Notary Public



STATE ENGINEER OFFICE
ROSWELL, NEW MEXICO
2010 SEP - 3 P 1:18

2

EXHIBIT "A"
To that certain Warranty Deed
from
Markers 3-D Ranch, LLC
to
Robert Cody Burson and Cheri Burson

BK 665 PG 1007

A TRACT OF LAND BEING PART OF SECTION 05 AND SECTION 06, TOWNSHIP 09 SOUTH, RANGE 24 EAST, N.M.P.M., CHAVES COUNTY, STATE OF NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

FOR A TIE COMMENCE AT THE SOUTHWEST CORNER OF SECTION 05, TOWNSHIP 09 SOUTH, RANGE 24 EAST, N.M.P.M., THENCE N06°08'32"W ALONG THE WEST LINE OF SAID SECTION 05 A DISTANCE OF 1316.16 FEET TO THE POINT OF BEGINNING ALSO BEING THE SE CORNER OF THE NE1/4SE1/4 OF SAID SECTION 05; THENCE S88°40'10"W ALONG THE SOUTH LINE OF THE NE1/4SE1/4 OF SAID SECTION 05 A DISTANCE OF 1375.28 FEET TO THE SOUTHWEST CORNER OF SAID NE1/4SE1/4; THENCE N00°32'49"E ALONG THE WEST LINE OF SAID NE1/4SE1/4 A DISTANCE OF 1320.74 FEET TO THE NORTHWEST CORNER OF SAID NE1/4SE1/4; THENCE N00°34'14"E ALONG THE WEST LINE OF THE SE1/4NE1/4 OF SAID SECTION 05 A DISTANCE OF 1321.94 FEET TO THE NORTHWEST CORNER OF SAID SE1/4NE1/4; THENCE N89°43'52"E ALONG THE NORTH LINE OF SAID SE1/4NE1/4 A DISTANCE OF 1342.18 FEET TO THE NORTHEAST CORNER OF SAID SE1/4NE1/4 BEING ALSO A POINT ON THE EAST LINE OF SAID SECTION 05; THENCE S89°29'28"E ALONG THE NORTH LINE OF THE SW1/4NW1/4 OF SAID SECTION 05 A DISTANCE OF 757.42 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 05; THENCE S00°00'00"W A DISTANCE OF 1193.66 FEET; THENCE N78°04'30"W A DISTANCE OF 282.57 FEET; THENCE S09°15'14"W A DISTANCE OF 305.48 FEET; THENCE S45°22'05"E A DISTANCE OF 184.29 FEET; THENCE S00°00'00"W A DISTANCE OF 118.34 FEET; THENCE S90°00'00"E A DISTANCE OF 200.69 FEET; THENCE S02°30'33"E A DISTANCE OF 763.16 FEET; THENCE S88°40'10"W A DISTANCE OF 791.11 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 05; THENCE S00°08'32"E ALONG SAID EAST LINE A DISTANCE OF 154.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 122.1285 ACRES MORE OR LESS.

STATE ENGINEER OFFICE
ROS WELL, NEW MEXICO
1 2010 SEP - 3 P 1: 18

CERTIFICATION OF FILING

BK 665 PG 1008

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., a New Mexico Limited Liability Company

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 Marker, Member 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

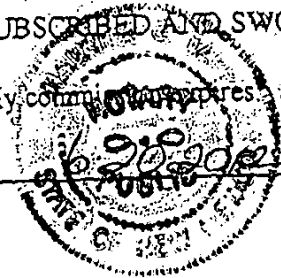
[Handwritten signature of Larry Marker]

Larry Marker

STATE ENGINEER OFFICE
ROS WELLS, NEW MEXICO
1 2010 SEP - 3 P 11:18

SUBSCRIBED AND SWORN to before me this 17th day of August, 2010

My commission expires



[Handwritten signature of Notary Public]

Notary Public



Office of the State Engineer
1900 West Second St.
Roswell, NM 88201

Re: File No. RA-2376

Ladies and Gentlemen:

On October 15, 2012, Farm Credit of New Mexico, FLCA ("Farm Credit"), a wholly owned subsidiary of Farm Credit of New Mexico, ACA and Robert Cody Burson and Cheri K Burson ("Borrower") filed a Change of Ownership of Water Rights form with your office which lists Farm Credit and Borrower as new owners of the above-referenced water rights (the "Change of Ownership Form"). It has come to our attention that there may be a problem with the notary acknowledgement on the Change of Ownership Form which we have remedied by recording the attached Ratification and Affirmation of Change of Ownership of Water Right ("Ratification") in the real property records of Chaves County, New Mexico.

The undersigned hereby ratify and reaffirm the Change of Ownership Form. We request that you place this letter and the attached Ratification in the File No. RA-2376.

FARM CREDIT OF NEW MEXICO, FLCA,
A wholly owned subsidiary of
Farm Credit of New Mexico, ACA

By: Cary Crist
Name: Cary Crist
Title: Senior Vice President

Robert Cody Burson
Robert Cody Burson

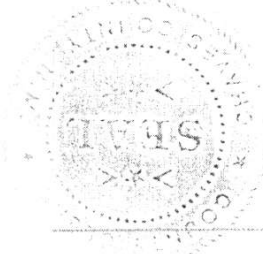
Cheri K. Burson
Cheri K Burson

2016 OCT 18 PM 3:17

STATE ENGINEER OFFICE
ROSWELL, NEW MEXICO



STATE OF NEW MEXICO, COUNTY OF CHAVES
 FILE FOR RECORD AUG 18, 2016 AT 04:10 O CLOCK PM
 Receipt Number: 393235 Fee: \$25.00
 Book 00769 Page 01236 Pages 5
 To Whom Returned: LANDMARK TITLE
 WILL PICK UP



Dave Kunko, County Clerk

By *[Signature]* Deputy

File No(s). RA-2376

GF#16-00592

RATIFICATION AND AFFIRMATION
 OF CHANGE OF OWNERSHIP OF WATER RIGHT

Robert Cody Burson & Cheri K Burson, and Farm Credit of New Mexico, FLCA, a wholly owned subsidiary of Farm Credit of New Mexico, ACA, the co-owners of the water right(s) described in the Change of Ownership of Water Right (the "Change of Ownership Form") recorded in the real property records of Chaves County, New Mexico on December 6, 2012, in Book 705 and Page 1150, as Receipt Number 354477, a copy of which is attached to this Ratification and Affirmation of Change of Ownership of Water Right as Exhibit A, ratify and affirm the Change of Ownership Form.

[Signature]
 Robert Cody Burson

[Signature]
 Cheri K Burson

FARM CREDIT OF NEW MEXICO, FLCA, a wholly owned subsidiary of Farm Credit of New Mexico, ACA

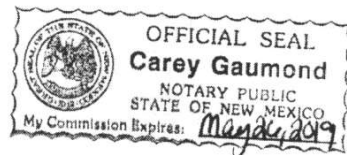
[Signature]
 Verity Ulibarri, Vice President/Credit Manager

STATE OF NEW MEXICO
 COUNTY OF Chaves

This instrument was acknowledged before me on August 2, 2016, by Robert Cody Burson and Cheri K Burson.

[Signature]
 Notary Public

May 26, 2019
 My commission expires:

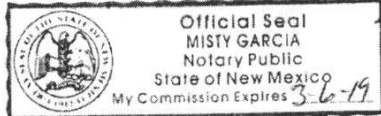



2016 OCT 18 PM 3:17
 STATE ENGINEER OFFICE
 ROSWELL, NEW MEXICO

STATE OF NEW MEXICO

COUNTY OF Curry

This instrument was acknowledged before me on Aug 11, 2016, by Verity Ulibarri as Vice President/Credit Manager of Farm Credit of New Mexico, FLCA, a wholly owned subsidiary of Farm Credit of New Mexico, ACA.





Notary Public

My commission expires:

2016 OCT 18 PM 3:17

STATE ENGINEER OFFICE
ROSWELL, NEW MEXICO



NEW MEXICO OFFICE OF THE STATE ENGINEER



CHANGE OF OWNERSHIP OF WATER RIGHT (NON-72-12-1) FOR (check one):

Important: Acceptance of the form for filing by the State Engineer does not constitute verification of the right conveyed.

<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Corporation
--	--------------------------------------

1. OWNER OF RECORD (Seller)

2-32129

Name: Robert Cody Burson	Name: Cheri K. Burson	
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: RA-2376	b. Sub-file No.: 1703	c. Cause No.: 20294

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

Name: Robert Cody Burson & Cheri K. Burson	Name: Farm Credit of New Mexico, FLCA, a wholly owned subsidiary of Farm Credit of New Mexico, ACA
Contact or Agent: <input type="checkbox"/> check here if Agent	Contact or Agent: <input type="checkbox"/> check here if Agent
Mailing Address: 2100 E. Berrendo	Mailing Address: PO Box 518
City: Roswell	City: Clovis
State: NM Zip Code: 88201	State: NM Zip Code: 88102
Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell	Phone: 575-763-5565 <input type="checkbox"/> Home <input type="checkbox"/> Cell
Phone (Work):	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

<input type="checkbox"/> Domestic <input type="checkbox"/> Livestock <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Other Uses (specify): _____	Amount of Water (acre-feet per annum): If more details are needed, type "See Comments" in "Other" field below, and explain in Additional Statements Section. Diversion: <u>180</u> Consumptive Use: _____ Other (include units): _____
Owner of record has conveyed all or part of said right (please check one) <input type="checkbox"/> All <input checked="" type="checkbox"/> Part	

2008 OCT 18 PM 3:17
 STATE ENGINEER OFFICE
 ROSWELL, NEW MEXICO

FOR USE INTERNAL USE

Change of Ownership, Form wr-02, Rev 8/30/12

File No.:	Trn. No.:	Receipt No.:
Trans Desc. (optional):		Sub-Basin:

4. LIST ALL KNOWN POINT(S) OF DIVERSION (POD) FOR THE WATER RIGHT CONVEYED

OSE POD No.	Subdivision / River Course / Ditch Name / Etc.	Section	Township	Range
RA-2376-S	NE/4SW/4SW/4	05	09S	24E

5. PLACE(S) OF USE (list each individually)

a. 60 Acres of Irrigated Land Described as Follows (applicable to irrigation use only):

b. Legally Described By:	c.	d.	e.	f.	g.
<input checked="" type="checkbox"/> Public Land Survey System (PLSS) <input type="checkbox"/> Hydrographic Survey Report or Map <input type="checkbox"/> Irrigation or Conservation District Map <input type="checkbox"/> Subdivision	PLSS Section <u>and/or</u> Map No. <u>and/or</u> Lot No.	PLSS Township <u>and/or</u> Tract No. (Please list each tract individually) <u>and/or</u> Block No.	PLSS Range	Acres	Priority
PLSS Quarters or Halves, <u>and/or</u> Name of Hydrographic Survey or District, <u>and/or</u> Name and County of Subdivision					
SW/4NW/4 & pt SW/4	Pt Sec 5	09S	24E	60	11/01/47

h. Other description relating place of use to common landmarks, streets, or other:

i. Place of use is on land owned by: **Marker**

j. Are there other sources of water for these lands? No Yes If yes, describe by OSE file number:

Note: If on Federal or State Land, please provide copy of lease

6. ADDITIONAL STATEMENTS OR EXPLANATIONS

STATE ENGINEER OFFICE
 ROSWELL, NEW MEXICO
 2016 OCT 18 PM 3: 17

FOR OSE INTERNAL USE		Change of Ownership, Form wr-02, Rev 8/30/12	
File No.:	Trn. No.:	Receipt No.:	
Trans Desc. (optional):		Sub-Basin:	

Signature

Signature

ACKNOWLEDGEMENT FOR INDIVIDUAL

I, We (name of owner(s)), Robert Cody Burson & Cheri K. Burson
Print Name(s)

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

[Signature]
Signature

[Signature]
Signature

State of New Mexico)

County of Chaves)
ss.

This instrument was acknowledged before me this 9th day of October A.D., 20 12, by (name of owner(s)):

Robert Cody Burson and Cheri K. Burson.

Notary Public:

My commission expires:

[Signature]
2/16/2015



ACKNOWLEDGEMENT FOR CORPORATION

I, We (name of owner(s)), Farm Credit of New Mexico, FLCA, a wholly owned subsidiary of Farm Credit of New Mexico, ACA
Print Name(s)

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

[Signature]
Officer Signature

Officer Signature

State of New Mexico)

County of Chaves)
ss.

This instrument was acknowledged before me this 5th day of October A.D., 20 12, by the following on behalf of said corporation.

Name of Officer: Cary Crist

Title of Officer: Vice President

Name of Corporation Acknowledging: Farm Credit of New Mexico, FLCA, a wholly owned subsidiary of Farm Credit of New Mexico, ACA

State of Corporation: New Mexico

Notary Public:

My commission expires:

[Signature]
2/16/2015



2016 OCT 18 PM 3:17

STATE ENGINEER OFFICE
ROSSELL, NEW MEXICO

FOR OSE INTERNAL USE

Change of Ownership, Form wr-02, Rev 8/30/12

File No.:	Trn. No.:	Receipt No.:
Trans Desc. (optional):	Sub-Basin:	

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: 466550
File Nbr: RA 02376

Sep. 08, 2010

LANDMARK TITLE ROSWELL
PO BOX 1476
ROSWELL, NM 88202-1476

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. Please 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, New Mexico 88201.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andy Morley".

Andy Morley
(575)622-6521

Enclosure

chngowrc