

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

Tesuque Indian Pueblo Ditch No. 7  
a/k/a Mitchell Ditch or Spring Ditch  
Subfile Nos. 27.69, 27.69-A, 27.69-B,  
27.69-C, 27.70

Plaintiffs-in-Intervention.

**[PROPOSED] ORDER GRANTING MOTION TO CORRECT  
SURFACE WATER POINT OF DIVERSION FOR SUBFILES  
SERVED BY TESUQUE INDIAN PUEBLO DITCH NO. 7**

THIS MATTER is before the Court on the State of New Mexico’s *Motion to Correct Surface Water Point of Diversion for Subfiles Served by Tesuque Indian Pueblo Ditch No. 7* (Doc. \_\_\_\_\_, \_\_\_\_\_), filed pursuant to the Court’s July 23, 2013, *Procedural Order for Correcting Subfile Errors* (Doc. 7909).

Subfile orders adjudicating surface water irrigation rights served by the Tesuque Indian Pueblo Ditch No. 7 were entered in the following subfiles: 27.69, 27.69-A, 27.69-B, 27.69-C, 27.70. As set forth in the State’s Motion, the subfile orders contain an error in the legal description of the ditch’s point of diversion on the Rio Tesuque. The State therefore requests an

order correcting the legal description in the subfile orders. Having been fully advised in the premises, the Court finds the Motion well taken.

IT IS THEREFORE ORDERED that each subfile order adjudicating a surface water irrigation right under the Tesuque Indian Pueblo Ditch No. 7 is corrected to describe the ditch's surface water point of diversion as follows:

The Tesuque Indian Pueblo Ditch No. 7 (also known as the Mitchell or Spring Ditch) diverts water from the Rio Tesuque in the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  Sec. 25, T. 18 N., R. 9. E., at a point located at X: 592,791 and Y: 1,735,129, NM State Plane Coordinate System, Central Zone, NAD 1927.

---

WILLIAM P. JOHNSON  
UNITED STATES DISTRICT JUDGE

Recommended for approval:

---

SPECIAL MASTER PIERRE LEVY