

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

STATE OF NEW MEXICO, ex rel. STATE )  
ENGINEER, )

Plaintiff, )

v. )

No. 66cv6639 WJ/WPL

R. LEE AAMODT, et.al., )

Defendants, )

And )

UNITED STATES OF AMERICA, )

Acequia Ancon de Jacona

PUEBLO DE NAMBE, )

a/k/a Acequia de Jacona

PUEBLO DE POJOAQUE, )

6.51, 6.52, 6.53, 6.54, 6.55, 6.56, 6.56-A,

PUEBLO DE SAN ILDEFONSO, )

6.57, 6.58, 6.59

and PUEBLO DE TESUQUE, )

Plaintiffs-in-Intervention.

**[PROPOSED] ORDER GRANTING MOTION TO ADD OMITTED SOURCES OF  
WATER AND POINTS OF DIVERSION TO SUBFILE ORDERS  
FOR SURFACE WATER RIGHTS SERVED  
BY THE ACEQUIA ANCON DE JACONA**

THIS MATTER is before the Court on the State of New Mexico’s *Motion to Add Omitted Sources of Water and Points of Diversion to Subfile Orders for Surface Water Rights Served by the Acequia Ancon de Jacona* (Doc. \_\_\_\_\_, January 28, 2016), filed pursuant to the Court’s July 23, 2013, *Procedural Order for Correcting Subfile Errors* (Doc. 7909).

Subfile orders adjudicating surface water irrigation rights under the Acequia Ancon de Jacona were entered in the following subfiles: 6.51, 6.52, 6.53, 6.54, 6.55, 6.56, 6.56-A, 6.57, 6.58, 6.59. As set forth in the State’s Motion, the subfile orders for these rights omit reference to Pojoaque Creek and the Rio Tesuque as additional sources of water. The State therefore requests an order correcting these subfile orders by: (a) adding the Pojoaque Creek and the Rio Tesuque

as additional sources of water; and (b) providing the legal description for the Acequia Ancon de Jacona's point of diversion on each stream. 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 all subfile orders adjudicating surface water irrigation rights under the Acequia Ancon de Jacona.

IT IS THEREFORE ORDERED that paragraph 5.A of each subfile order adjudicating a surface water irrigation right under the Acequia Ancon de Jacona is hereby corrected to add the following source of water and point of diversion information:

The Acequia Ancon de Jacona also diverts water from the Pojoaque Creek in the NW ¼ NE ¼ NW ¼ Sec. 7, T. 19 N., R. 9. E., at a point located at X: 564,448 and Y: 1,781,617, NM State Plane Coordinate System, Central Zone, NAD 1927.

The Acequia Ancon de Jacona also diverts water from the Rio Tesuque in the NE ¼ SE ¼ NE ¼ Sec. 12, T. 19 N., R. 8. E., at a point located at X: 563,410 and Y: 1,780,704, NM State Plane Coordinate System, Central Zone, NAD 1927.

---

WILLIAM P. JOHNSON  
UNITED STATES DISTRICT JUDGE

Recommended for approval:

---

SPECIAL MASTER PIERRE LEVY