

File Number: SD-09747

Applicants: Excel Builders & Developers LLC, Cordova living Trust

County: Valencia

NOTICE is hereby given that on July 26, 2019, applicants Excel Builders & Developers LLC, a NM limited liability company, 7 Mile High Court, Belen, NM 87002, Cordova living Trust, under agreement dated May 15, 1996, c/o Toby and Mary Ann Cordova-Trustees, 1100 Parkview Dr., Los Lunas, NM 87031 filed Application No. SD-09747 with the STATE ENGINEER for Permit to Change Place of Use of Surface Water within the Rio Grande Stream System of the State of New Mexico.

Valencia County is the County affected by the diversion and in which the water has been or will be put to beneficial use. This notice is ordered to be published in the *Valencia County News-Bulletin*.

The applicants propose to discontinue the farm delivery requirement of 25.20 acre-feet of surface water per annum (AFA) from the Sausal Acequia, with a point of diversion on the Rio Grande at the Pueblo of Isleta Dam (SP-1690-3) located at a point where X=346,037 meters, Y=3,863,880 meters, UTM Zone 13N, NAD83, on land owned by Pueblo of Isleta, for the irrigation of 8.40 acres of land owned by Excel Builders and Developers LLC & Cordova Living Trust, described as part of Tract 67B1, MRGCD Map 95, within Section 5, Township 5 North, Range 2 East, NMPM, Valencia County, New Mexico. The above-described, move-from tract of land is located approximately a mile southeast of the intersection of NM 314 and Galbaldon Rd. in Belen, Valencia County, New Mexico.

The applicants further propose to commence the diversion of the above-described water right from the New Belen Acequia, with a point of diversion on the Rio Grande at the Pueblo of Isleta diversion dam located at a point described above, for the irrigation of 8.40 acres of land owned by Cordova Living Trust, described as Part of Tract B, Land of H. O. Oltman, Tracts 66,67 & 68A2 on MRGCD Map 90 within Section 30, Township 6 North, Range 2 East, NMPM, Valencia County, New Mexico. The water rights appurtenant to the subject move-to lands were previously severed under separate permit SD-06819-A into RG-20516 approved by the State Engineer on May 24, 2007.

To view the application and supporting documentation contact the Office of the State Engineer District I Office to arrange a date and time for an appointment at 5550 San Antonio Drive NE, Albuquerque, NM 87109-4127.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (objection must be legible, signed, and include the writer's complete name, phone number, email address, and mailing address). The objection to the approval of the application must be based on: (1) Detriment; if detriment, 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 how you will be substantially and specifically affected. The written protest must be filed, in triplicate, with the Office of the State Engineer, District I Office, 5550 San Antonio Drive NE, Albuquerque, NM 87109-4127, on or before November 8, 2019. Facsimiles (faxes) will be accepted as a valid protest if the hard copy is hand-delivered or mailed and postmarked within 24-hours of the facsimile. Mailing postmark

will be used to validate the 24-hour period. Protests can be faxed to the Office of the State Engineer, 505-383-4030. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with the provisions of Chapter 72 NMSA 1978.

NOTE TO PUBLISHER: Immediately after last publication, publisher is requested to file affidavit of such publication both with the applicant and with District I Office, 5550 San Antonio Drive NE, Albuquerque, NM 87109-4127.