

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

Acequia del Cano
Subfile No. 10.82
RG-1485

Plaintiffs-in-Intervention.

**[PROPOSED] ORDER GRANTING UNOPPOSED MOTION TO CORRECT SUBFILE
ORDER TO ADOPT PRIORITY DATE FOR SUPPLEMENTAL GROUNDWATER
IRRIGATION WATER RIGHT, PARTIALLY VACATE ORDER [DOC. 10766], AND
CORRECT PRIORITY FOR DOMESTIC/LIVESTOCK GROUNDWATER RIGHT
(SUBFILE NO. 10.82, RG-1485)**

The Court, having considered the *Unopposed Motion to Correct Subfile Order to Adopt Priority Date for Supplemental Groundwater Irrigation Water Right, Partially Vacate Order [Doc. 10766], and Correct Priority for Domestic/Livestock Groundwater Right (Subfile No. 10.82, RG-1485)* (Doc. _____, _____) filed by the State of New Mexico (the “State”), and being otherwise fully advised in the premises, finds that the State’s Unopposed Motion is well-taken, and that it should be GRANTED.

IT IS ORDERED, THEREFORE, that a December 31, 1910 priority is adopted for the supplemental groundwater irrigation water right adjudicated under Subfile No. 10.82 for

diversion from Well No. RG-1485. Paragraph 1.a of the Court's April 20, 1998, Amended Subfile Order [Doc. 5381] entered in Subfile No. 10.82 is corrected to state as follows:

1. Purpose: Irrigation
 - a) Priority:
 - Surface: 1789 (Acequia del Cano)
 - Groundwater: 12/31/1910 (Well No. RG-1485)

IT IS FURTHER ORDERED that the Court's July 26, 2016, Order [Doc. 10766] is vacated as to Subfile No. 10.82 and Well No. RG-1485 only.

IT IS FURTHER ORDERED that a December 31, 1910 priority is adopted for the domestic/livestock groundwater right adjudicated under Subfile No. 10.82 for diversion from Well No. RG-1485.

IT IS FURTHER ORDERED that the Court's April 20, 1998, Amended Subfile Order [Doc. 5381] entered in Subfile No. 10.82 is corrected to include the following Paragraph 2:

2. Purpose: Non NMSA § 72-12-1 and -1.1 Domestic use for One Household and/or Livestock (Groundwater Only)
 - a. State Engineer File No.: RG-1485
 - b. Priority: December 31, 1910
 - c. Point of Diversion:

Well 68 on hydrographic survey well map 10 located in the SE ¼ SE ¼ NW ¼, 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. Place of Use: Within the property owned by the Defendant(s) served by the well.
 - e. Amount of Water: Not to exceed a diversion of 3.0 acre-feet per year from the well described above or the historic beneficial use, whichever is less.

Except as expressly corrected by this Order, all other elements of the rights adjudicated under Subfile No. 10.82 should remain as stated in the April 20, 1998, Amended Subfile Order [Doc. 5381] and other orders of the Court.

WILLIAM P. JOHNSON
UNITED STATES DISTRICT JUDGE