

## Region 6 Compliance Assurance and Enforcement Division

### INSPECTION REPORT

|                                        |                                                                                             |                   |              |
|----------------------------------------|---------------------------------------------------------------------------------------------|-------------------|--------------|
| Inspection Date(s):                    | 9-27-2018                                                                                   |                   |              |
| Media:                                 | Drinking Water                                                                              |                   |              |
| Regulatory Program(s)                  | SDWA                                                                                        |                   |              |
|                                        |                                                                                             |                   |              |
| Company Name:                          | <b>Village of Fort Sumner</b>                                                               |                   |              |
| Facility Name:                         | <b>Fort Sumner Municipal Water System</b>                                                   |                   |              |
| Facility Physical Location:            | Village of Fort Sumner, New Mexico                                                          |                   |              |
| (city, state, zip code)                | Village of Fort Sumner, New Mexico, 88119                                                   |                   |              |
| Mailing address:                       | PO Box 180, Fort Sumner, NM-88119                                                           |                   |              |
| (city, state, zip code)                | Village of Fort Sumner, New Mexico, 88119                                                   |                   |              |
| County/Parish:                         | DeBaca county                                                                               |                   |              |
| Facility Contact:                      | Jamie Wall                                                                                  | Clerk             |              |
|                                        | <a href="mailto:fscityhalljw@plateautel.net">fscityhalljw@plateautel.net</a> - 575-355-2401 |                   |              |
|                                        |                                                                                             |                   |              |
| FRS ID                                 | 110013119053                                                                                |                   |              |
| PWS #                                  | NM03527706                                                                                  |                   |              |
| NAICS:                                 | 221310                                                                                      |                   |              |
| SIC:                                   | 4941                                                                                        |                   |              |
|                                        |                                                                                             |                   |              |
| Personnel participating in inspection: |                                                                                             |                   |              |
| Cathie Eisen                           | Village of Fort Sumner                                                                      | Contract Operator | 575-937-6321 |
| Louis Gallegos                         | Village of Fort Sumner                                                                      | Mayor             | 575-355-2401 |
| David Esparza                          | EPA R6 6EN-WM                                                                               | Inspector         | 505-366-8402 |
| Rachel Matthews                        | EPA R6 6EN-WM                                                                               | Inspector         | 214-665-8589 |
| Ken Aubuchon                           | EPA R6 6EN-WM                                                                               | Inspector         | 281-983-2151 |
| Sandra Gabaldon                        | NM Environment Dept.                                                                        | State Inspector   | 505-827-1041 |
|                                        |                                                                                             |                   |              |
|                                        |                                                                                             |                   |              |
|                                        |                                                                                             |                   |              |
|                                        |                                                                                             |                   |              |
|                                        |                                                                                             |                   |              |
| EPA Lead Inspector<br>Signature/Date   |                                                                                             |                   |              |
|                                        | {Inspector name}                                                                            |                   | Date         |
|                                        |                                                                                             |                   |              |
| Supervisor<br>Signature/Date           |                                                                                             |                   |              |
|                                        | {Supervisor name}                                                                           |                   | Date         |

## Section I – INTRODUCTION

### PURPOSE OF THE INSPECTION

EPA Region 6 inspectors David Esparza, Rachel Matthews, and Ken Aubuchon incorporated the Fort Sumner Municipal Water System inspection while already onsite for a separate inspection of the wastewater treatment plant. Original entry was made on 9-25-2018 at 0930, with an announced compliance evaluation inspection begun, and completed, on 9-27-2018. We met with Louis Gallegos, Village Mayor, Cathie Eisen, contract operator for both wastewater and drinking water, and Jamie Wall, Village Clerk, at the Opening Conference. David Esparza presented his credentials to the mayor and informed him that this was an EPA inspection to determine compliance with the facility's ability to provide safe and high-quality drinking water in accordance with the Ground Water Rule (GWR) and under the authority of the Safe Drinking Water Act. The GWR requires that all community Public Water Supply systems (PWSs) be surveyed every three years in order to identify significant deficiencies. A sanitary survey consists of a compliance evaluation inspection (CEI) of the following eight elements:

- |                                 |                             |
|---------------------------------|-----------------------------|
| 1. Sources                      | 5. Monitoring               |
| 2. Pumps and pumping facilities | 6. Management & Operations  |
| 3. Water treatment              | 7. Operator certification   |
| 4. Distribution                 | 8. Water storage facilities |

It was also explained that Rachel Matthews would conduct the inspection under the credentials of David Esparza, working toward her credentials for inspecting PWSs. Following this inspection, the Village of Fort Sumner will be responsible for correcting any significant deficiencies observed and documented in this report. According to the GWR, the water system has 30 days from receipt of the sanitary survey report to consult with EPA regarding any appropriate corrective actions to address the deficiencies, and 120 days to complete the corrective actions or develop a schedule to complete them.

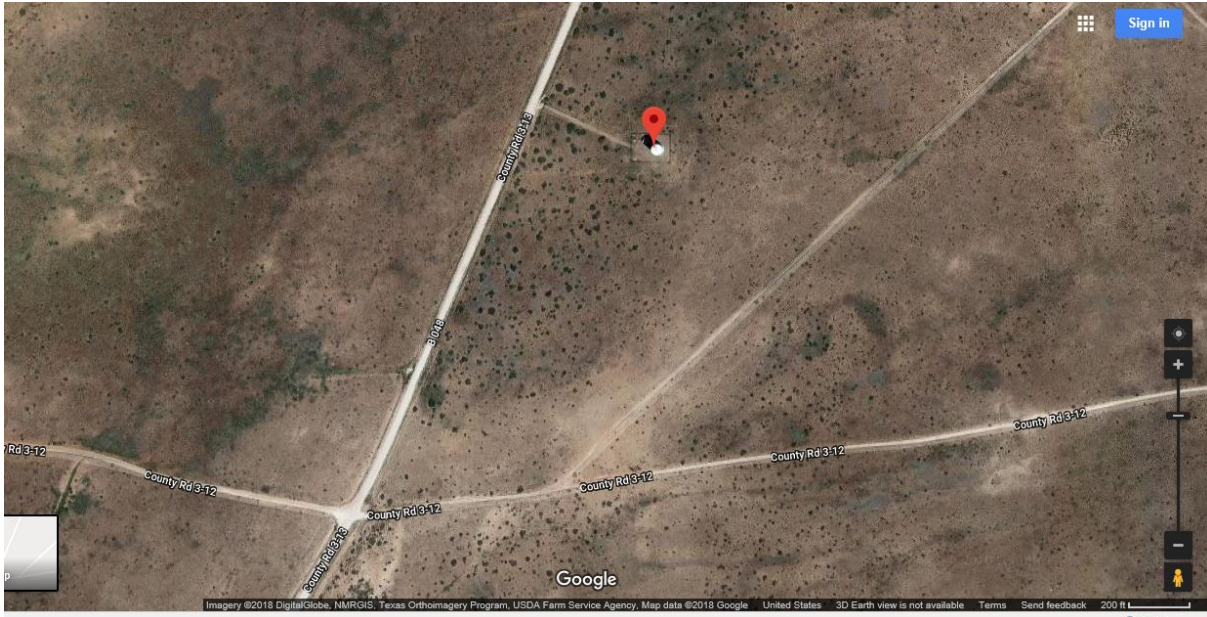
### FACILITY DESCRIPTION

The drinking water system consists of:

- 3 wells, 2 of which are located on one site,
  - o "McMillian (Mac) Well" – 350 GPM pumping capacity
  - o "Grizzle Well" – 550 GPM pumping capacity
  - o "Mares Well" – 400 GPM pumping capacity
- 2 treatment systems, using 12.5% sodium hypochlorite injection, located at the well/pumping sites
- 2 on-grade welded steel storage tanks, with a capacity of 500,000 gallons each
  - o "Grizzle Tank" – supplied by the Grizzle and Mares wells
  - o "McMillian (Mac) Tank" – supplied by the Mac well
- Distribution system
  - o 2 pressure reducing valves (PRV)
  - o Distribution piping consists of polyvinyl chloride (PVC), ductile iron, and asbestos concrete (AC)
  - o Approximately 600 service connections (with a population of approximately 2,304 according to Drinking Water Watch)
- Sales to Valley Mutual Domestic Water Consumers Association – with a separate permit and distribution system (for approximately 480 customers according to Drinking Water Watch).

Locations:

McMillian well, treatment system, and tank are located at coordinates 34.528875 North, -104.202458 West, just north of County Road 3-12, off County Road 3-13. See aerial photo below:



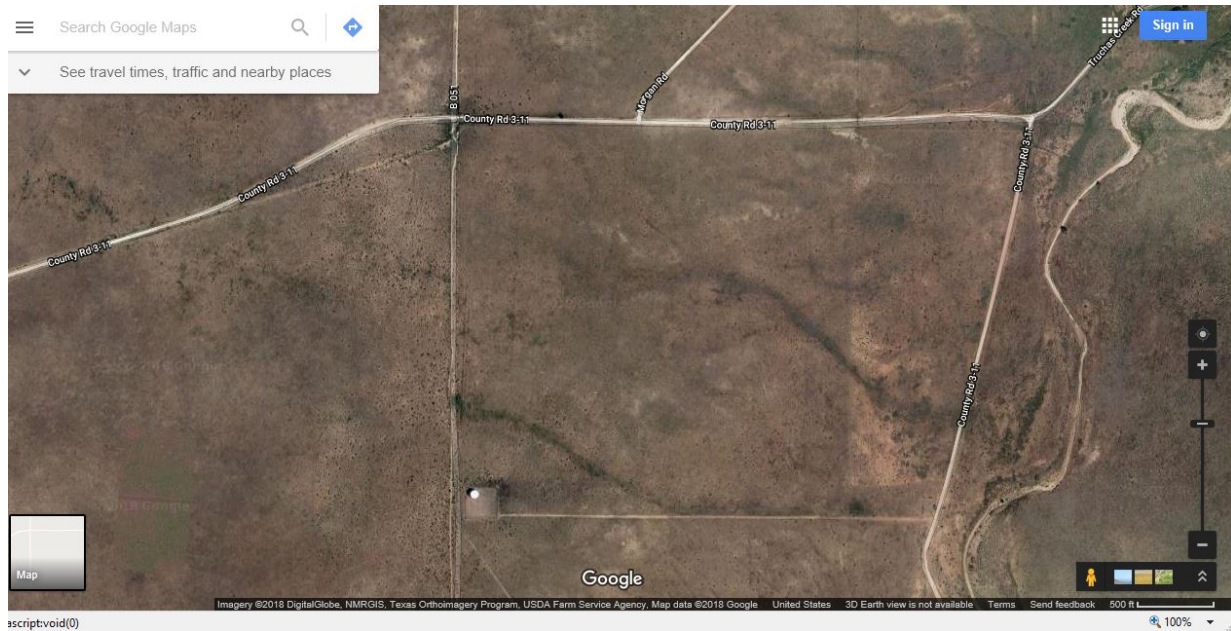
McMillian (Mac) location: aerial from Google Maps

Mares and Grizzle wells, and their treatment systems, are located at coordinates 34.547588 North, -104.209161 West just northeast of County Road 3-11 and the corner of Truchas Creek Road, just off Truchas Creek Road. See aerial photo below:



Mares and Grizzle Wells location: aerial from Google Maps

The Grizzle Tank is located just southwest of County Road 3-11 corner turn, at Truchas Creek Road, at end of unmarked road at the coordinates 34.536355 North, -104.22825 West. See aerial photo below:



Grizzle Tank location: aerial from Google Maps

#### Other wells:

A fourth well ("Truchas Well", # FS-20-X-2) is owned/operated by the village, but is non-potable bulk water point of diversion. This was not included in the inspection.

## **Section II – OBSERVATIONS**

### **A. Sources**

- a. The Mares and Grizzle wells are currently offline due to positive total coliform bacteria, violating the Revised Total Coliform Rule (RTCR), which the New Mexico Environment Department (NMED) addressed in two recent notification letters. See Appendix 3.
- b. Access to the Mares and Grizzle wells location required driving through multiple feedlot areas at a home site and gated area. See photo #5 in Appendix 1.
- c. A cattle feedlot is located next to the fenced area of Mares and Grizzle wells. See photo #6 and #7 in Appendix 1.
- d. The concrete pad surrounding the Mares and Grizzle wellheads is cracked at various locations. See photo #8 in Appendix 1.
- e. Rodent holes were observed next to concrete pads at the Mares and Grizzle wells.
- f. The screen on the air relief valve for Grizzle well is ineffective. See photo #10 in Appendix 1.
- g. There is a gap in the well plate at the Grizzle well. See photo #11 in Appendix 1.
- h. The first "customer" appears to be the cattle feedlot next to the Mares and Grizzle wells, with a frost-free hose bib. See photo # 13 in Appendix 1.

**B. Pumps and pumping facilities**

- a. Flow meter no longer in operation at Mac well
- b. Overflow valve for Mac well house, not seating properly and vegetation not managed. See photo #1 in Appendix 1.
- c. The raw water sample port is in-line with the chlorine injection location at the Mares and Grizzle wells. See photo #9 in Appendix 1.
- d. The flush line directly to the Grizzle well has no gasket or other protection for the flapper valve and is possibly misaligned. See photo #12 in Appendix 1.

**C. Water treatment**

Both treatment systems have 12.5% sodium hypochlorite injection

**D. Distribution**

The system has two Pressure Reducing Valves (PRV) located below ground level. Both exhibit corrosion, are subject to flooding (not at minimum height) and do not have properly screened vents. At least one PRV has open electrical lines. See Photo #15 in Appendix 1.

**E. Monitoring**

- a. Currently no dead-end chlorine residual monitoring exists
- b. Chlorine residuals currently being tested with a Hach colorimetric test kit, but manganese adjustments not being made.

**F. Management & Operations**

- a. No Operations & Maintenance (O&M) or emergency contingency plan
- b. No spill control/protection for sodium hypochlorite (liquid chlorine containers)
- c. No audible/visual, or notification alarm system
- d. No lightening protection on any appurtenance or associated ancillary equipment

**G. Operator certification**

Currently under contract operator until December 2018. At this time, there is no permanently hired certified operator.

**H. Water storage facilities**

- a. Grizzle Tank area overrun with vegetation, making it difficult (and potentially hazardous) to observe problems and perform maintenance. See photo #2 and #3 in Appendix 1.
- b. The Grizzle tank overflow valve splashpad is nonexistent. Currently using small area of rock under pipe, allowing vegetation overgrowth. See Photo #4 in Appendix 1.

**Section III – Areas of Concern**

- 1. The Mares and Grizzle wells are currently offline due to positive total coliform bacteria.
- 2. There is a private well at the house, and inside a cattle lot. See Photo #14 in Appendix 1. Based on aerial measurements, the private well appears to be about 1,060 feet – or less than a quarter mile - from the Mares and Grizzle wells. This may be potential for contamination of the groundwater within the vicinity of the public water supply wells.
- 3. The first “customer” appears to be the cattle feedlot close by the Mares and Grizzle wells, with a frost-free hose bib next to a barn and cattle lot. See photo # 13 in Appendix 1. This is a potential contamination to the public water supply if it is a customer and there is no backflow prevention.

4. The cattle feedlots next to the Mares and Grizzle wells may be a potential for contamination.
5. Possible manure pile at the north side of the Mares and Grizzle wells may be a potential for contamination.
6. There is currently no O&M or emergency contingency plan. This was also addressed in the 2016 Sanitary Survey Report from NMED, dated 1/26/2017. See report in Appendix 2.
7. Lack of O&M was evident at all locations during the inspection, including vegetation management around wells, tanks, buildings, overflow valves, etc.
8. Monitoring of dead-ends for chlorine residuals is not being completed.
9. Overflow valve for Mac well is not seating properly and therefore open to intrusion.
10. Manganese adjustments for the Hach instrument has not been done. This may be an issue with false chlorine residual readings.
11. The gap in the well plate at the Grizzle well is a potential conduit for contamination.
12. The raw water sample port is in-line with the chlorine injection location at the Mares and Grizzle wells. See photo #9 in Appendix 1.
13. The system has two Pressure Reducing Valves (PRV) located below ground level. Both exhibit corrosion, are subject to flooding (not at minimum height) and do not have properly screened vents. At least one PRV has open electrical lines. See Photo #15 in Appendix 1.

## **Section V – FOLLOW UP**

The following information was requested by EPA via email on October 5, 2018:

1. Information on any easement (or other legal information) regarding entry to the well locations, if necessary.
2. Any agreement(s)/restrictions regarding how that same property receives drinking water for the home and the livestock,
3. Any map/schematic of the easement and/or property boundaries surrounding the Mares and Grizzle well locations.

Information was submitted for a 1964 sales agreement for the well and its surrounding land, a 1996 Right of Way Easement (ROW) for a powerline, and a 1996 legal description (with plat) of the powerline easement. See Appendix 4. The ROW includes “in consideration of a water hook-up”. It is unclear what this means.

Information regarding a warranty deed in 1982 was also submitted. See Appendix 5.

A follow-up statement from Village staff clarified that there is no public/county road access to this area, only private roads and gates.

## **Section VI – LIST OF APPENDICES**

Appendix 1 – Photo Log

Appendix 2 – 2016 Sanitary Survey Report

Appendix 3 – Notification letters regarding Level 1 Assessment

Appendix 4 -- Grizzle well purchase and ROW Easement

Appendix 5 – 1982 Warranty Deed

## Appendix 1 – Photo Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

|                                              |                 |                               |
|----------------------------------------------|-----------------|-------------------------------|
| Location: Fort Sumner Municipal Water System |                 | Photographer: Rachel Matthews |
| City: Village of Fort Sumner                 | County: De Baca | State: NM                     |



Photo 1: Overflow valve for Mac Well, not seating properly and vegetation not managed



Photo 2. Grizzle Tank area overrun with vegetation, making it difficult (and potentially hazardous) to observe problems and perform maintenance



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

|                                              |                 |                               |
|----------------------------------------------|-----------------|-------------------------------|
| Location: Fort Sumner Municipal Water System |                 | Photographer: Rachel Matthews |
| City: Village of Fort Sumner                 | County: De Baca | State: NM                     |



Photo 3. Grizzle Tank area overrun with vegetation, making it difficult (and potentially hazardous) to observe problems and perform maintenance



Photo 4. Grizzle Tank overflow valve.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

|                                              |                 |                               |
|----------------------------------------------|-----------------|-------------------------------|
| Location: Fort Sumner Municipal Water System |                 | Photographer: Rachel Matthews |
| City: Village of Fort Sumner                 | County: De Baca | State: NM                     |



Photo 5. Driving through cattle feedlot to get to the Grizzle and Mares wells location



Photo 6. Cattle feedlot next to fenced area of Mares and Grizzle wells.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

|                                              |                 |                               |
|----------------------------------------------|-----------------|-------------------------------|
| Location: Fort Sumner Municipal Water System |                 | Photographer: Rachel Matthews |
| City: Village of Fort Sumner                 | County: De Baca | State: NM                     |



Photo 7. Cattle feedlot next to fenced area of Mares and Grizzle wells.



Photo 8. Concrete pad at Mares and Grizzle wells location



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

|                                              |                 |                               |
|----------------------------------------------|-----------------|-------------------------------|
| Location: Fort Sumner Municipal Water System |                 | Photographer: Rachel Matthews |
| City: Village of Fort Sumner                 | County: De Baca | State: NM                     |



Photo #9. Raw water sample port in-line with the chlorine injection location.



Photo #10. Screen on the air relief valve for Grizzle well.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

|                                              |                 |                               |
|----------------------------------------------|-----------------|-------------------------------|
| Location: Fort Sumner Municipal Water System |                 | Photographer: Rachel Matthews |
| City: Village of Fort Sumner                 | County: De Baca | State: NM                     |



Photo #11. Gap in the well plate at the Grizzle well



Photo #12. The flush line directly to the Grizzle well has no gasket or other protection for the flapper valve



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

|                                              |                 |                               |
|----------------------------------------------|-----------------|-------------------------------|
| Location: Fort Sumner Municipal Water System |                 | Photographer: Rachel Matthews |
| City: Village of Fort Sumner                 | County: De Baca | State: NM                     |



Photo #13. Frost-free spigot (hose bib) at cattle feedlot next to Mares and Grizzle wells – first “customer”



Photo #14. Private well located close to house, and inside cattle lot, next to the Mares and Grizzle wells.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

|                                              |                 |                               |
|----------------------------------------------|-----------------|-------------------------------|
| Location: Fort Sumner Municipal Water System |                 | Photographer: Rachel Matthews |
| City: Village of Fort Sumner                 | County: De Baca | State: NM                     |



Photo #15. (1 of 2) Pressure Reducing Valves. Some corrosion, electrical open, subject to flooding, no vent.

## Appendix 2 - 2016 Sanitary Survey Report



SUSANA MARTINEZ  
Governor  
JOHN A. SANCHEZ  
Lt. Governor

NEW MEXICO  
ENVIRONMENT DEPARTMENT

2301 Entrada Del Sol  
Las Cruces, NM 88001  
Tel. 575-915-1113 • Fax 575-526-6162  
[www.env.nm.gov](http://www.env.nm.gov)



BUTCH TONGATE  
Cabinet Secretary  
J. C. BORREGO  
Deputy Secretary

1/26/2017

Jamie Wall  
Fort Sumner Municipal Water System, NM3527706  
PO Box 180  
Fort Sumner, NM 88119

**RE: 2016 Sanitary Survey Report**

Dear Jamie Wall:

Enclosed is the Sanitary Survey Report for the Fort Sumner Municipal Water System, conducted on December 19, 2016 by the New Mexico Environment Department Drinking Water Bureau (DWB).

During the survey two (2) significant deficiencies were identified and no recommendations were provided. Fort Sumner Municipal Water System must consult with the DWB within 30 days of the date of this letter and take corrective action on the two (2) significant deficiencies no later than 120 days after the date of this letter, or be in compliance with a DWB-approved schedule and plan for correcting these deficiencies within the same 120-day period. Failure to correct any significant deficiency will result in a treatment technique violation of NMAC 20.7.10.100 incorporating 40 C.F.R. 141 Subpart S.

If you have any questions or need additional clarification concerning this report please contact me in the Las Cruces office at 575-915-1113 or by e-mail at [brandi.garcia@state.nm.us](mailto:brandi.garcia@state.nm.us)

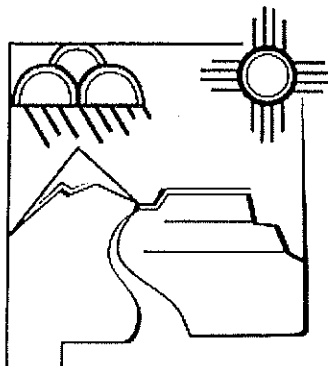
Respectfully,

Brandi Garcia, Compliance Supervisor  
Drinking Water Bureau  
Water Protection Division

cc: Joe Martinez, PWSS Manager (electronic)  
Hobbs Area Office file  
Electronic Central File

# NMED

New  
Mexico  
Environment  
Department



## SANITARY SURVEY REPORT

For

### Fort Sumner Municipal Water System NM3527706

*Este informe contiene información importante acerca de su agua potable.  
Haga que alguien lo traduzca para usted, o hable con alguien que lo entienda.*

Prepared by:

New Mexico Environment Department  
1190 St. Francis  
PO Box 5469  
Santa Fe, NM 87502-5469  
505.476.8620

January 26, 2017

**State of New Mexico**  
**Environment Department**  
**Water Protection Division**  
**Drinking Water Bureau**  
2301 Entrada Del Sol  
Las Cruces, NM 88001



**RECORD OF INSPECTION**

This Sanitary Survey Report fulfills the requirements of New Mexico Administrative Code 20.7.10.100 incorporating 40 Code of Federal Regulations 141.21(d) (ii) (2) and 142.16(o)(2) for completing a State approved survey. The information and data was prepared by Brandi Garcia Compliance Supervisor.

*B. Garcia*

NMED APPROVING AUTHORITY: \_\_\_\_\_

Brandi Garcia, Compliance Supervisor

Date: \_\_\_\_\_

1/26/17

## Introduction

A sanitary survey enables the NMED Drinking Water Bureau Water (DWB) to provide a comprehensive and accurate review of the components of a water system, to assess the operating condition and adequacy of the water system, and to determine if past recommendations have been implemented effectively. The Sanitary Survey encompasses eight specific elements that are evaluated during the survey. Those eight elements are:

- Source (Protection, Physical Components, and Condition);
- Treatment
- Distribution System
- Finished Water Storage
- Pumps/Pump Facilities and Controls
- Monitoring/Reporting/Data Verification
- Water System Management/Operations
- Operator Compliance with State Requirements

Each element may not be specifically mentioned within this report, however, a significant deficiency or recommendation will be noted if any issues are discovered with any of these eight (8) elements.

As part of a sanitary survey the DWB conducted a site inspection of the Fort Sumner Municipal Water System. The site inspection was conducted by Compliance Supervisor Brandi Garcia, and accompanied by Fort Sumner Municipal Water System operator, Cathie Eisen. In addition to the site inspection, DWB reviewed various operational, managerial, and financial documents submitted by the Fort Sumner Municipal Water System and conducted a review of DWB compliance files for the water system.

## System Description

The Fort Sumner Municipal Water System has approximately 2304 residents, and is classified as a community water system according to the New Mexico Drinking Water Regulations 20.7.10 NMAC. The water system consists of 3 wells, 2 storage tanks, 2 treatment plants, and distribution lines. The three wells are capable of producing 1300 gallons per minute (GPM). Raw water from the wells is treated with gas chlorination prior to transmission to distribution and storage. The two storage tanks are constructed of steel and have a combined capacity of 500,000 gallons. The distribution network consists of a C900, ductile iron, asbestos concrete and PVC piping.

## Survey Findings

Sanitary surveys serve as a proactive public health measure and can provide important information on a water system's design and operations, can identify minor and significant deficiencies for correction before they become major problems, and can improve overall system compliance. The following significant and minor deficiencies were identified during the sanitary survey.

### Significant Deficiencies:

A significant deficiency is defined as any deficiency that is causing or has the potential to cause a threat to public health [New Mexico Administrative Code (NMAC) 20.7.10.100 incorporating 40 Code of Federal Regulations (CFR) §141.403(a)(4)]. Water systems must consult with DWB within 30 days and take corrective action for any significant deficiencies found during the sanitary survey no later than 120 days after receiving written notification of such deficiencies, or be in compliance with a DWB-approved

schedule and plan for correcting these deficiencies within the same 120-day period [NMAC 20.7.10.100 incorporating 40 CFR §141.403(a)(4) and §141.403(a)(5)(i)-(ii)]. Failure to remedy any significant deficiency will result in a treatment technique violation of NMAC 20.7.10.100 incorporating 40 CFR Part 141 Subpart S.

A total of two significant deficiencies were identified at the Fort Sumner Municipal Water System during the survey.

- 1. Deficiency:** (004C), Lack of Operations and Maintenance Plan (O&M)

**a) Fort Sumner Municipal Water System did not have an O&M Plan at the time of inspection.**

**Regulatory Citation:** NMAC 20.7.10.100, incorporating 40 CFR Part 141, SECTION 141.403(a) (4): "...For the purposes of this subpart, significant deficiencies include, but are not limited to, defects in design, operations, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution system that the State determines to be causing, or have potential for causing, the introduction of contamination into the water delivered to consumers."

**Concern/Description:** An O&M Plan is an essential part of any water supply system. The manual should summarize the actions necessary to identify those steps required for cost effective, efficient, safe, and reliable project start-up and continued successful operation. A proper plan should result in flawless transition from one operator to the next. Lack of a proper O&M plan could result in insufficient operation of the water system as well as prolonged water outages during emergency situations. Lack of an adequate O&M plan can result in poor treatment decisions, water outages; failure to monitor; equipment failures; inability to obtain needed services or parts, and improper operation of facilities.

**Corrective Action:** Fort Sumner Municipal Water System must consult with DWB within 30 days. An O&M Plan must be provided to NMED-DWB for review. The O&M Plan template can be found on the NMED -DWB webpage link: <https://www.env.nm.gov/dwb/forms/index.htm>
- 2. Deficiency:** (004B), Lack of Emergency Response Plan (ERP)

**a) Fort Sumner Municipal Water System did not have an ERP at the time of inspection.**

**Regulatory Citation:** NMAC 20.7.10.100, incorporating 40 CFR Part 141, SECTION 141.403(a) (4): "...For the purposes of this subpart, significant deficiencies include, but are not limited to, defects in design, operations, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution system that the State determines to be causing, or have potential for causing, the introduction of contamination into the water delivered to consumers."

**Concern/Description:** Lack of an adequate ERP could lead to extended delays in supplying safe potable drinking water during minor or major emergencies. Public water systems that assess their vulnerabilities and adopt thorough emergency response plans are minimizing the likelihood of major delays in supplying safe potable drinking water to their customers.

**Corrective Action:** Fort Sumner Municipal Water System must consult with DWB within 30 days. An ERP must be provided to NMED-DWB for review. The ERP template can be found on the NMED -DWB webpage link: <https://www.env.nm.gov/dwb/forms/index.htm>

### Conclusion

The sanitary survey for the Fort Sumner Municipal Water System was completed on December 19, 2016. Based upon the onsite inspection and review of various operational and managerial documents and of DWB compliance files, two (2) significant deficiencies were identified. The Fort Sumner Municipal Water System must comply with the following bullets in the correction of these deficiencies.

- Upon receipt of this report, the Fort Sumner Municipal Water System must consult with the DWB within 30 days for all significant deficiencies (i.e., provide written documentation to DWB within 30 days of receipt of this report stating how and when each significant deficiency will be addressed).
- Failure to consult with DWB within 30 days on all significant deficiencies will result in a monitoring and reporting violation of NMAC 20.7.10.100 incorporating 40 CFR Part 141 Subpart S.
- The Fort Sumner Municipal Water System must take corrective action on all significant deficiencies no later than 120 days after receiving written notification of such deficiencies, OR be in compliance with a DWB approved schedule and plan for correcting these deficiencies within 120 days.
- Failure to correct any significant deficiency in accordance with the previous bullet will result in a treatment technique violation of NMAC 20.7.10.100 incorporating 40 CFR Part 141 Subpart S.
- In addition, the Fort Sumner Municipal Water System must provide written documentation to the DWB within 30 days of completing corrective action for each significant deficiency. Failure to submit documentation within 30 days will result in a monitoring and reporting violation of NMAC 20.7.10.100 incorporating 40 CFR Part 141 Subpart S.

## Appendix 3 – Notification letters regarding Level 1 Assessment



SUSANA MARTINEZ  
Governor  
JOHN A. SANCHEZ  
Lt. Governor

State of New Mexico  
ENVIRONMENT DEPARTMENT

*Drinking Water Bureau*  
121 Tijeras NE Suite 1000  
Albuquerque, NM 87102  
Tel. 505-222-9531 • Fax 505-222-9510  
[https://www.env.nm.gov/drinking\\_water/](https://www.env.nm.gov/drinking_water/)



BUTCH TONGATE  
Cabinet Secretary  
J. C. BORREGO  
Deputy Secretary

Notification sent via Electronic Mail

7/18/2018

Jamie Wall  
Fort Sumner Municipal Water System, NM3527706  
PO Box 180  
Fort Sumner, NM 88119

**RE: Level 1 Assessment – Treatment Technique Trigger**

Dear Jamie Wall:

On July 13, 2018 Fort Sumner Municipal Water System triggered a Level 1 Assessment under the Revised Total Coliform Rule (RTCR). This assessment was triggered because two or more of your microbiological samples collected during the month of July were positive for Total Coliform.

**Pursuant to Section 20.7.10.100 New Mexico Administrative Code (NMAC) [incorporating 40 Code of Federal Regulations (CFR) Section 141.859(a)(1)]** your certified water system operator is required to conduct a Level 1 Assessment and report the assessment findings and any corrective actions to the New Mexico Environment Department's Drinking Water Bureau (NMED-DWB) within 30 days of the assessment trigger.

A Level 1 Assessment Report can be downloaded from the NMED-DWB website at [https://www.env.nm.gov/drinking\\_water/rtcr](https://www.env.nm.gov/drinking_water/rtcr)

Failure to conduct and report an RTCR Level 1 Assessments or corrective actions as defined in the **New Mexico Drinking Water Regulations, 20.7.10.100 NMAC [incorporating 40 CFR Section 141.859(a)(1)]** will result in a notice of violation assessed to Fort Sumner Municipal Water System.

If you have any questions or need assistance, please contact me at 505-222-9531 or at [chet.markham2@state.nm.us](mailto:chet.markham2@state.nm.us).

Respectfully,

Chet Markham, RTCR Administrator  
Drinking Water Bureau  
Water Protection Division

cc: Area Supervisor (electronic)  
Fort Sumner Municipal Water System Area Office file  
Electronic Central File



SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lt. Governor

STATE of NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Drinking Water Bureau*

121 Tijeras NE Suite 1000

Albuquerque, NM 87102

Tel. 505-222-9531 • Fax 505-222-9510

[https://www.env.nm.gov/drinking\\_water/](https://www.env.nm.gov/drinking_water/)



BUTCH TONGATE  
Cabinet Secretary

J. C. BORREGO  
Deputy Secretary

Notification sent via Electronic Mail

8/15/2018

Jamie Wall  
Fort Sumner Municipal Water System  
PO Box 180  
Fort Sumner, NM 88119

**RE: Level 1 Assessment – Treatment Technique Violation**  
WSS# NM3527706

Dear Jamie Wall:

On July 13, 2018 Fort Sumner Municipal Water System triggered a Level 1 Assessment under the Revised Total Coliform Rule (RTCR). This assessment was triggered because two or more of your microbiological samples collected during the month of July were positive for Total Coliform.

**Pursuant to Section 20.7.10.100 New Mexico Administrative Code (NMAC) [incorporating 40 Code of Federal Regulations (CFR) Section 141.859(a)(1)]** you were required to conduct a Level 1 Assessment and report the assessment findings and any corrective actions to the New Mexico Environment Department's Drinking Water Bureau (NMED-DWB) within 30 days of the assessment trigger. Because Fort Sumner Municipal Water System failed to conduct the required corrective actions within the timeframe specified in § 141.859(b) and (c), Fort Sumner Municipal Water System is in violation of the RTCR.

**Pursuant to Section 20.7.10.100 NMAC [incorporating 40 CFR Section 141.203(b)(1) and 141.203(b)(2)]** Fort Sumner Municipal Water System is required to notify customers of this treatment technique violation. The notice must be provided within thirty (30) days of triggering the violation, to all customers and others who drink the water and must be issued every three (3) months as long as the violation persists. In addition, public notice must be provided by one other method reasonably expected to reach consumers of the water, i.e., publication in a local newspaper or posting in conspicuous locations. This notice must remain posted as long as the violation persists.

**Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)]** Fort Sumner Municipal Water System must certify that the notice was published and the method of publication, by submitting a completed copy of the enclosed Public Notification Certification Form to the DWB within 10 days of completing the public notification requirements. A representative copy of each type of notice distributed, published, posted or made available to the persons served by the system must be included with the certification form.

Please fill out and return the enclosed Public Notice Certification Form to:

Chet Markham

121 Tijeras NE Suite 1000  
Albuquerque, NM 87102

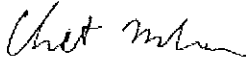
Or by email to [chet.markham2@state.nm.us](mailto:chet.markham2@state.nm.us)

Failure to comply with the public notice requirements will result in an additional violation(s) (failure to notify the public and the state) being issued without notice to Fort Sumner Municipal Water System. Continued failure to comply with Public Notification Requirements, as defined in **New Mexico Drinking Water Regulations 20.7.10.100 NMAC [incorporating 40 CFR Sections 141.203 and 141.31(d)]** will result in escalated enforcement actions including issuance of Administrative Orders with possible penalties assessed against Fort Sumner Municipal Water System.

NMED-DWB reserves the right to take additional enforcement action regarding the violations identified in this NOV, to include the issuance of an Administrative Compliance Order compelling compliance and issuing civil penalties.

If you have any questions or need assistance, please call me at 505-222-9531 or e-mail me at [chet.markham2@state.nm.us](mailto:chet.markham2@state.nm.us).

Respectfully,



Chet Markham, RTCR Administrator  
Drinking Water Bureau  
Water Protection Division

Enclosures:    Public Notice Template  
                  Public Notice Certification Form

cc: Area Supervisor (electronic)  
Fort Sumner Municipal Water System water system Area Office file  
Electronic Central File

**\*\*PUBLIC WATER SYSTEM MUST APPROPRIATELY MODIFY THIS PUBLIC NOTICE TO INCLUDE UP-TO-DATE INFORMATION REGARDING THE VIOLATION AS WELL AS INFORMATION ABOUT THE CURRENT STATUS OF THE VIOLATION'S AFFECT ON THE WATER SYSTEM. PUBLIC WATER SYSTEM OFFICIAL MUST DELETE THIS PARAGRAPH ONCE PUBLIC NOTICE HAS BEEN APPROPRIATELY UPDATED, PRIOR TO SENDING OUT TO THE PUBLIC\*\***

## **IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

**Reporting Requirements Not Met for  
Fort Sumner Municipal Water System**

*Este informe contiene información importante acerca de su agua potable. Haga que alguien lo traduzca para usted, o hable con alguien que lo entienda.*

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. Additionally, we are required to submit reports to the state for the various drinking water standards. Fort Sumner Municipal Water System water system is required to conduct an Assessment of our water system under the Revised Total Coliform Rule. This assessment report was supposed to be submitted to the New Mexico Environment Department Drinking Water Bureau (NMED DWB) within 30 days of triggering the assessment. Fort Sumner Municipal Water System did not conduct the assessment and meet the required reporting for this drinking water regulation. This resulted in a violation.

### **What should you do?**

There is nothing you need to do at this time.

### **What does this mean?**

The quality of the water is not compromised, however completion and submittal of this report is a requirement of the drinking water regulations.

### **What happened? What is being done?**

Fort Sumner Municipal Water System will complete and submit the required assessment and report to the NMED-DWB.

### **For more information, please contact:**

Jamie Wall at 575-355-2401

**Or**

Fort Sumner Municipal Water System, NM3527706

PO Box 180

Fort Sumner, NM 88119

*\*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*



*New Mexico Environment Department - Drinking Water Bureau*

**Public Notification Certification Form – All Tiers**

Requirements Pursuant to 40 CFR 141 (Subpart Q)

**\*\*This form and a copy of your Notice to the Public must be submitted to the State within 10 days of notifying your customers. \*\***

**PWSID#:** NM3527706    **Water System Name:** Fort Sumner Municipal Water System

**Violation or Situation Date:** August 2018

**Individual Contaminant or Contaminant Group:** RTCR Level 1 Assessment

**Violation or Situation Type:** Treatment Technique

**Violation or Situation Public Notification Tier:** Tier 2

Distributed the notice by the following method(s), and on the following date(s) in accordance with 40 CFR 141.201:

- |                                                                             |             |
|-----------------------------------------------------------------------------|-------------|
| <input type="checkbox"/> Continuously Post                                  | Date: _____ |
| <input type="checkbox"/> Separate Mailing to Customers                      | Date: _____ |
| <input type="checkbox"/> Hand Deliver Notice to Customers                   | Date: _____ |
| <input type="checkbox"/> Publish Notice in Newspaper                        | Date: _____ |
| <input type="checkbox"/> Release Notice to and Announced by Broadcast Media | Date: _____ |
| <input type="checkbox"/> Post Notice on System Website                      | Date: _____ |
| <input type="checkbox"/> Billing                                            | Date: _____ |
| <input type="checkbox"/> Annual Report (Consumer Confidence Report)         | Date: _____ |
| <input type="checkbox"/> Other: _____                                       | Date: _____ |

Attach a copy of the posted Public Notice(s) to this certification form.

The public water system named above hereby certifies that public notification has been provided to its consumers in accordance with all delivery, content, and format requirements specified in 40 CFR Part 141:

**Water System Representative:** \_\_\_\_\_  
(Signature)                      (Print Name)                      (Phone Number)

**Date of Certification:** \_\_\_\_\_

## Appendix 4 - Grizzle well purchase and ROW Easement

Subscribed and sworn to before me this 17th day of October, 1964.

(SEAL)

John Humphrey, Jr.

Notary Public

My Commission Expires:  
November 8, 1965

A G R E E M E N T

This agreement made and entered into this 30th day of October, 1964, by and between Wiley Grizzle and Ollie B. Grizzle, his wife, hereinafter referred to as Seller, and the Village of Fort Sumner, New Mexico, hereinafter referred to as Buyer.

WITNESSETH:

Upon the mutual promises and considerations hereinafter set forth the following agreement is entered into:

1. Seller agrees to sell and Buyer agrees to purchase that certain water well owned by Seller, including butane tank (subject to a contract with Keeth Gas Company, Inc.) Western 8 inch pump, Chrysler Industrial Motor, and all other equipment now installed at said well, and located in De Baca County, New Mexico, it being the only water well located on the following property, to-wit:

The W $\frac{1}{2}$ NW $\frac{1}{4}$ , Section 27, Township 4 North, Range 26 East, N.M.P.M.  
along with sufficient land surrounding said well for the construction of a building to house the necessary equipment for operation of said water well, to which Seller agrees to execute a good and sufficient warranty deed in favor of Buyer, free and clear of any and all encumbrance

STATE OF NEW MEXICO {  
COUNTY OF DeBACA }

I hereby certify that this instrument was  
filed for record on the 2 day of  
November A.D. 1964  
at 2:30 o'clock PM, and  
duly recorded in Book 33  
Page 531 of the Records of  
Miscellaneous of said County  
Judy Marshall County Clerk  
Lolita H. Johnson Deputy.

whatsoever. Seller further agrees that Buyer will be granted easements for ingress and egress to said water well and for construction and maintenance of the well equipment and a pipeline across any and all property belonging to Seller which Buyer finds it necessary to cross to make beneficial use of said water well.

2. The consideration to be paid for said water well shall be \$25,000.00 payable on execution of this agreement.

3. Seller hereby agrees that he will not drill any other well or wells nor permit the drilling of any well or wells within one quarter mile of the tract described in paragraph 1 above, it being understood that all underground water rights in the area described in this paragraph are to be specifically sold and conveyed to Buyer by this agreement. In the event the above well goes dry or its supply diminishes Buyer is hereby given the right to drill an additional well or wells within one quarter mile of the present well at no additional cost.

4. Seller hereby agrees that the abstract of title covering property now owned by Seller shall be brought down to date and furnished to Buyer for examination. Any defects found in Seller's title shall be presented in writing and shall be cleared to Buyer's satisfaction within a reasonable length of time. It is understood that this abstract shall remain the property of Seller.

5. It is understood and agreed by and between both parties hereto that the covenants hereinafter shall run with the land and shall be binding upon all successors in title to the property affected hereby.

This agreement shall be binding upon the parties hereto, their heirs, administrators, executors, successors, assigns or personal representatives.

IN WITNESS WHEREOF the parties have signed in duplicate, either of which shall be an original.

(SEAL)

ATTEST:

Phyllis McRee  
VILLAGE CLERK

STATE OF NEW MEXICO )  
COUNTY OF DE BACA ) ss.

Wiley Grizzle

Ollie B. Grizzle  
SELLER

VILLAGE OF FORT SUMNER

By Gordon Lucas Mayor  
BUYER

The foregoing instrument was acknowledged before me this 30th day of October, 1964, by Wiley Grizzle and Ollie B. Grizzle, his wife, and by Gordon Lucas, Mayor of the Village of Fort Sumner, New Mexico, on behalf of said Village.

(SEAL)

My Commission Expires:

Nov. 8, 1965

John Humphrey, Jr.  
Notary Public

00476

RIGHT-OF-WAY EASEMENT

ID #

#

KNOW ALL MEN BY THESE PRESENTS:

In consideration of a Water Hook-up for minimum charge and  
That in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to

Larry Reeder

and

Ellen Reeder

Hereinafter referred to as GRANTOR, by VILLAGE OF FT. SUMNER, NM  
Hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the GRANTOR does hereby grant,  
convey, sell, transfer, and convey unto the GRANTEE, its successor and assigns, a perpetual easement with the right  
to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove

Power line and related items

across, and through the land of the GRANTOR situate in De Baca County,

State of New Mexico, said land being described as follows:

see attached plat of Sec. 27 T4N R26E

Together with the right of ingress and egress over the adjacent lands of the grantor, his successors and assigns,  
for the purpose of this easement.

The easement shall be 30 feet in width, the center line of which is described as follows:

see above

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the grantor,  
his successors, and assigns, by reason of the installation, operation, and maintenance of the structures or improvements  
referred to herein. The grantee covenants to maintain the easements in good repair so that no unreasonable damage  
shall result from its use to the adjacent land of the grantor, his successors and assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit  
of the grantee, its successors and assigns.

In witness whereof, the grantors have executed this instrument this 27th day of November 1996

Larry Reeder  
Ellen Reeder

STATE OF NEW MEXICO )  
COUNTY OF De Baca ) ss.

The foregoing Right-of-Way Easement was acknowledged before me this 27 day of November, 1996

Shana Cleaver  
(Notary Public)

6-26-97

Ft. Sumner, N.M. 88119

I certify that this instrument was  
filed for record on 3 day of

Dec A.D. 19 96 at 1:30  
o'clock P M. Page 476 Book 78

Records of Official Public Re

Shana Oliver County Clerk

Deputy

De Baca Co.

Section 33

Township 4 North  
Range 26 East

November 23, 1996

P.O.B.  
Transformer N 9608.  
Pole E 522.5

1,2-Alk2 NH/4

Larry R. Reader

Stephen E. Grinde

Section 27

Section 34

Well N 2791.3  
E 2527.4

# PENDERGRAFT SURVEYING

Portales, NM 88130

136 Texas Drive

505 356 6777

21cours 43255

## Legal Description

A right of way easement for a powerline in Sections 27 and 34 in Township Four (4) North, Range Twenty-six (26) East, N.M.P.M., in De Baca County, New Mexico, which is 7,105.6 feet long and thirty feet (30) wide, being fifteen feet (15) on each side of the the following described centerline using the west line of Section 34 as M00°02'E, and the stone at the southwest corner of Section 34 as the coordinate origin:

Beginning at a transformer pole whose coordinate are 9,608.1 feet north and 522.3 feet east in the NW/4 NW/4 of Section 27, T4N, R26E; thence, S 16°23' E, 1790.8 feet to Station 17+90.8 (Larry R. Reeder); thence, S 16°23' E, 2672.6 feet to Station 44+63.4 (Stephen E. Grinde); thence, S 16°23' E, 2642.2 feet to Station 71+05.6 across New Mexico State land to the site of a well, the end of the easement.

Area of land by "Forties"

Section 27, T44, R26E, N.M.P.M.

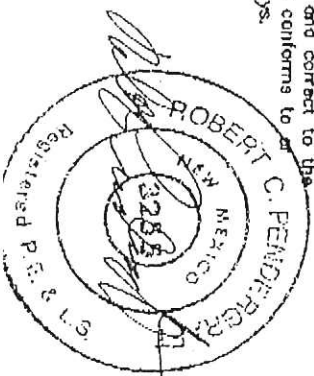
NW/4 NW/4 = 0.254 Acres 25.85 rods

$$\frac{SW/4}{MM/4} = \frac{0.939}{1.2} = 0.7825$$
$$SW/4 \text{ SW/4} = 0.9075 \cdot 87.92$$

Section 34, T4N, R26E, N34.P.34.

$$NE/4 NW/4 = 0.958 \quad "$$
$$SE/\sqrt{4} \text{ MTH}/\sqrt{4} = 0.881 \quad 77.55$$

I hereby certify this survey was made on the ground of the property legally described hereon and is true and correct to the best of my knowledge and belief. This survey conforms to the excelsa New Mexico standards for land surveys.



## A G R E E M E N T

This agreement made and entered into this 30th day of October, 1964, by and between Wiley Grizzle and Ollie B. Grizzle, his wife, hereinafter referred to as Seller, and the Village of Fort Sumner, New Mexico, hereinafter referred to as Buyer,

WITNESSETH:

Upon the mutual promises and considerations hereinafter set forth the following agreement is entered into:

1. Seller agrees to sell and Buyer agrees to purchase that certain water well owned by Seller, including butane tank (subject to a contract with Keeth Gas Company, Inc.) Western 8 inch pump, Chrysler Industrial Motor, and all other equipment now installed at said well, and located in De Baca County, New Mexico, it being the only water well located on the following property, to-wit:

The W $\frac{1}{2}$ NW $\frac{1}{4}$ , Section 27, Township 4 North, Range 26 East,  
N.M.P.M.

along with sufficient land surrounding said well for the construction of a building to house the necessary equipment for operation of said water well, to which Seller agrees to execute a good and sufficient warranty deed in favor of Buyer, free and clear of any and all encumbrances whatsoever. Seller further agrees that Buyer will be granted easements for ingress and egress to said water well and for construction and maintenance of the well equipment and a pipeline across any and all property belonging to Seller which Buyer finds it necessary to cross to make beneficial use of said water well.

2. The consideration to be paid for said water well shall be \$25,000.00 payable on execution of this agreement.

3. Seller hereby agrees that he will not drill any other well or wells nor permit the drilling of any well or wells within one quarter mile of the tract described in paragraph 1 above, it being understood that all underground water rights in the area described in this paragraph are to be specifically sold and conveyed to Buyer by this agreement. In the event the above well goes dry or its supply diminishes Buyer is hereby given the right to drill an additional well or wells within one quarter mile of the present well at no additional cost.

4. Seller hereby agrees that the abstract of title covering property now owned by Seller shall be brought down to date and furnished to Buyer for examination. Any defects found in Seller's title shall be presented in writing and shall be cleared to Buyer's satisfaction within a reasonable length of time. It is understood that this abstract shall remain the property of Seller.

5. It is understood and agreed by and between both parties hereto that the covenants herein shall run with the land and shall be binding upon all successors in title to the property affected hereby.

This agreement shall be binding upon the parties hereto, their heirs, administrators, executors, successors, assigns or personal representatives.

IN WITNESS WHEREOF the parties have signed in duplicate, either of which shall be an original.

Wiley Grizzle  
Ollie B. Grizzle  
SELLER

ATTEST:

Phyllis McFee  
VILLAGE CLERK

VILLAGE OF FORT SUMNER

By Gordon Lucas Mayor  
BUYER

STATE OF NEW MEXICO )  
COUNTY OF DE BACA ) ss.

The foregoing instrument was acknowledged before me this 30th day of October, 1964, by Wiley Grizzle and Ollie B. Grizzle, his wife, and by Gordon Lucas, Mayor of the Village of Fort Sumner, New Mexico, on behalf of said Village.

[Signature]  
NOTARY PUBLIC

My Commission Expires:

Nov. 8, 1965

STATE OF NEW MEXICO }  
COUNTY OF DeBACA } ss.  
I hereby certify that this instrument was  
filed for record on the 2 day of  
November A.D. 1964  
at 2:30 o'clock P. M., and  
duly recorded in Book 33  
Page 531 of the Records of  
Miscellaneous of said County  
Judy Marshall County Clerk  
Helita H. Johnson Deputy

COMPAED 24524

INDEXED

## WARRANTY DEED

Wiley Grizzle and Ollie B. Grizzle, his wife,

, for consideration paid, grant to  
The Village of Fort Sumner, New Mexico

the following described real estate in De Baca county, New Mexico:

A tract of land in the Northwest Quarter of Section Twenty-seven (27) Township Fourt (4) North of Range Twenty-six (26) East of the New Mexico Principal Meridian, more particularly described as follows:

Commencing at the Northwest corner of said Section Twenty-seven thence South along the West boundary line of said Section Twenty-seven a distance of Eight Hundred Fifteen (815) feet to a point; thence East parallel with the North boundary line of said Section Twenty-seven a distance of Three Hundred Forty (340) feet to the point of beginning; thence East parallel with the North boundary line said Section Twenty-seven a distance of Two Hundred Eight and seventy-one hundredths (208.71) feet to a point; thence South parallel with the West boundary line of said Section Twenty-seven a distance of Two Hundred Eight and seventy-one hundredths (208.71) feet to a point; thence West parallel with the North boundary line of said Section Twenty-seven a distance of Two Hundred Eight and seventy-one hundredths (208.71) feet to a point; thence North parallel with the West boundary line of said Section Twenty-seven a distance of Two Hundred Eight and seventy-one hundredths (208.71) feet to the point of beginning, containing One (1) acre of land, more or less.



with warranty covenants.

WITNESS our hand S and seal S this 1st day of  
March 19 65.

Wiley Grizzle (Seal)  
Ollie B Grizzle (Seal)  
(Seal)  
(Seal)

STATE OF NEW MEXICO, }  
County of De Baca } ss.

The foregoing instrument was acknowledged before me this 1st day of March,  
19 65 by Wiley Grizzle and Ollie B. Grizzle

My Commission expires Nov. 8, 19 65.

John H. Johnson  
Notary Public

STATE OF NEW MEXICO, }  
County of De Baca } ss.

I hereby certify that this instrument was filed for  
record on the 26 day of  
March, A. D., 19 65  
at 10:50 o'clock A M., and duly recorded in  
Book 36 Page 15 of

Records of Deeds of said County.

John H. Johnson  
County Clerk

By \_\_\_\_\_, Deputy

Rec. \_\_\_\_\_ Fees, \$ \_\_\_\_\_

Return to Village Clerk

24787  
4680  
UNRECORDED

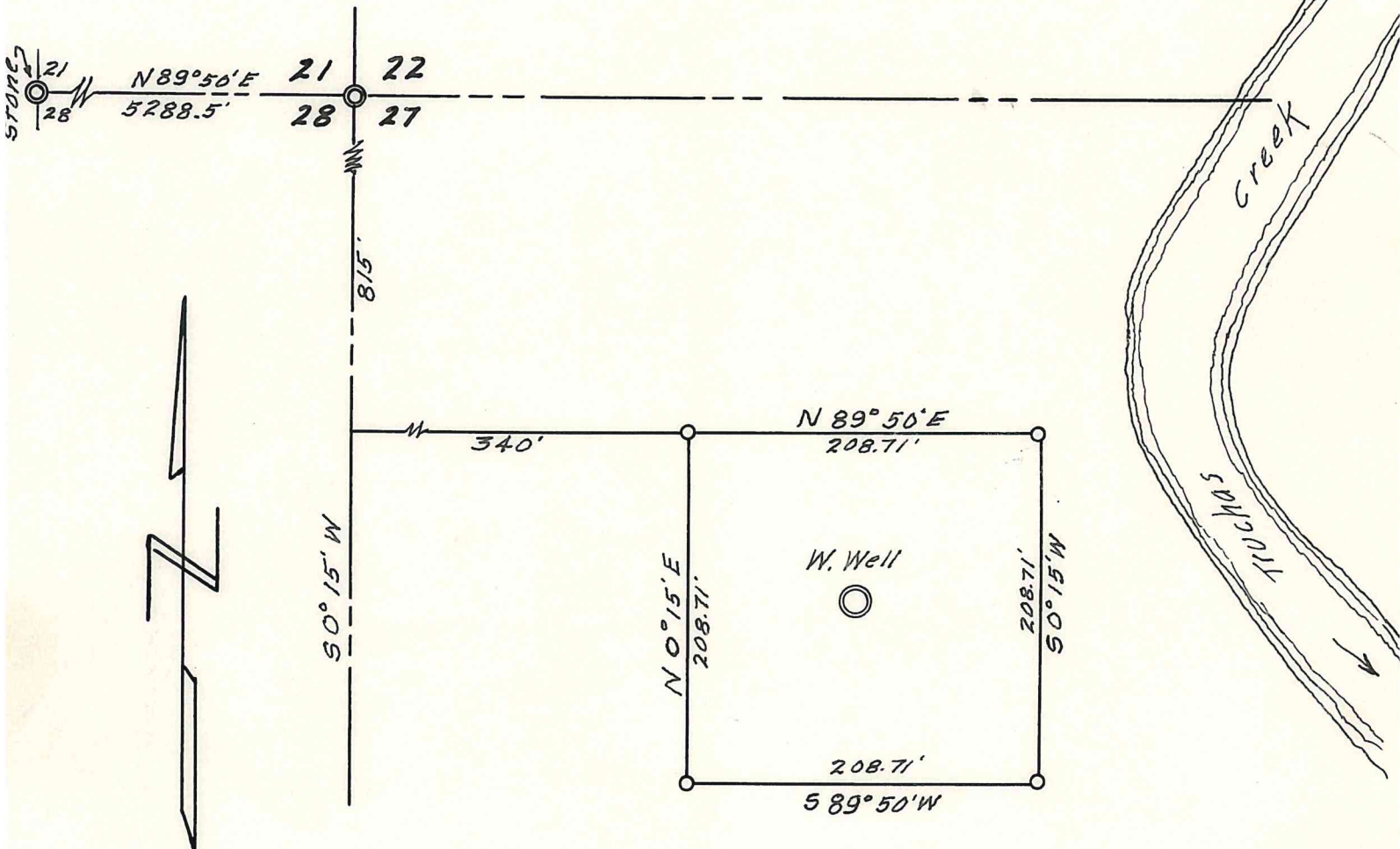
# PLAT OF SURVEY

## DE BACA CO. NEW MEX.

### Section 27 T4N R26E NMPM

INDEXED  
CORRECTED

County Clerk  
of said County  
of the Records of  
at 2:50 o'clock P.M. and  
filed for record on the 12 day of  
I hereby certify that this instrument was  
COUNTY OF DEBACA } 22  
STATE OF NEW MEXICO }



DECLINATION USED:  
12° 15' East.

SCALE: 1" = 100'

Corner Monuments Set  
on One Acre Tract:  
N.W. Cor. 1 1/2" Galv. Pipe  
N.E. Cor. 2" Iron Pipe  
S.E. Cor. 2" Iron Pipe  
S.W. Cor. 2" Iron Pipe

#### ENGINEER'S CERTIFICATE

I, A.M. Morrison, hereby Certify that the  
above Plat was made from Field Notes  
of an actual survey made by me on  
February 17, 1965 and that the same  
is true and Correct to the best of my  
knowledge and belief.

A.M. Morrison  
P.E. & L.S. Lic. No. 473

## Appendix 5 – 1982 Warranty Deed

786

WARRANTY DEED

JEFF GOOD and MYRL GOOD, his wife, for consideration paid, grant to the VILLAGE OF FORT SUMNER, a municipal corporation, whose address is P.O. Box 180, Fort Sumner, New Mexico 88119, the following described real estate in De Baca County, New Mexico:

THE SURFACE ESTATE ONLY TO:

A tract of land within Section 28, Township 4 North, Range 26 East, N.M.P.M., more particularly described as follows: Beginning at a point on the South line of Section 28 whence the southwest corner of said Section 28 bears S89°55'W, 50.0 feet distant;  
Thence N89°55'E along the South line of Section 28 a distance of 208.71 feet;  
Thence N00°05'W a distance of 208.71 feet;  
Thence S89°55'W a distance of 208.71 feet;  
Thence S00°05'E a distance of 208.71 feet to the point of beginning, containing 1.00 acres, more or less;  
The South 30.0 feet of which is reserved for a roadway and utility easement;

Subject only to the easements, restrictions, rights-of-way and conditions of record and the lien for taxes for the year 1982 and thereafter;

Together with a perpetual easement 20.0 feet in width within Section 28, Township 4 North, Range 26 East, N.M.P.M., the centerline of which is described as follows: Beginning at a point 258.71 feet East of the West line and 20.0 feet North of the South line of Section 28;  
The purpose of this easement shall be for the ingress and egress of the construction and installation of a twelve inch water line, and thereafter use, operate, inspect, repair, maintain, replace and remove said line.  
Thence N89°55'E a distance of 2965.8 feet to a water line easement previously granted to the Village of Fort Sumner by the landowner, containing 1.36 acres, more or less; AND a 40.00 foot wide construction easement, the centerline of which coincides exactly with the above described 20.0 foot easement centerline;

with warranty covenants.

WITNESS our hands and seals this 8th day of February, 1982.

Jeff Good  
Jeff Good

Myrl Good  
Myrl Good

STATE OF NEW MEXICO )  
County of De Baca )

The foregoing instrument was acknowledged before me this 8 day of February, 1982 by Jeff Good and Myrl Good.

My Commission expires:

4-2-85

37650

Donna N. Andreas  
Notary Public

Ft. Sumner, N.M. 88119  
I certify that this instrument was  
filed for record on 9 day of  
Feb. A.D. 1982 at 11:35  
o'clock A.M. Page 786 Book 52  
Records of Dee An  
Wida Pruitt County Clerk  
Deputy  
De Baca Co.