

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 WJ/WPL

Subfile No. PM-77978

Plaintiffs-in-Intervention.

**AMENDED ORDER ADJUDICATING  
POST-1982 DOMESTIC WELL WATER RIGHTS**

**THIS MATTER** is before me on the State's **Unopposed Motion to Enter Amended Order Adjudicating Post-1982 Domestic Well Rights (Subfile No. PM-77978)** [Doc. No. 10277], filed August 26, 2015, the provisions of paragraph IV.A.2 of the Court's June 14, 2007, **Procedural and Scheduling Order for the Adjudication of Water Rights Under Domestic Wells Permitted After July 13, 1983** (Docket No. 6239), and pursuant to the Court's December 11, 2006, **Order to Show Cause** (Docket No. 6194). Having been fully advised in the premises, the Court finds that the State's Motion is well-taken, and that it should be GRANTED.

IT IS THEREFORE ORDERED that the June 23, 2011, *Order Adjudicating Post-1982 Domestic Well Rights* (Docket No. 7413) adjudicating the right of Defendants Cynthia Barclay

**Subfile No. PM-77978**

and Andrew Geer to divert and use the public waters of the Rio Grande Underground Water Basin and the Nambe-Pojoaque-Tesuque stream system is amended as follow:

**Purpose:** Domestic Use for 2 households, pursuant to NMSA § 72-12-1 and -1.1

**State Engineer File No.:** RG-77978

**Priority:** 5/16/2002

**Source of Water:** Underground waters of the Rio Grande Underground Water Basin

**Point of Diversion:** Well No. RG-77978

Location: X=600,065 Y=1,753,632  
on the New Mexico State Plane Coordinate System, Central  
Zone, 1927 N.A.D.

**Number of Households Served by Well:** 2

**Place of Use:** Within the property and households of the users served by the well.

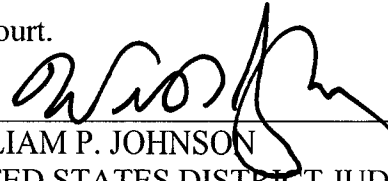
**Amount of Water:** Not to exceed a diversion and consumption of 0.5 acre feet per year per household, but in no event may the aggregate use of those households served by the well exceed 3.00 acre feet per year, unless a more restrictive diversion limit applies pursuant to court order, covenant or ordinance.

**Metering Requirement:** There shall be a totalizing meter installed on the well, with installation acceptable to the State Engineer.

**Other Conditions:** Use shall be limited strictly to household, drinking and sanitary purposes; water shall be conveyed from the well to the place of use in closed conduit and effluent returned to the underground so that it will not appear on the surface. No irrigation of lawns, gardens, trees or use in any type of pool or pond is authorized. All other conditions of State Engineer Permit No. RG-77978 for the above described well are also incorporated herein.

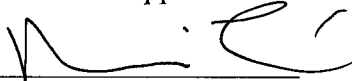
These water rights are subject to objection by any other water right owner with standing in a later (*inter se*) phase of this adjudication suit when water right owners may object between themselves to individual adjudication orders. The rights are also subject to entry of the final decree in this case.

IT IS FURTHER ORDERED that the defendants(s) are enjoined from any diversion or use of the waters of the Nambe-Pojoaque-Tesuque Stream system except in accordance with the rights adjudicated in this order or any other order of the Court.



WILLIAM P. JOHNSON  
UNITED STATES DISTRICT JUDGE

Recommended for approval:



PIERRE LEVY  
SPECIAL MASTER