

ORIGINAL
IN THE UNITED STATES DISTRICT COURT FILED IN MY OFFICE
DISTRICT OF NEW MEXICO

MAR 14 1969

E. E. GREESON
CLERK

STATE OF NEW MEXICO, ex rel.,)
S. E. REYNOLDS, State Engineer)
)
Plaintiff,)
)
vs.)
)
UNITED STATES OF AMERICA, et al.,)
)
Defendants.)

No. 6639
Civil

Sub-File No. DS-141

D. M. Pierce

O R D E R

THIS MATTER having come before the Court on the Plaintiff's Offer of Judgment, and the Court having considered the said Offer, the hydrographic survey and other evidence on file, and being otherwise fully advised in the premises, finds:

1. Name of defendant: **D. M. PIERCE**
2. The Court has jurisdiction of the parties hereto and the subject matter herein.
3. The State Engineer's hydrographic survey and report relating to the defendant's water rights have been introduced into the record and the same hereby are incorporated and made a part of this Order; that said hydrographic survey and report contain a true and correct summary of the contents of the instruments referred to therein.
4. The parties hereto have accepted an Offer of Judgment concerning the defendant's rights and said Offer of Judgment is hereby approved.
5. The defendant **D. M. PIERCE** has a right to withdraw public surface and/or underground waters from the Nambe-Pojoaque River System for all purposes as follows:

SUB-FILE NO. **DS-141:** **D. M. PIERCE**

Def't copy sent 9/10/68

A. Purpose - Irrigation:
NONE

B. Purpose - Domestic and/or Stock (underground water):

State Engineer File No.: **RG-10743**

Priority: **April 2, 1964**

Point of diversion: **Within the Juan de Gabaldon Grant**

Amount of water: Not to exceed three (3.0) acre-feet
per annum

6. The defendant **D. M. PIERCE**
has no other surface or underground water rights in the
Nambe-Pojoaque River System.

7. That the defendant **D. M. PIERCE**
his agents, employees, privies, co-tenants, tenants, assigns,
attorneys, and any and all other persons having a constructive
knowledge of the restraining order should be enjoined from
any use of the surface or underground water in the Nambe-
Pojoaque River System for any purpose except in strict
accordance with the water rights set out hereinabove.

IT IS, THEREFORE ORDERED that the defendant **D. M. PIERCE**
_____ be and hereby is adjudicated to have a
good and valid water right as set forth above.

IT IS FURTHER ORDERED that the defendant **D. M. PIERCE**
_____, his agents, employees, privies, co-tenants,
tenants, assigns, attorneys, and any and all other persons having
constructive knowledge of the restraining order, by and they hereby
are permanently enjoined and restrained from any use of the surface
and/or underground water in the Nambe-Pojoaque River System, except
in strict accordance with the water rights set out hereinabove.

DATED this _____ day of **MAR 14 1969**, 1967.

H. VEARLE PAYNE

Judge of the United States District Court