

**TITLE 19 NATURAL RESOURCES AND WILDLIFE**  
**CHAPTER 27 UNDERGROUND WATER**  
**PART 63 DECLARATION OF THE CLAYTON UNDERGROUND WATER BASIN AND**  
**EXTENSION OF THE CANADIAN RIVER UNDERGROUND WATER BASIN**

**19.27.63.1 ISSUING AGENCY:** Office of the State Engineer.  
[19.27.63.1 NMAC - N/E, 9/23/2005]

**19.27.63.2 SCOPE:** The appropriation and use of underground water within the Clayton underground water basin and the extended area of the Canadian river underground water basin, areas declared by the state engineer to have reasonably ascertainable boundaries.  
[19.27.63.2 NMAC - N/E, 9/23/2005]

**19.27.63.3 STATUTORY AUTHORITY:** Chapter 72, Article 12, NMSA 1978. Section 72-1-1 NMSA 1978 provides that all natural waters flowing in streams and water courses belong to the public and are subject to appropriation for beneficial use. Section 72-2-1 NMSA 1978 gives the state engineer general supervision of waters of the state and of the measurement, appropriation and distribution thereof and such other duties as required. Section 72-2-8 NMSA 1978 gives the state engineer authority to adopt regulations and codes to implement and enforce any provision of any law administered by him and also provides the state engineer with authority to issue orders necessary to implement his decisions and to aid him in the accomplishment of his duties. Section 72-2-9 NMSA 1978 gives the state engineer authority over and supervision of the apportionment of water in this state according to the licenses issued by him and his predecessors and the adjudications of the courts.  
[19.27.63.3 NMAC - N/E, 9/23/2005]

**19.27.63.4 DURATION:** Permanent.  
[19.27.63.4 NMAC - N/E, 9/23/2005]

**19.27.63.5 EFFECTIVE DATE:** September 23, 2005, unless a later date is cited at the end of a section.  
[19.27.63.5 NMAC - N/E, 9/23/2005]

**19.27.63.6 OBJECTIVE:** To establish administrative control over the appropriation and use of underground water within the Clayton underground water basin and the extended area of the Canadian river underground water basin, areas declared by the state engineer to have reasonably ascertainable boundaries.  
[19.27.63.6 NMAC - N/E, 9/23/2005]

**19.27.63.7 DEFINITIONS:** [Reserved]

**19.27.63.8 BOUNDARY DESCRIPTION OF THE CLAYTON UNDERGROUND WATER BASIN:** Beginning at the point where the eastern topographic drainage boundary of the Canadian river basin intersects the New Mexico and Colorado state line, being a point on the north line of section 21, township 32 north, range 25 east, NMPM, near state line mile corner 68; thence southerly along the east topographic drainage boundary of the Canadian river to the point common to the Carrizozo creek drainage boundary and the Ute creek drainage boundary near the northeast corner of section 16, township 27 north, range 26 east, NMPM; thence south along section line to the southeast corner of said section 16; thence easterly along the drainage boundary between Carrizozo creek and Palo Blanco creek to the southeast corner of section 14, township 27 north, range 26 east, NMPM; thence north along section line to the northeast corner of said section 14; thence east to the northeast corner of section 16, township 27 north, range 27 east, NMPM; thence south to the southeast corner of said section 16; thence east to the southeast corner of section 14, township 27 north, range 27 east, NMPM; thence south to the southeast corner of section 23, township 27 north, range 27 east, NMPM; thence east to the northeast corner of section 28, township 27 north, range 28 east, NMPM; thence south along section line west of Lonesome mountain to the southeast corner of said section 28; thence east to the northeast corner of section 36, township 27 north, range 28 east, NMPM; thence south to the southeast corner of said section 36; thence east to the northeast corner of section 6, township 26 north, range 29 east, NMPM; thence south to the southeast corner of section 7, township 26 north, range 29 east, NMPM; thence west to the southwest corner of said section 7; thence south along township line to the southwest corner of section 18, township 25 north, range 29 east, NMPM; thence east to the northwest corner of section 21, township 25 north, range 29 east, NMPM; thence south through the Don Carlos hills to the southwest corner of said section 21;

thence east to the northwest corner of section 26, township 25 north, range 29 east, NMPM; thence south to the southwest corner of said section 26; thence east to the southeast corner of said section 26; thence south to northwest corner of section 13, township 24 north, range 29 east, NMPM; thence east to the northeast corner of said section 13; thence south along range line to the northwest corner of section 31, township 24 north, range 30 east, NMPM; thence east to the northeast corner of said section 31; thence south to the southeast corner of said section 31; thence east to the northeast corner of section 5, township 23 north, range 30 east, NMPM; thence south to the northwest corner of section 4, township 22 north, range 30 east, NMPM; thence east to the northeast corner of said section 4; thence south to the northwest corner of section 15, township 22 north, range 30 east, NMPM; thence east to the northwest corner of section 13, township 22 north, range 30 east, NMPM; thence south to the southwest corner of said section 13; thence east to the southeast corner of said section 13; thence in a southeasterly direction diagonally across sections 19, 29, and 33 township 22 north, range 31 east to the Union and Harding county line being the line between townships 21 north and 22 north, at the northwest corner of section 3, township 21 north, range 31 east, NMPM; thence east along said county line to the northeast corner of section 2, township 21 north, range 31 east, NMPM; thence south to the southeast corner of said section 2; thence east to the northwest corner of section 12, township 21 north, range 32 east, NMPM; thence south to the northwest corner of section 24, township 21 north, range 32 east, NMPM; thence east to the northeast corner of said section 24; thence south to the northwest corner of section 3 1, township 21 north, range 33 east, NMPM; thence east to the northeast corner of said section 31; thence south to the southeast corner of said section 31; thence east along township line to the northwest corner of section 4, township 20 north, range 33 east, NMPM; thence in a southeasterly direction diagonally across sections 4, 10, 14 and 24, township 20 north, range 33 east to the northwest corner of section 30, township 20 north, range 33 east, NMPM; thence south along Harding and Union county line , being the line between ranges 33 east and 34 east, to the northwest corner of section 18, township 19 north, range 34 east, NMPM; thence east to the northeast corner of Said section 18; thence south to the northeast corner of section 18, township 18 north, range 34 east, NMPM; thence west to the northwest corner of said section 18; thence south along Harding and Union county line and Harding and Quay county line to the southwest corner of section 6, township 17 north, range 34 east, NMPM; thence east to the northwest corner of section 10, township 17 north, range 34 east, NMPM; thence in a southeasterly direction diagonally across sections 10 and 14, township 17 north, range 34 east, NMPM, to the northwest corner of section 24, township 17 north, range 34 east, NMPM; thence east to the northeast corner of section 19, township 17 north, range 35 east, NMPM; thence to the southeast corner of said section 19; thence east to the northwest corner of section 26, township 17 north, range 35 east, NMPM; thence south to the southwest corner of said section 26; thence east to the southeast corner of said section 26 near Kerlin hill; thence south to the southwest corner of section 36, township 17 north, range 35 east, NMPM; thence east along township line to the northwest corner of section 6, township 16 north, range 36 east, NMPM; thence south to the northwest corner of section 7, township 16 north, range 36 east, NMPM; thence east to the northeast corner of said section 7; thence south to the northwest corner of section 29, township 16 north, range 36 east, NMPM; thence east to the northeast corner of said section 29; thence south to the northwest corner of section 4, township 15 north, range 36 east, NMPM; thence east to the northeast corner of said section 4; thence south to the northwest corner of section 15, township 15 north, range 36 east, NMPM; thence in a southeasterly direction diagonally across sections 15 and 23 in township 15 north, range 36 east, NMPM, to the northwest corner of section 25, township 15 north, range 36 east, NMPM; thence south to the northwest corner of section 1, township 14 north, range 36 east, NMPM; thence in a southeasterly direction diagonally across section 1, township 14 north, range 36 east, NMPM, and section 7, township 14 north, range 37 east, NMPM, straight through the northwest corner of section 17, township 14 north, range 37 east, NMPM, to a point on the New Mexico and Texas state line; thence north along said state line to the northeast corner of the state of New Mexico; thence west along the New Mexico and Colorado state line to the eastern topographic drainage boundary of the Canadian river basin near state line mile corner 68, being a point on the north line of section 21, township 32 north, range 25 east, NMPM, being the point of origin.

[19.27.63.8 NMAC - N/E, 9/23/2005]

**19.27.63.9 BOUNDARY DESCRIPTION OF THE EXTENDED AREA OF THE CANADIAN RIVER UNDERGROUND WATER BASIN:** Beginning at the southeast corner of section 3, township 8 north, range 24 east, a point on the existing boundary of the Fort Sumner underground water basin; thence west along section lines to the southwest corner of section 5, township 8 north, range 24 east, NMPM, a point on the existing boundary of the Fort Sumner underground water basin; thence north along section line to the northwest corner of said section 5, a point on the existing boundary of the Fort Sumner underground water basin; thence east along section line to the southwest corner of section 32, township 9 north, range 24 east, NMPM, a point on the existing boundary of the Fort Sumner underground water basin; thence north along section line to the northwest corner of said section 32, a point

on the existing boundary of the Fort Sumner underground water basin; thence west along section line to the southwest corner of section 30, township 9 north, range 24 east, NMPM, a point on the existing boundary of the Fort Sumner underground water basin; thence north along range line to the northwest corner of section 19, township 9 north, range 24 east, NMPM, a point on the existing boundary of the Fort Sumner underground water basin; thence west along section line to the southwest corner of section 13, township 9 north, range 23 east, NMPM, a point on the existing boundary of the Fort Sumner underground water basin; thence north along section lines to the northwest corner of projected section 1, township 9 north, range 23 east, NMPM, a point on the existing boundary of the Fort Sumner underground water basin; thence west along projected section lines to the southwest corner of projected section 31, township 10 north, range 23 east, NMPM, a point on the existing boundary of the Fort Sumner underground water basin; thence north along projected range line to the southwest corner of projected section 18, township 10 north, range 23 east, NMPM, a point on the existing boundary of the Fort Sumner underground water basin; thence west along projected section lines to the intersection with longitude 104°35' west, a point on the existing boundary of the Fort Sumner and upper Pecos underground water basins; thence north along longitude 104°35' west to the intersection with the Guadalupe - San Miguel county line, a point on the existing boundary of the upper Pecos underground water basin; thence west along the Guadalupe-San Miguel county line to the intersection with longitude 104°50' west, a point on the existing boundary of the upper Pecos underground water basin; thence north along longitude 104°50' west to the intersection with latitude 35°20' north, a point on the existing boundary of the upper Pecos underground water basin; thence west along latitude 35°20' north to the intersection with longitude 104°53' west, a point on the existing boundary of the upper Pecos underground water basin; thence north along longitude 104°53' west to the intersection with the northern boundary of the Antonio Ortiz grant, a point on the existing boundary of the upper Pecos underground water basin; thence west along the northern boundary of the Antonio Ortiz grant to the intersection with longitude 105°00' west, a point on the existing boundary of the upper Pecos underground water basin; thence north along longitude 105°00' west to the intersection with latitude 35°40' north, a point on the existing boundary of the upper Pecos and Canadian river underground water basins, thence east along latitude 35°40' north to the intersection with the Mora grant boundary, a point on the existing boundary of the Canadian river underground water basin; thence south along the Mora grant Boundary to the northwest corner of section 5, township 16 north, range 21 east, NMPM, a point on the existing boundary of the Canadian river underground water basin; thence east along township lines to the southwest corner of section 34, township 17 north, range 22 east, NMPM, a point on the existing boundary of the Canadian river underground water basin; thence north along section line to the northwest corner of said section 34, a point on the existing boundary of the Canadian river underground water basin; thence east along section line to the northeast corner of said section 34, a point on the existing boundary of the Canadian river underground water basin; thence north along section line to the northwest corner of section 26, township 17 north, range 22 east, NMPM, a point on the existing boundary of the Canadian river underground water basin; thence east along section lines to the northeast corner of section 25, township 17 north, range 22 east, NMPM, a point on the existing boundary of the Canadian river underground water basin; thence north along range line to the northwest corner of section 19, township 17 north, range 23 east, NMPM, a point on the existing boundary of the Canadian river underground water basin; thence east along section lines to the northeast corner of section 21, township 17 north, range 23 east, NMPM, a point on the existing boundary of the Canadian river underground water basin; thence north along section lines to the northwest corner of section 10, township 17 north, range 23 east, NMPM, a point on the existing boundary of the Canadian river underground water basin; thence east along section lines to the northeast corner of section 12, township 17 north, range 25 east, NMPM, a point on the existing boundary of the Canadian river underground water basin; thence north along range line to the northwest corner of section 31, township 18 north, range 26 east, NMPM, a point on the existing boundary of the Canadian river underground water basin; thence east along section lines to the northeast corner of section 32, township 18 north, range 26 east, NMPM; thence south along section lines to the northeast corner of section 8, township 17 north, range 26 east, NMPM; thence east along section lines to the intersection with longitude 104°09'45" west, a point on the north boundary of section 10, township 17 north, range 26 east, NMPM; thence south along longitude 104°09'45" west to the intersection with latitude 35°28'45" north, a point in the Pablo Montoya grant; thence west along latitude 35°28'45" north to the intersection with longitude 104°10'30" west, a point in the Pablo Montoya grant; thence south along longitude 104°10'30" west to the intersection with latitude 35°21'30" north, a point in the Pablo Montoya grant; thence west along latitude 35°21'30" north to the intersection with longitude 104°12'30" west, a point in the Pablo Montoya grant; thence south along longitude 104°12'30" west to the intersection with the north boundary of section 29, township 12 north, range 26 east, NMPM; thence east along section line to the northeast corner of said section 29; thence south along section lines to the southeast corner of section 17, township 11 north, range 26 east, NMPM; thence west along section line to the southeast corner of section 18, township 11 north, range 26 east, NMPM; thence south along section line to the southeast corner of

section 19, township 11 north, range 26 east, NMPM; thence west along section lines to the southeast corner of section 23, township 11 north, range 25 east, NMPM; thence south along section line to the southeast corner of section 26, township 11 north, range 25 east, NMPM; thence west along section line to the southeast corner of section 27, township 11 north, range 25 east, NMPM; , thence south along section line to the southeast corner of section 34, township 11 north, range 25 east, NMPM; thence west along township line to the southeast corner of section 33, township 11 north, range 25 east, NMPM; thence south along section line to the southeast corner of section 4, township 10 north, range 25 east, NMPM; thence west along section line to the southeast corner of section 5, township 10 north, range 25 east, NMPM; thence south along section line to the southeast corner of section 8, township 10 north, range.25 east, NMPM; thence west along section lines to the southeast corner of section 12, township 10 north, range 24 east, NMPM; thence south along range line to the southeast corner of section 24, township 10 north, range 24 east, NMPM; thence west along section line to the southeast corner of section 23, township 10 north, range 24 east, NMPM; thence south along section lines to the southeast corner of section 35, township 10 north, range 24 east, NMPM; thence west along township line to the southeast corner of section 34, township 10 north, range 24 east, NMPM; thence south along section line to the southeast corner of section 3, township 9 north, range 24 east, NMPM; thence west along section line to the southeast corner of section 4, township 9 north, range 24 east, NMPM; thence south along section lines to the southeast corner of section 21, township 9 north, range 24 east, NMPM; thence east along section line to the northeast corner of section 27, township 9 north, range 24 east, NMPM; thence south along section lines to the southeast corner of section 34, township 9 north, range 24 east, NMPM, a point on the existing boundary of the Fort Sumner underground water basin; thence west along township line to the northeast corner of section 3, township 8 north, range 24 east, NMPM, a point on the existing boundary of the Fort Sumner underground water basin; thence south along section line to the southeast corner of said section 3, a point on the existing boundary of the Fort Sumner underground water basin, being the point of origin.

[19.27.63.9 NMAC - N/E, 9/23/2005]

HISTORY OF 19.27.63 NMAC: [RESERVED]