

SAMPLE AFFIDAVIT (TO BE PLACED ON APPLICANT LETTERHEAD

AFFIDAVIT

**TO ACCOMPANY EMERGENCY SURFACE OR
GROUND WATER APPLICATION**

The following information shall be typed and submitted by applicant.

The applicant, _____, submits application No. _____ to the State Engineer for consideration as emergency action under _____ (cite statutory basis of request—i.e. NMSA 72-5-25 Surface Water or Ground Water NMSA 72-12-22 through 24 Ground Water, or change in place or purpose of use, etc.) *(To be completed by all applicants)*

The applicant is the owner of water right covered under the emergency application. *(To be completed by all applicants)*

The applicant states the following:

(Only include those conditions which apply to the type of application, surface or ground water or temporary change of location or purpose of use, etc.)

The Supplemental well is to be completed in the same underground stream, channel, artesian basin, reservoir or lake as the well being supplemented. *(required for groundwater applications)*

The supplemental well does not increase the appropriation of water above the applicant's existing water right. *(required for ground water applications)*

An emergency situation exists in which the delay caused by publication and hearing would result in crop loss or other serious economic loss. Attached is information which substantiates the crop loss or other serious economic loss. *(required for either surface or ground water applications)*

The applicant is applying for a temporary change not to exceed one year for an amount not to exceed three acre-feet to change location and/or purpose of use, and the change will not permanently impair the vested rights of others. *(required for temporary change of location of well or change the use of the water, NMSA 72-12-7)*

Within thirty days, the applicant will comply with the requirements of Section 72-5-24 NMSA 1978. *(required for surface water application)*

The Applicant, _____, hereby swears or affirms that all of the information contained herein is true and that the applicant will comply with the above requirements and that information is attached to support the request for emergency approval by the State Engineer.

Applicant

Applicant to place Notary Certification here