

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, ex rel. STATE)
ENGINEER,)
)
Plaintiff,)
v.)
R. LEE AAMODT, et.al.,)
)
Defendants,)
)
And)
UNITED STATES OF AMERICA,)
PUEBLO DE NAMBE,)
PUEBLO DE POJOAQUE,)
PUEBLO DE SAN ILDEFONSO,)
and PUEBLO DE TESUQUE,)

No. 66cv6639 MV/WPL

Rafael Vigil Ditch

Plaintiffs-in-Intervention.

ORDER GRANTING THE STATE OF NEW MEXICO’S MOTION TO ADD OMITTED
SOURCE OF WATER AND POINT OF DIVERSION TO SUBFILE ORDERS FOR
SURFACE WATER RIGHTS SERVED BY THE
RAFAEL VIGIL DITCH

THIS MATTER is before the Court on the State of New Mexico’s *Motion to Add Omitted Source of Water and Point of Diversion to Subfile Orders for Surface Water Rights Served by the Rafael Vigil Ditch* (Doc. _____, May 27, 2015), filed pursuant to the Court’s July 23, 2013, *Procedural Order for Correcting Subfile Errors* (Doc. 7909).

The following subfiles were adjudicated surface water irrigation rights under the Rafael Vigil Ditch: **15.15**. As set forth in the State’s Motion, the subfile orders for these rights omit reference to the Rio en Medio as an additional source of water for the Rafael Vigil Ditch. The State therefore requests an order correcting these subfile orders by: (a) identifying the Rio en Medio as an additional source of water; and (b) providing the legal description for the point of

EXHIBIT 1

diversion of the common ditch that delivers surface water from the Rio en Medio to the Rio Chupadero for use by water rights owners on the Rafael Vigil Ditch. Having been fully advised in the premises, the Court finds the Motion well taken, and that the State's proposed source of water and point of diversion information should be adopted and added to the subfile order adjudicated under the Rafael Vigil Ditch, Subfile No. 15.15

IT IS THEREFORE ORDERED that paragraph 5.A of the subfile order entered in Subfile No. 15.15, adjudicating a surface water irrigation right under the Rafael Vigil Ditch, is hereby corrected to add the following source of water and point of diversion description:

The Rafael Vigil Ditch also receives water from the Rio en Medio through a common ditch which diverts from the Rio en Medio at a point located at X: 425523.65 Y: 3961646.94, NM State Plane Coordinate System NAD 83 UTM, Zone 13N. This water is delivered through the ditch to the Rio Chupadero and flows downstream in the bed of the Rio Chupadero to the Rafael Vigil Ditch's point of diversion on the Rio Chupadero.

WILLIAM P. JOHNSON
UNITED STATES DISTRICT JUDGE

Recommended for approval:

SPECIAL MASTER PIERRE LEVY