

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

FILED
AT ALBUQUERQUE
SEP 5 1967
E. E. GREGSON
CLERK

STATE OF NEW MEXICO, ex rel.,)	
S. E. REYNOLDS, State Engineer)	
)	
Plaintiff,)	No. 6639
)	Civil
vs.)	
)	Acequia Barranco
UNITED STATES OF AMERICA, et al.,)	Sub-File 6.76
)	
Defendants.)	Jose Pablo Roybal

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: JOSE PABLO ROYBAL
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 JOSE PABLO ROYBAL has a right to withdraw public surface and/or underground waters from the Namba-Pojoaque River System for all purposes as follows:

SUB-FILE NO. 676 JOSE PABLO ROYBAL

A. Purpose - Irrigation:

State Engineer File No.: 0467

Priority:

Point of diversion:

Surface:

Acequia Barranco located in the
NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T.19 N., R.8 E.
within the Pojoaque Pueblo Grant.

Ground water:

Community irrigation well located in
the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T.19 N., R.8 E.

Location & amount of acreage:

Part of P.C. 61, Exception 23, Sec. 11,
T.19 N., R.8 E., within the Pojoaque
Pueblo Grant, as shown on hydrographic
survey map sheet No. 6, Tract 76.

1.92 ac.

Amount of water: Not to exceed three (3.0) acre-feet
per acre per annum delivered at the farm headgate.

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

State Engineer File No.: RG-1032

Priority: June 26, 1957

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, T.19 N., R.8 E.

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

6. The defendant JOSE PABLO ROYBAL has no other surface or underground water rights in the Nambe-Pojoaque River System.
7. That the defendant JOSE PABLO ROYBAL, his agents, employees, privies, co-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 _____
JOSE PABLO ROYBAL be and hereby is adjudicated to have a good and valid water right as set forth above.

IT IS FURTHER ORDERED that the defendant _____
JOSE PABLO ROYBAL, his agents, employees, privies, co-tenants, tenants, assigns, attorneys, and any and all other persons having constructive knowledge of the restraining order, be 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 5th day of September, 1967.



Judge of the United States District Court

268018

WR-15

IMPORTANT—READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

1957 JUN 26 PM 2:41

APPLICATION FOR PERMIT

STATE ENGINEER OFFICE
SANTA FE, N. M.

To Appropriates the Underground Waters of the State of New Mexico

RIO GRANDE UNDERGROUND WATER BASIN

Application No. RG-1932 Book RG-5 Date Received 6/26/57

1. Name of applicant Jose P. Roybal
Postoffice address Rt. 1, Box 245, City or Town Santa Fe
County of Santa Fe, State of New Mexico

2. Source of water supply shallow ground water
(state whether artesian or shallow ground water basin)
located in Pojoaque River, Rio Grande Basin
(name of underground stream, valley, artesian basin, etc.)

3. The well is to be located in the SE SE SE
of section 11, Township 19 North, Range 8 East, N.M.P.M.
on land owned by applicant

4. Description of well: driller J. E. Roybal, W.D. No. _____; depth to be drilled 150 feet;
diameter (outside) of casing 6 inches; type of pump and power plant to be used _____

5. Quantity of water to be appropriated and beneficially used 3.0
(feet depth or acres feet per acre)
for domestic purposes.

6. Acreage to be irrigated 1.0 acres
located and described as follows (describe only lands to be irrigated):

Subdivision	Sec.	Twp.	Range	Acres Irrigated	Owner
Land is located approximately 200 yards east of the east boundary of the Jacona Grant					

(Note: location of well and acreage to be irrigated must be shown on plat on reverse side.)

7. Time required to commence construction immediately
Time required to complete the works 2 weeks
Time required to fully apply water to beneficial use _____

8. Additional statements or explanations (including data on any other water rights appurtenant to the lands)

I, Jose Roybal, being first duly sworn upon my oath, depose and say that I have carefully read the foregoing statement and each and all of the items contained therein, and that the same are true to the best of my knowledge and belief.

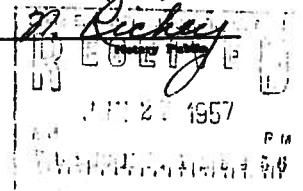
Jose P. Roybal applicant

Subscribed and sworn to before me this 26th day of June, A. D. 19 57

My Commission expires February 19, 1961

Francis W. Rieker

1957 JUL -1 PM 9:02
STATE ENGINEER OFFICE
SANTA FE, N. M.



APPROVAL OF THE STATE ENGINEER

Number of this permit RG-1032 Date received corrected _____
 Recorded in Book RG-5 Publication of notice ordered _____
 Page 1032 Name of paper _____
 Application received 6/26/57 22 Affidavit of publication filed _____
 Date returned for correction _____ Date of approval 6/27/57

This application is approved for 3.0 acre feet of water subject to all prior valid and existing rights to the use of the waters of said underground source and provided that the applicant complies with all rules and regulations of the State Engineer pertaining to the drilling of wells and further provided that: 1. If the well is to be drilled, regardless of size, or if the well is to be driven with an outside diameter exceeding 2 3/8 inches, then a drilling contractor licensed by the State Engineer of New Mexico shall be required to construct the well, and the well shall not exceed 7 inches in outside diameter. 2. Appropriation of water to be limited at all times to 3 acre feet per annum for domestic and stock purposes and the irrigation of not more than 1 acre of non-commercial garden. This permit will automatically expire, unless this well is drilled or driven and the Well Record filed on or before June 15, 1958.

Works shall be completed and proofs filed on or before _____

Water shall be applied to beneficial use and proofs filed on or before _____

This is to certify that I have examined the above application for permit to appropriate the underground waters of the State of New Mexico and hereby approve the same subject to the foregoing provisions and conditions.

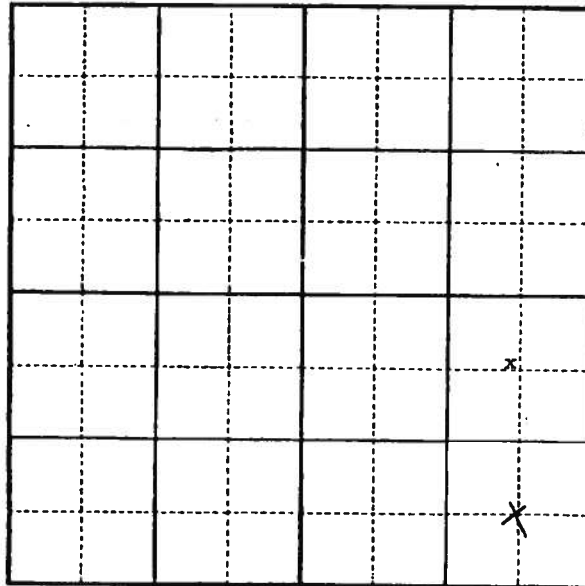
Witness my hand and seal this 27 day of June, A. D. 19 57.

S. E. Reynolds

State Engineer

LOCATE WELL AND ACREAGE TO BE IRRIGATED AS ACCURATELY AS POSSIBLE ON FOLLOWING PLAT:

Section (s) 11, Township 19N, Range 8E, N.M.P.M.



By: J.L. Williams
 J.L. Williams, Supervisor
 Ground Water, District 1

INSTRUCTIONS

This form shall be executed, preferably typewritten, in triplicate and shall be accompanied by a filing fee of \$5.00. Each of triplicate copies must be properly signed and attested.

A separate application for permit must be filed for each well used.

Secs. 1-4—Fill out all blanks fully and accurately.

Sec. 5—Irrigation use shall be stated in feet depth or acre feet of water per acre to be applied on the land. If for domestic, municipal, or other purposes, state total quantity in acre feet to be used annually. Domestic use may include the irrigation of not more than one acre of lawn and garden for noncommercial use.

Sec. 6—Describe only the lands to be irrigated. If on unsurveyed lands describe by legal subdivision "as projected" from the nearest government survey corners, or describe by metes and bounds and tie survey to some permanent, easily located natural object.

Sec. 7—Estimate time reasonably required to commence and to complete project.

Sec. 8—If lands are irrigated from any other source, explain in this section. Give any other data necessary to fully describe water right sought.

If additional space is necessary, use a separate sheet or sheets and attach securely hereto.

Form WEL-1

STATE ENGINEER OFFICE

268018

WELL RECORD

INSTRUCTIONS: This form should be executed in triplicate, preferably typewritten, and submitted to the nearest district office of the State Engineer. All sections, except Section 5, shall be answered as completely and accurately as possible when any well is drilled, repaired or deepened. When this form is used as a plugging record, only Section 1A and Section 5 need be completed.

Section 1

(A) Owner of well Jose P. Raybal
 Street and Number RT #1, Box 245
 City Santa Fe State N.M.
 Well was drilled under Permit No. RM-1032 and is located in the
1/4 SE 1/4 SE 1/4 of Section 11 Twp. 19 Rge. 8E
 (B) Drilling Contractor J. E. Raybal License No. WD-227
 Street and Number RT #1, Box 266
 City Santa Fe State N. Mex.
 Drilling was commenced 6-27 19 57
 Drilling was completed 6-29 19 57

(Plat of 640 acres)

Elevation at top of casing in feet above sea level _____ Total depth of well 50
 State whether well is shallow or artesian _____ Depth to water upon completion 25

Section 2

PRINCIPAL WATER-BEARING STRATA

No.	Depth in Feet		Thickness in Feet	Description of Water-Bearing Formation
	From	To		
1	45	50	5	Gravel
2				
3				
4				
5				

Section 3

RECORD OF CASING

Dia in.	Pounds ft.	Threads in	Depth		Feet	Type Shoe	Perforations	
			Top	Bottom			From	To
5 1/2		Welded			49	Reinforced	32	49

Section 4

RECORD OF MUDDING AND CEMENTING

Depth in Feet		Diameter Hole in in.	Tons Clay	No. Sacks of Cement	Methods Used
From	To				

1957 JUL -8 AM 9:04
 STATE ENGINEER OFFICE
 SANTA FE, N.M.

Section 5

PLUGGING RECORD

Name of Plugging Contractor _____
 Street and Number _____ City _____
 License No. _____
 Tons of Clay used _____ Tons of Roughage used _____
 Plugging method used _____
 Date Plugged 11-1-1957 19 _____
 Plugging approved by: _____
 Basin Supervisor _____

STATE ENGINEER - ALBUQUERQUE, N. M.
RECEIVED
 License No. _____
 Type of roughage _____

Cement Plugs were placed as follows:

No.	Depth of Plug		No. of Sacks Used
	From	To	

FOR USE OF STATE ENGINEER ONLY

Date Received _____

File No. RG-1032 Use DOM Location No. 19W8E 11 440