

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

FILED
UNITED STATES DISTRICT COURT
98 APR 20 AM
Clerk of Court

STATE OF NEW MEXICO ex rel.
State Engineer,

Plaintiff,

vs.

*Irrigation well
1485 or 68*

No. CIV 6639 M

R. Lee Aamodt, et al.,

Defendants,

Subfile No. 10.82

and

UNITED STATES OF AMERICA,
PUEBLO DE NAMBE,
PUEBLO DE POJOAQUE,
PUEBLO DE SAN ILDEFONSO,
and PUEBLO DE TESUQUE,

Plaintiffs-in-Intervention.

RECEIVED
APR 21 1998
CAMPBELL, CARR, et. al.

AMENDED ORDER

THIS MATTER having come before the Court on the Revised Joint Motion to Amend Subfile Order, and the Court having considered the motion, and being otherwise fully advised in the premises, hereby amends the Subfile Order entered on October 10, 1974, and adjudicates the water rights of the defendant LTM Cattle Company from the Rio Pojoaque stream system as described below:

- 1. Purpose: Irrigation *CANON DITCH*
- a) Priority: To be determined at a later date.

5381

b) **Sources of Water:** Surface waters of Pojoaque Creek and underground waters of the Rio Pojoaque Basin.

c) **Points of Diversion:**

State Engineer File No. 0907

Surface: Acequia del Cano, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 19N., R.9E., N.M.P.M., within the Nambe Pueblo Grant, and located by the New Mexico State Plane Coordinates, Central Zone, X = 579,655 feet, Y = 1,779,875.

State Engineer File No. RG-1485

Groundwater: Well 68 on the hydrographic survey well map 10 located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 19N., R. 9E., N.M.P.M. within the Pojoaque Pueblo Grant, and located by the New Mexico State Plane Coordinates, Central Zone X = 576,775 feet, Y = 1,780,040 feet.

d) **Location and amount of acreage:**

Part of P.C. 40, P.1, Exception 133

Part of P.C. 87, P.2, Exception 132

Part of P.C. 96, P.2, Exception 130

Part of P.C. 98, P.1, Exception 129

Part of P.C. 119, P.1, Exception 131

Within parts of the S $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, the N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and the W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, of Sec. 9, T. 19N, R. 9E., N.M.P.M. within the Nambe Pueblo Grant, and,

Part of P.C. 315, Exception 249

Part of P.C. 317, Exception 251

Part of P.C. 319, Exception 253

Part of P.C. 320, Exception 254

Part of P.C. 321, Exception 255

Part of P.C. 322, Exception 256

Within parts of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9, T. 19N., R. 9E.,

N.M.P.M. within the Pojoaque Pueblo Grant, 42.00 acres
as shown of hydrographic survey map 10, tract 82.

- e) **Amount of Water:** Not to exceed 4.65 acre-feet per acre per year diverted by the ditch from the surface source of water, 3.35 acre-feet per acre per year from all sources of water combined delivered at the farm headgate or diverted from the well, or a weighted consumptive irrigation requirement (CIR) of 1.84 acre-feet per acre per year, whichever amount is less.

The water rights set forth above are subject to objection by any other water right owner with standing in a later phase of this adjudication suit when water right owners may object between themselves to individual adjudication orders and subject to entry of the final decree in this case.

IT IS FURTHER ORDERED that the defendant, and its agents, employees, privies, co-tenants, tenants and assigns of the defendant, are enjoined from any diversion or use of the waters of the Rio Pojoaque stream system except in accordance with the rights adjudicated in this Order or any other order of the Court.


UNITED STATES DISTRICT JUDGE

DATE: April 13 98