

Water Rights Declaration Tutorial in the Middle Rio Grande



Written by Angelina Lopez-Brody, AFSC New Mexico Program

This document will guide you through the process of finding the information for and filling out a declaration for pre-1907 surface (acequia) water rights with the New Mexico Office of the State Engineer (OSE) within the area served by Middle Rio Grande Conservancy District (MRGCD). This is OSE form #WR-21-MRG "Declaration of Ownership of Water Right of Surface Waters Perfected Prior to March 19, 1907 in the Middle Rio Grande Conservancy District."

AFSC New Mexico is here to support community members through this process and offer general guidance. The South Valley Regional Association of Acequias can also support you. The Office of the State Engineer (OSE) can also provide general guidance. The OSE can also provide a list of water rights consultants who charge fees to support you with water rights concerns.

Community Organizations Which Can Support You

AFSC New Mexico:

NewMexico@afsc.org

505-842-7343 (leave a message, please)

<https://www.afsc.org/NewMexico>

South Valley Regional Assn. of Acequias :

maestasy@netzero.net

505-877-8200 (leave a message)

<https://www.svraa.org/>

Office of the State Engineer:

Where to File and Which Can Offer General Support

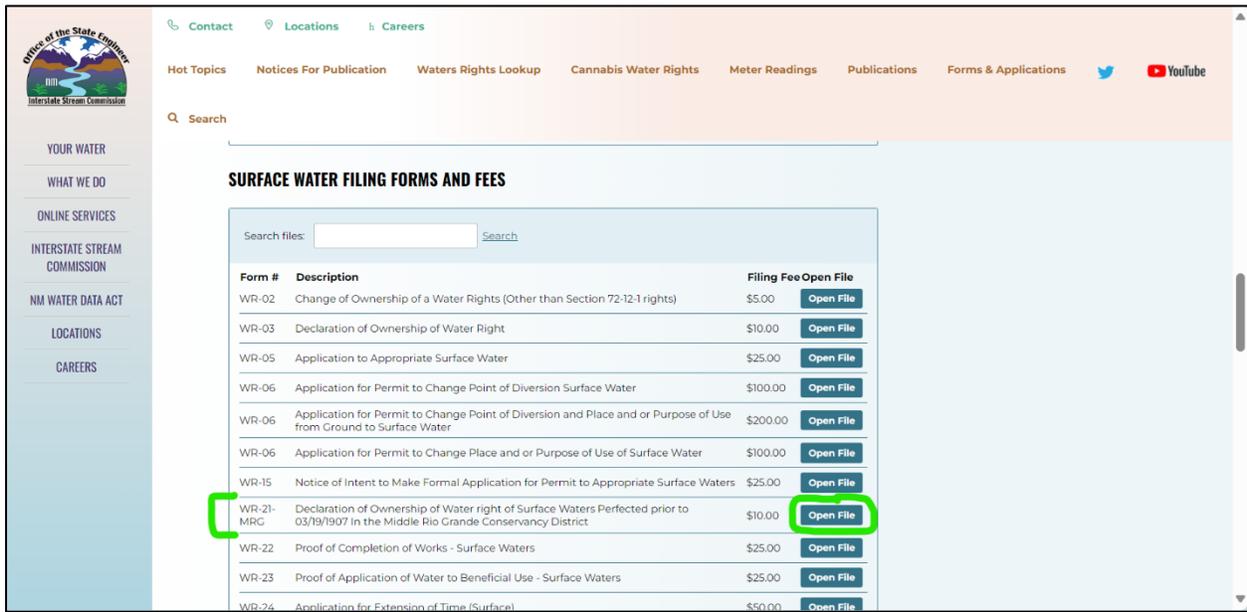
Water Rights District 1 Office
5550 San Antonio Dr., NE
Albuquerque, NM 87109-4127
(505) 383-4000

<https://www.ose.state.nm.us/>

Requirements to file:

- 1) **Two copies of declaration form:** Fill out two original forms OR fill the form out on a computer and print it twice. AFSC has a printer and copier available for FREE for this purpose. You can get the form from the OSE, AFSC, or find the form here:

<https://www.ose.state.nm.us/WR/forms.php>



The screenshot shows the website for the Office of the State Engineer, Interstate Stream Commission. The main content area is titled "SURFACE WATER FILING FORMS AND FEES". Below this title is a search bar and a table of forms. The table has three columns: "Form #", "Description", and "Filing Fee Open File". The "Open File" column contains buttons labeled "Open File". The form WR-21-MRG is highlighted with a green box, and its "Open File" button is also highlighted with a green box.

Form #	Description	Filing Fee	Open File
WR-02	Change of Ownership of a Water Rights (Other than Section 72-12-1 rights)	\$5.00	Open File
WR-03	Declaration of Ownership of Water Right	\$10.00	Open File
WR-05	Application to Appropriate Surface Water	\$25.00	Open File
WR-06	Application for Permit to Change Point of Diversion Surface Water	\$100.00	Open File
WR-06	Application for Permit to Change Point of Diversion and Place and or Purpose of Use from Ground to Surface Water	\$200.00	Open File
WR-06	Application for Permit to Change Place and or Purpose of Use of Surface Water	\$100.00	Open File
WR-15	Notice of Intent to Make Formal Application for Permit to Appropriate Surface Waters	\$25.00	Open File
WR-21-MRG	Declaration of Ownership of Water right of Surface Waters Perfected prior to 03/19/1907 in the Middle Rio Grande Conservancy District	\$10.00	Open File
WR-22	Proof of Completion of Works - Surface Waters	\$25.00	Open File
WR-23	Proof of Application of Water to Beneficial Use - Surface Waters	\$25.00	Open File
WR-24	Application for Extension of Time (Surface)	\$50.00	Open File

- 2) **Filing Fee:** \$10 as a check or money order (AFSC New Mexico may be able to cover this fee – talk with our staff)
- 3) **Notarization:** The form will need to be signed in the presence of a notary public to be notarized. If it is not fully filled out, do NOT have it notarized. Notarization is a FREE service at the NM Office of the State Engineer or at AFSC New Mexico by Angelina Lopez-Brody.
- 4) **Deed and other relevant documents:**
 - a. **Deed:** One copy of a deed for the land where the water will be used to irrigate is needed. If you do not have a copy, we will discuss where you can get a copy in Appendix C (pg. 16). This deed can be a warranty deed, quitclaim deed, transfer on death deed, or other legal deed that is recorded with the appropriate county.
 - b. **Relevant documents:** You may also need any relevant documents such as a death certificate, a probate document, a will stating the name of the executor, a power of attorney, a letter of incorporation, etc.
 - c. **Map:** You may also submit a copy of the map that the OSE will send you if they invite you to refile after a rejection.

Page 1, Sections 1-4

Section 1. Owner of Declared Water Right

1. OWNER OF DECLARED WATER RIGHT		
Name:	_____	Day Tel: _____
Contact:	_____	Evening Tel: _____
Address:	_____	Email: _____
City:	_____	State: _____ Zip: _____

Section 1 has the contact information for the owner of the declared water right and, if needed, another contact person.

Name – name(s) of the owner(s) of the water right [which are also likely the name(s) of the property owner(s)]

Contact – name of contact person, only needed if the contact person is another person than the owner(s)

Address/City/State/Zip – best address for mail to be received.

Day Tel/Evening Tel – telephone numbers at which to be contacted, if needed

Email – email address at which to be contacted, if needed

Example of Section 1:

1. OWNER OF DECLARED WATER RIGHT		
Name:	Juan del Valle	Day Tel: 505-123-4567
Contact:	n/a	Evening Tel: 505-123-4568
Address:	1234 Valle de Atrisco SW	Email: juandelvalle@afsc.com
City:	Albuquerque	State: NM Zip: 87105

Section 2. Location of Water Point of Diversion

2. LOCATION OF WATER POINT OF DIVERSION			
MRGCD Diversion Dam	WATERS Name	MRGCD Maps	Check which applies
Cochiti	SP-1690-1	1 through 4	<input type="checkbox"/>
Angostura	SP-1690-2	5 through 60	<input type="checkbox"/>
Isleta	SP-1690-3	61 through 146	<input type="checkbox"/>
San Acacia	SP-1690-4	147 through 189	<input type="checkbox"/>

Name of ditch or acequia: _____

Section 2 describes where the water comes from and has two parts:

- 1) Choosing the diversion dam that your acequia water comes from
- 2) Entering the name if the ditch or acequia that you irrigate from

Section 2, Part 1: Diversion Dam

*NOTE → The South Valley of Albuquerque (with it's Southern border where I-25 crosses the Rio Grande north of Isleta Pueblo) all falls under the **Angostura** diversion dam.*

If you are not sure which diversion dam that you fall under, Appendix A will walk you through how to find which MRGCD map shows your property.

Write your MRGCD map number here to remember it for the next section: _____

Look at the table on the declaration form and find column marked "MRGCD Maps." The map number that you find associated with the property will guide which Diversion Dam you select.

Section 2, Part 2: Name of ditch or acequia

Write in the name of your ditch/acequia/lateral. If you are not sure, try asking your neighbors, looking at an online map, or looking at <https://www.svraa.org/acequia-maps>. There are individual acequia maps on the SVRAA website, as well as a link to an ArcGIS map.

Example of Section 2:

2. LOCATION OF WATER POINT OF DIVERSION			
MRGCD Diversion Dam	WATERS Name	MRGCD Maps	Check which applies
Cochiti	SP-1690-1	1 through 4	<input type="checkbox"/>
Angostura	SP-1690-2	5 through 60	<input checked="" type="checkbox"/>
Isleta	SP-1690-3	61 through 146	<input type="checkbox"/>
San Acacia	SP-1690-4	147 through 189	<input type="checkbox"/>

Name of ditch or acequia: Los Ranchos de Atrisco/Armijo Acequia

Section 3: Place of Use

3. PLACE OF USE

_____ total acres of land described as follows:

MRGCD Map #	Tract/Lot number(s) and Description (e.g. Lands of)	Acres in each tract	Section	Township	Range

Place of use is on land owned by: _____

Are there other sources of water for these lands? Yes / No

If yes, describe by OSE file number: _____

Section 3 describes where the water will be used. It has four parts:

- 1) Description of the land from the property deed
- 2) Total acreage of land receiving irrigation water
- 3) The owner of the land where the water is used
- 4) Whether there are other sources of water for the land

Section 3, Part 1: Description of the land from the property deed

MRGCD Map #: Please see “Section 2, Part 1: Diversion Dam” above or **Appendix A: How to Find Your MRGCD Map Number**

Tract/Lot number(s) and Description (e.g. Lands of): This description comes from the deed for the property. Deeds are available from the County Clerk’s Office if you do not have a copy of it. You can either go in person or request to get mailed the document online. Please see **Appendix C: How to Get a Deed from the Bernalillo County Clerk.**

Section, Township & Range: You can enter this information if it is on your deed, but otherwise you can leave it blank.

Section 3, Part 2: Total acreage of land receiving irrigation water

Enter the total acreage of the lot. This can often be found on the **property warranty deed (see above)** or from the **county assessor.** Please see **Appendix B: How to Find Acreage from the Bernalillo County Assessor’s Property Record Search**

You can also go in person to the OSE if you are unsure about the acreage – leave the acreage line blank and they can support you.

The Office of the State Engineer may edit this acreage down in their resubmittal request if there are buildings, driveways, etc. For now, enter the total acreage of the property lot.

Section 3, Part 3: The owner of the land where the water is used

Write the name of the owner(s) of the land where the water is used. This should match the name(s) on the deed provided.

Section 3, Part 4: Whether there are other sources of water for the land

Answer the yes/no question if there are other sources of water for the land. These sources may be a domestic or commercial well(s) or city water. If you know the OSE file number, write it as well. These may start with two letters and then be followed by five numbers. For example: RG-12345. It is fine if there is not another source, just select the “No” box. If you are unsure, leave it blank.

Example of Section 3:

3. PLACE OF USE					
_____ 1 _____ total acres of land described as follows:					
MRGCD Map #	Tract/Lot number(s) and Description (e.g. Lands of)	Acres in each tract	Section	Township	Range
46	Tract 1917 of Lands of del Valle	1			
Place of use is on land owned by: <u>Juan del Valle</u>					
Are there other sources of water for these lands? Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>					
If yes, describe by OSE file number: _____					

Section 4: Quantity

4. QUANTITY

Diversion Amount: _____ acre-feet per year (Acres x 3.0)

Consumptive Use Amount: _____ acre-feet per year (Acres x 2.1)

Section 4 describes how much water will be used.

Both lines multiply the total acreage by a specified number. This section may be changed after the OSE reviews your declaration, if there are changes in the amount of acreage that is irrigable. The consumptive amount is lower than the diversion amount because some of the water drains back into the water table and/or drains back to the river.

Example of Section 4:

For our fictional Juan de la Valle, he would multiply his 1 acre by 3.0 for the Diversion Amount:

$$1 \times 3.0 = 3.0 \text{ acre-feet per year}$$

Then he would multiply it by 2.1 for the Consumptive Use Amount:

$$1 \times 2.1 = 2.1 \text{ acre-feet per year}$$

4. QUANTITY

Example

Diversion Amount: 3.0 acre-feet per year (Acres x 3.0)

Consumptive Use Amount: 2.1 acre-feet per year (Acres x 2.1)

Leave the following blanks empty at the bottom of page 1:

File Number: _____
Form: wr-21-mrg (Revised April 2016)

Trn Number: _____

Page 2: Sections 5-7 & Notarization

Leave the following blanks empty at the top of page 2:

Fee: _____ Receipt No. HC 1- _____	File Number: _____
------------------------------------	--------------------

Section 5: Purpose of Use

<p>5. PURPOSE OF USE</p> <p>Irrigation: <input type="checkbox"/> If any other purpose, specify: _____</p>
--

Section 5 asks about what the water will be used for. In most cases, you will just check the box for "Irrigation." Other purposes could include a livestock pond. Please speak with the OSE if you are unsure if you have other purposes.

Example of Section 5:

<p>5. PURPOSE OF USE Example</p> <p>Irrigation: <input checked="" type="checkbox"/> If any other purpose, specify: _____</p>

Section 6: Water was first applied to beneficial use on:

6. WATER WAS FIRST APPLIED TO BENEFICIAL USE ON: _____
and since that time has been used fully and continuously for the above
described purpose(s) except as follows:

Section 6 asks when water was first applied to the land for beneficial use, which includes using it for agricultural irrigation. **A common answer is “Prior to 1907.” Don’t leave this blank empty.**

The OSE may edit this date if they have a record of when the acequia was first put into use. The answer to this will depend on what is represented on surveys made on the early 20th Century or if you know when your acequia was first put into use.

If there was a period when you were away for military service or if there was another reason why the water was not applied for a period of several years, you can put that information in the box.

Example of Section 6:

6. WATER WAS FIRST APPLIED TO BENEFICIAL USE ON: Before 1907
and since that time has been used fully and continuously for the above
described purpose(s) except as follows:

Example

Do not fill in the following blank – it is for the OSE.

ACCEPTANCE OF STATE ENGINEER

This Declaration form is hereby accepted for filing in accordance with NMSA-1978 (1985), as amended. The acceptance by the State Engineer Office does not constitute validation of the right claimed.

IMPORTANT: Request for Refile from the OSE

After the OSE reviews your declaration, which may take over a year due to low staffing levels, they are likely to send you a letter which says it has rejected your declaration. **DON'T PANIC!**

If you have been determined to be eligible for any water rights, **they will also enclose an edited declaration with “Refile” at the top. You need to have this notarized (see Notarization section above) and resubmit it to the OSE within 30 days.** There is no additional fee if you file within 30 days. If you wait for more than 30 days, you will have to pay the filing fee again.

See **Appendix D: Example of Rejected Declaration with Invitation to Refile** for how this letter might look.

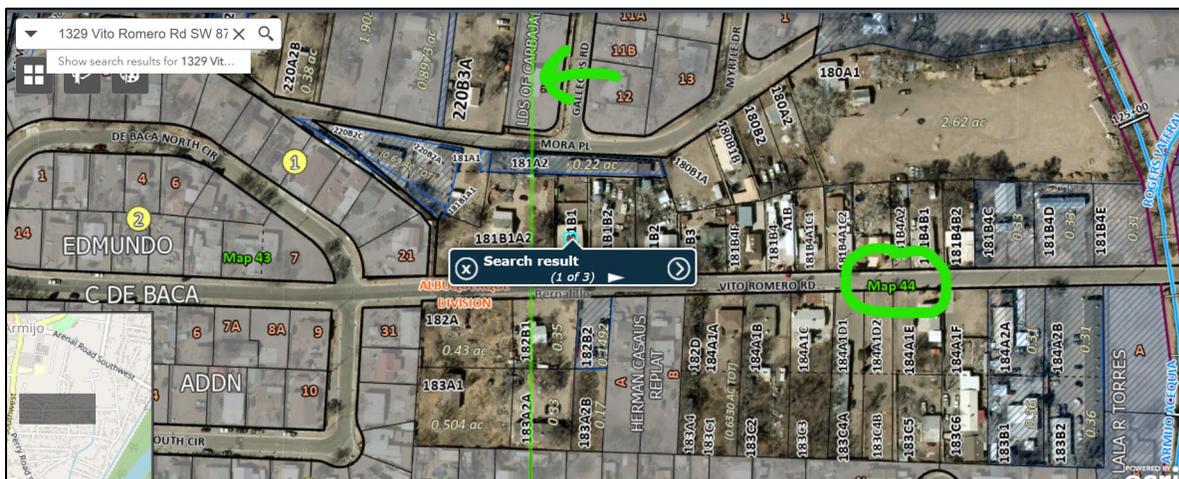
Appendix A: How to Find Your MRGCD Map Number

Go to <https://www.mrgcd.com/mapping-gis/> and click “MRGCD Data Viewer.” This will take you to a map website where you can type the address of the water right into the search bar (see image below). The search function works better if you include your zip code.



Close the “About” box by clicking the “X” in the upper right corner.

Then you will see something like this:



The property that you searched for will be in the center of the screen. The MRGCD Map number that that address is a part of shows in green letters (circled in green) and there are green boundary lines to show where the map numbers change (green arrow is pointing at one).

Note that if you don't see a map number, you can click on a spot on the same side of the boundary line and it will show the correct map number:

Appendix B: How to Find Acreage from the Bernalillo County Assessor's Property Record Search

Assessor's website: [Property Record Search - Assessor \(bernco.gov\)](https://www.bernco.gov/assessor/find-a-property/assessor-property-record-search-portal/)

<https://www.bernco.gov/assessor/find-a-property/assessor-property-record-search-portal/>

The screenshot shows the 'COUNTY ASSESSOR' website header with navigation icons for phone, star, and search. Below the header is a breadcrumb trail: 'Assessor > Find a Property > Property Record Search'. A left sidebar contains menu items: 'Assessor', 'Find a Property +', 'Assessor Property Tax Estimator', 'About Assessor Damian R. Lara', 'Assessor Videos +', 'Protest', 'Annual Report', 'Data +', 'Our Departments +', and 'For Property Owners +'. The main content area is titled 'ASSESSOR PROPERTY RECORD SEARCH PORTAL' and contains a 'DISCLAIMER' section with two paragraphs of text. At the bottom of the disclaimer, there are two buttons: 'Agree' (highlighted with a green circle) and 'Disagree'. A small profile icon of the assessor is visible in the bottom right corner.

Click 'Agree' on the disclaimer to acknowledge that there may be errors or omissions in the portal.

On the next page, enter only the number of the address and the street name **without** "Rd.," "St.," "Blvd.," etc.... For example of the property was at 1234 Alphabet Rd., I would put "1234" in the Number box and "Alphabet" in the Street box.

The screenshot shows the search interface of the Bernalillo County Assessor's website. The header includes the 'BERN County Assessor' logo and navigation links: 'PROPERTY RECORDS', 'SMARTFILE', 'ASSESSOR'S FORMS', and 'ASSESSOR WEBSITE'. The main search area is titled 'Search by Address' and features two input fields: 'Number' and 'Street', both highlighted with green circles. Below this is an 'OR' section with a 'Search by Parcel' option and a 'Parcel ID' input field. A 'Filter By' section includes a 'Tax Year' dropdown menu set to '2023' (highlighted with a green circle). The 'Options' section includes 'Sort by: Parcel ID' and 'Ascending' dropdowns, and a 'Results/page: 15' dropdown. A 'Search' button is highlighted with a green circle. At the bottom right, it says 'Data Current as of February 10, 2024'.

Then click "Search." If you get more than one option, click the one that has a "RP" under the column Roll Type. RP stands for Real Property. (MH stands for Mobile Home)

Search by Address Number: Street:

OR

Search by Parcel Parcel ID:

Filter By Tax Year:

Options Sort by: Results/page: **Search**

Data Current as of February 15, 2024

Results [Click rows to view property details](#) Displaying 1 - 2 of 2

Parcel ID ▲	Owner Name	Parcel Address	Roll Type	Tax Year
<input type="text"/>	<input type="text"/>	<input type="text"/>	RP	2023
<input type="text"/>	<input type="text"/>	<input type="text"/>	MH	2023

[Printable Version](#) Results Page: **[1]**

Once you click that entry, you will see a table describing the property. Scroll down to "Real Property Attributes" section near the bottom. There is a line in this section that will give you the "Lot Size (Acres)."

Real Property Attributes

Primary Building SQ FT

Year Built

→ Lot Size (Acres) .2479

Land Use Code LOT WITH MH IMPT

Style

Appendix C: How to Get a Deed from the Bernalillo County Clerk.

To go in person in Bernalillo County: The County offices are located downtown at 415 Silver Ave SW Albuquerque, NM 87102. There is FREE parking caddy corner to the offices, or you may pay for other parking at other lots or street spaces. After you go through the security check point, ask the greeter for directions to the County Clerks office to get a copy of a property deed. You may need to wait in a lobby, but if it's been longer than 15 minutes, ask someone to assist you. The Clerk staff can help you find your deed and print it out for you for **\$1 per page**. **You will need to submit a copy of the deed with the water rights declaration forms.**

To get the document online: Go to <https://www.berncoclerk.gov/recording-and-filing/public-document-search/> and click the green letters that say "Public Documents Search."

Public Document Search

Home > Recording and Filing > Public Document Search

THE EAGLE WEB DOCUMENT SEARCH PROGRAM ALLOWS AN ONLINE SEARCH FOR ANY PUBLIC DOCUMENT WHICH HAS BEEN RECORDED IN THE COUNTY CLERK'S OFFICE.

This includes deeds, mortgages, judgements, liens, etc.

The opening page has a disclaimer and a button (at the bottom) requesting you to acknowledge that these are not official copies of County documents. That is the only purpose of the "I Acknowledge" button. You must click it to proceed.

PUBLIC DOCUMENT SEARCH INSTRUCTIONS

On the main search page, it is NOT necessary to use the doc #, book or page fields.

You can search by your NAME for any document recorded in the County Clerk's Office.

IMPORTANT

In the Both Names field, enter LAST name, a blank space, and then the first name with NO punctuation. For example: Doe Jane S (if your name is Jane S. Doe)

Your query result will consist of the document index information only, not the actual document image.

Public Documents Search

Read the disclaimer and if you choose to continue click “I Acknowledge” at the bottom of the next page.

BERNALILLO COUNTY
NEW MEXICO

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Version: 2019.3.24

Bernalillo County, New Mexico
Linda Stover, County Clerk

DISCLAIMER
The Grantor/Grantee index is provided as a public service for your convenience. Updates and corrections occur on a daily basis; however neither the County nor the County Clerk shall assume any liability for omissions or information presented as public record in this index. For official copies of documents, please visit the Bernalillo County Clerk's office located at 415 Silver Ave. SW, 2nd Floor, Albuquerque NM or call (505) 468-1290, and choose option 2 for Customer Service. Note: Data provided is as of 1978 to present.

PURCHASING COPIES
This site allows you to purchase any recorded document, excluding Military discharges and Death Certificates. In the event that you purchase an incorrect document online, it will be your responsibility to pay for any incurred charges for that transaction. No refunds will be given. You should fully verify the document by calling the Records and Filing department before purchasing it if in doubt.

In the event that you purchase the incorrect number of copies (quantity field), it will be your responsibility to pay for any incurred charges for that transaction. No refunds will be given. You shall fully verify the number of pages to be purchased before hitting the submit button on the 3rd step of the transaction process.

Documents can be purchased online 24 hours a day, 7 days a week. However, documents will only be mailed via USPS (Priority/Express), faxed, and/or emailed during regular business hours (Monday - Friday, 8:00am - 5:00pm).

If the purchase option is not available for the specific document you wish to purchase, please contact our office at 505-468-1290 or clerk@bernco.gov.

MARRIAGE APPLICATION INFORMATION IS AVAILABLE TO THE PUBLIC BY USING THE I ACKNOWLEDGE BUTTON.

Then click “Public Login”

BERNALILLO COUNTY
NEW MEXICO

HELP | ABOUT | View Basket

Login

General Public - Click Public Login button to search for public records without images. You can also, access Online Marriage Applications.

Authorized Bernalillo County Employee Users - Enter User ID and Password, click Registered Users Login button to search for Public Records with Images.

Public Users

Registered Users

County User ID

County Password

[Forgot your password?](#)

Then in the “Both Names” box, enter the property owner’s last name, then a space, then a first name. Do NOT add punctuation.

You will see an entry or entries like this:

Warranty Deed Joint Tenants	Rec Dates: [REDACTED]	BookPage: [REDACTED]	Related: [REDACTED]	Number of Pages: 1	<input type="checkbox"/> Purchase
[REDACTED]	Grantor: [REDACTED]	[REDACTED]	Grantee: [REDACTED]	[REDACTED]	
	Notes: [REDACTED]	[REDACTED]	Legal: [REDACTED]	[REDACTED]	

You can click on an entry to verify that it is the correct one. [If you aren't sure, you can contact the Bernalillo County clerk at clerk@bernco.gov or (505) 243-VOTE (8683). You can also go to their offices in person, see above.]

If you have determined that it is the correct entry, you can click the box next to "Purchase." Then scroll down to the bottom and select "Purchase Selected."

6 items found, displaying all items. 1

1 Item Purchase Selected

[New Search](#) [Modify Search](#) [Printable Version](#)

For most deeds, you can purchase either a Standard Copy, which would be emailed to you, or a Certified Copy, which would be mailed to you. The OSE accepts both and can make a copy for you if you need to keep the original.

Add to Basket

Deed Rec Date: BookPage: Related: Number of
Pages: Grantor: Grantee: Legal:

Notes:

Select a product to purchase Standard Copy
Certified Copy
Standard Copy

Comments

Number of Copies 1

Add to Basket

You will be asked to log in, but you may press “Proceed as Guest.”

Login

Important: Registration for the Online Payment System is optional.

Welcome to Bernalillo County's **Online Payment System**.
If you are already registered, please login below.

Login:

Password:

[Click here to change or retrieve Password or retrieve Login.](#)

The benefits of registering include the creation of an account history which will allow you to track all financial transactions you make on this website, including tax payments.

Click here to create an Online Payment System account.

Click here to by-pass registration.

Notice:
Bernalillo County has entered into an agreement with FIS to process credit card payments. FIS charges a **convenience fee** for these services. The credit card is **\$1.49 per transaction**. the convenience fee.

Then you can confirm what it is you want to purchase. There is information at the bottom of the page about how to get documents from the Clerk without paying the credit card fee. If you wish to continue, press continue.

Accept Payment Terms

You are about to make an online payment. You must accept the Terms & Conditions below to finalize your payment.

There will be a convenience fee charged by FIS (our payment processing partner) on your purchase if you make an online payment. The convenience fee per transaction is \$1.49 for credit card. If you do not wish to pay the convenience fee, you may pay for your documents in person or mail your request for your desired documents to:

Bernalillo County Clerk's Office
415 Silver Ave. SW
Albuquerque, New Mexico 87102

OR

Bernalillo County Clerk's Office
P.O. Box 542
Albuquerque, New Mexico 87103

Document Number	Document Type Name	Certified	Pages	Quantity	Price
[REDACTED]	[REDACTED] Deed	Standard	3	1	\$ 3.00

Please read the following Terms & Conditions and click the checkbox to accept them, then click "Continue".

Term & Conditions

- This site allows you to purchase any recorded document, excluding Military discharges and Death Certificates.
- Documents can be purchased online 24 hours a day, 7 days a week. However, documents will only be mailed via USPS, faxed, and/or emailed during regular business hours (Monday – Friday, 8:00am – 5:00pm).
- In the event that you purchase an incorrect document online, it will be your responsibility, to include any incurred charge for that transaction. No refund will be given. If in doubt, call the Bernalillo and Filice Department to

I accept the terms and conditions

Back

Continue

Then you will be prompted to read and accept the terms and conditions. Then you can press continue.

Confirm or Modify Your Information

This is the last opportunity to change or correct your information before remitting your payment. Please remember, the Bernalillo County Clerk's Office is not responsible for incorrect payments.

Attention! You have **57 minutes 2 seconds** to complete your transaction.
If you do not complete your transaction in this time, you must restart your document selection.

Document Number	Document Type Name	Certified	Pages	Quantity	Price
X [REDACTED]	[REDACTED] Deed	Standard	3	1	\$ 3.00
Sub Total					\$ 3.00
Shipping - Email Documents to Customer					\$ 0.00
Convenience Fee - Credit Card					\$ 1.49
TOTAL					\$ 4.49

Click the X to delete a document listing.

Payment Type: Credit Card

Shipping Method: Email

Add Click the "Add" button for additional documents.

Back

Continue

For same-day posting, your transaction must be completed before 11:59 pm Mountain Time. Below is the shipping schedule for online transactions:

- 3-5 days turnaround for regular standard USPS delivery (duration based on location).
- Requests for Overnight deliveries must be made before noon that same day regardless of carrier, otherwise orders will be sent out the following day.
- Documents can be purchased online 24 hours a day, 7 days a week. However, documents will only be mailed via USPS, faxed, and/or emailed during regular business hours (Monday – Friday, 8:00am – 5:00pm).

In the next page you can change your shipping method if you wish (Email is only available for standard, not certified, copies). You can also delete or add documents to your shopping baskets. Once you are ready to proceed, press "Continue."

You will then enter your billing information and then click "Submit Payment." Then review the next box and press "Confirm" if it is correct. If you need to correct anything press "Edit Information."

In our test purchases, it took one business day for an email with a standard (uncertified) document to arrive and 3 days for the mailed certified copy to arrive.

Appendix D: Sample Rejection Letter
with Invitation to Refile



Example
STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER

DISTRICT I

MIKE HAMMAN, P.E.
STATE ENGINEER

5550 San Antonio Dr., NE
Albuquerque, NM 87109-4127
(505) 383-4000

Month Day, Year

Rejected Declaration SD-XXXXX

CERTIFIED RETURN RECEIPT REQUESTED
XXXX XXXX XXXX XXXX XXXX

Person who declared water right
Address
City, State Zip Code

RE: Declaration of Ownership of Water Right of Surface Waters Perfected Prior to March 19, 1907 in the Middle Rio Grande Conservancy District

Dear Declarant:

The Water Rights Division (WRD) has rejected the enclosed Declaration for the reason that X.XX acres out of X.XX acres total declared, was determined to not have a valid pre-1907 water right. The WRD findings may be viewed at the District 1 Office. All original declarations are hereby returned to you.

The declaration will remain under a rejected status until you take one of the following actions within 30 days:

- 1) You may file a new declaration under the above-said file number for only the land (X.XX acres) determined to have pre-1907 water rights, as shown on the *attached map*. No additional filing fee will be required. If you would like to refile for the determined amount, please use the included declaration forms that will need to be notarized. The information on the refiled declarations will read as follows:

File No.	SD-XXXXXX
Priority:	Date of priority (first use), Acequia Name
Place of Use:	X.XX acres of land described as [Legal Description], MRGCD Map [XX] Diversion of X.XX acre-feet per annum (X.XX ac. x 3)
Amount:	Consumptive Use of X.XX acre-feet per annum (X.XX ac. x 2.1)

- 2) If you are aggrieved by this decision and wish to have the State Engineer schedule a hearing on the rejection of your declaration, you must request a hearing, in writing, no later than thirty (30) days after your receipt of this decision, pursuant to NMSA 1978, Section 72-2-16. If you request a hearing, a reasonable time will be allowed for you to prepare your case, and a hearing will be scheduled. Prior to our submittal of your declaration and hearing request to our Administrative Litigation Unit (ALU), we will schedule a meeting with you to review our decision. If a mutual understanding cannot be reached, we will forward your hearing request.

[2]

Any time hereafter, you may submit additional evidence in support of a new declaration. This office will give full consideration to any additional evidence. A filing fee will be required.

Please contact me if you have any questions.

Sincerely,

Signature

Employee Name
Job Title

Enclosures as stated

The rejection/refile letter from the OSE will also likely include:

1. Your old declaration
2. A map of the area determined eligible for water rights
3. A paragraph describing the acreage that is eligible OR an edited version of the declaration with the eligible acreage entered