

334612

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

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

STATE OF NEW MEXICO, ex rel.,)
S. E. REYNOLDS, State Engineer)
)
Plaintiff,)
)
vs.)
)
UNITED STATES OF AMERICA, et al.,)
)
Defendants.)

No. 6639
Civil
Acquia de los Indios
Sub-File No. 4.70
& 4.72
Celestino Quintana

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: **CELESTINO QUINTANA**
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 CELESTINO QUINTANA has a right to withdraw public surface and/or underground waters from the Nambe-Pojoaque River System for all purposes as follows:

SUB-FILE NO. 4.70 & 4.72: **CELESTINO QUINTANA**

*Def copy
sent 6/15/68*

A. Purpose - Irrigation:

State Engineer File No.: 0105

Priority:

Point of diversion:

Surface: Acequia de los Indios located in the
NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, T. 19 N., R. 8 E.,
within the San Ildefonso Pueblo Grant.

Ground water:

Community irrigation well located in the NW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 10, T. 19 N., R. 8 E. -- NO RIGHT

Location & amount of acreage:

Part of P.C. 15, Exception 40, P. 1
& Part of P.C. 9, Exception 24, P. 5,
Sec. 9, T. 19 N., R. 8 E., within the
San Ildefonso Pueblo Grant, as shown
on hydrographic survey map sheet 4,
Tract 70. 0.12 acres

Part of P.C. 9, Exception 24, P. 5,
Sec. 9, T. 19 N., R. 8 E., within
the San Ildefonso Pueblo Grant, as
shown on hydrographic survey map
sheet 4, Tract 72. 0.83 acres

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):

1. State Engineer File No.: RG-9799

Priority: April 12, 1963

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 19 N., R. 8 E.

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

2. State Engineer File No.: RG-9073

Priority: May 27, 1963

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 19 N., R. 8 E.

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

6. The defendant CELESTINO QUISTANA has no other surface or underground water rights in the Nambe-Pojoaque River System.
7. That the defendant CELESTINO QUISTANA, 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 CELESTINO QUISTANA be and hereby is adjudicated to have a good and valid water right as set forth above.

IT IS FURTHER ORDERED that the defendant CELESTINO QUISTANA, 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.

H. VEARLE PAYNE

Judge of the United States District Court

THIS COPY SERVES AS NOTICE
OF ENTRY ON Sept 5, 1967
E. E. GREENSON, Clerk

- 3 -

Sub-File No. 4.70 & 4.72