IN THE UNITED STATES DISTRICT COURT AT ALBUQUERQUE

DISTRICT OF NEW MEXICO

MAY 0 3 1978

STATE OF NEW MEXICO ex rel. S. E. REYNOLDS, State Engineer, Plaintiff,

10

JESSE CASAUS CLERK

No. 6639

R. LEE AAMODT, et al. . Defendants,

RIO POJOAQUE STREAM SYSTEM

UNITED STATES OF AMERICA, et al. Intervenor.)

#### AGREEMENT ON WATER RIGHTS

The plaintiff, STATE OF NEW MEXICO, and the defendant, ACEQUIA DE LOS TRUJILLO COMMUNITY DITCH ASSOCIATION, agree that the defendant is a community ditch association duly organized under the laws of the State of New Mexico and that it has the right to divert public waters from the Rio Pojoaque Stream System for the irrigation of the following lands, and for domestic and stock use, and that a Consent Order may be entered in accordance herewith:

Name of Ditch: ACEQUIA DE LOS TRUJILLO
State Engineer File No.: None
Priority: Reserved for later determination by the Court.
Point of Diversion: The Acequia de los Trujillo is located in the
SELA NULLA NELA, Sec. 8, T. 19 N., R. 9 E., within the Pojoaque Pueblo Grant.

#### ACEQUIA DE LOS TRUJILLO

-75

7

Sub-File No.	Name	Acreage
8.63	John P. Harrison	0.59
8.64	Alyce O'Keefe	3.50
8.65	William Heyman	1.75
8.66	T. L. Lopez	0.77
8.66-A	Estate of Winifred G. Barker	0.26
8.67	Pablo O. Romero	0.16
8.68	Jose Maria Romero	3.15
8.69	Pauline P. Cable	0.52
8.70	Allen L. McNown	6.89
8.70-A	Dr. W. A. Friedman	3.00
8.71	Thomas L. Shipman	11.96
8.72	Wilson C. Smith, Jr.	3.39

: 2

8.73	Eseguiel Salazar	0.95
8.74	Estate of Winifred G. Barker	0.39
8.75	Estate of Mrs. Phyllis Mayne	1,55
8.76	Max L. Quintana	1.03
8.76-A	Eugene Friedman	0.88
8.77	Feliciana Salazar	2.06
8.77-A	Jose I. Salazar	0.35
8-77-B	Walter L. Goodwin, Jr.	0.11
8.78	Antonia Quintana	3.93
8.79	Pojoaque Livestock & Builder's	0.50
	Supply, Inc.	1.93
8.80	Eufemio Rivera	11.90
8.81	Maria Herrera	7.06
8.82	Lugarda Hagewood	0.98
8.83	Juanita Vigil	1.43
8.84	Henry C. McDonald	5,29
8.85	Joe E. Gonzales	1.90
8.86	Joe D. Gonzales	0.84
8.87	Joe E. Gonzales	2.46
	TOTAL	75.98

Duty of Water: Not to exceed 3.0 acre-feet on a total of 75.98 acres irrigated.

Amount of Water: Not to exceed a total of 227.94 acre-feet in any one year, plus such reasonable conveyance loss from the point of diversion from the Rio Pojoaque Stream System to the individual farm headgates as may be determined hereafter by the Court:

The B. Smalls
Commissioner

Special Assistant Attorney General For plaintiff State of New Mexico ex rel. S. E. Reynolds, State Engineer

elle L. Mcglown

Thanes R. Shipman

4-27-78

Date

### CONSENT ORDER

THIS COURT, having considered the agreement between the parties, finds that it has jurisdiction of the parties and the subject matter herein and that the defendant has a right to divert public waters from the Rio Pojoaque Stream System as stated in the Agreement on Water Rights,

hereinabove.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant's water rights are as set forth above, and that the defendant, its officers, agents, and employees are enjoined from any diversion or use of the public surface and underground waters of the Rio Pojoaque Stream System except in strict accordance with the rights set forth above or in other orders of this Court and except for individual domestic or stock uses.

### E.L. MECHEM

JUDGE OF THE UNITED STATES DISTRICT COURT



### **Transaction Summary**

Change of Ownership Partial (split water right)

Transaction Number: 526119 Transaction Desc: SD 02442 17A File Date: 04/13/2013

**Primary Status:** PMT Permit Secondary Status: APR Approved

\*\*\*\*\* Person Assigned:

Applicant: CHRISTIAN GOSSEIN

	Date	Type	Description	Comment	Processed By
get images	04/13/2013	APP	Application Received	*	*****
eei images	04/13/2013	MAP	Map or Plat Received	*	*****
	04/13/2013	FTN	Finalize non-published Trans.		谁未非非非非非
	04/25/2013	QAT	Quality Assurance Completed	IMAGE	*****

WR File Nbr Consumptive Purpose of Use Diversion Acres SD 02442 17 IRR IRRIGATION \*\*Point of Diversion SD 02442 409221 3972919\* \*\*Place of Use Q Q Q Q 256 64 16 4 Sec Tws Rng

Acres Diversion Consumptive Use Priority Status Other Loc Desc 0.737 IRR 03/17/1907 ADJ AS SHOWN ON HYDRO SURVEY MAP NO. 8, TRACT

Change To: WR File Nbr Diversion Consumptive Purpose of Use SD 02442 17A 0.73 2,446 IRR IRRIGATION \*\*Point of Diversion SD 02442 409221 3972919\*

\*An (\*) after northing value indicates UTM location was derived from PLSS - see Help

\*\*Place of Use

Diversion Consumptive Use Priority Status Other Loc Desc Acres AS SHOWN ON HYDRO SURVEY MAP

NO. 8, TRACT

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

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TRANSACTION SUMMARY

#### LOT LINE ADJUSTMENT

PREPARED FOR

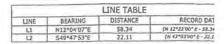
### **ESEQUIEL SALAZAR and CLARA**

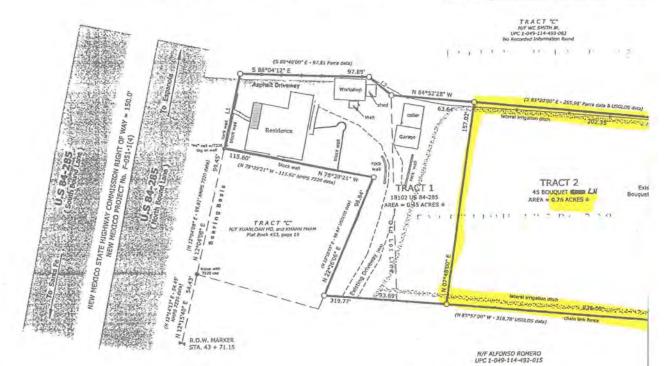
LYING AND BEING SITUATE IN A PORTION OF EXCEPTION 187, P.C. 238 WITHIN SE POJOAQUE PUEBLO GRANT, COUNTY OF SANTA FE, STATE OF N

TOTAL AREA = 1.21 ACRES ±

PURPOSE STATEMENT: VACATE EXISTING LOT LINE AND ADJUST LOT I

# Original of Poor Quality





#### SURVEYORS NOTES

- PROPERTY BOUNDARIES AS DEPICTED ON THE PLAT HEREON WERE ESTABLISHED USING FOUND MONUMENTS, AND DOCUMENTS OF RECORD AVAILABLE TO THE SURVEYOR.
- This boundary survey, lot split is rated zone "x" an area determined to be cutside the 500 year flood plain as per firm panel 350069 0100 B, effective date november 4, 1988.

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THIS \_\_\_\_\_ DAY OF \_\_\_\_ CALL.

A.D., 2007 AT L 3 L 2 3 O'CLOCK \_\_\_ P. M., RECORDE IN BOOK \_\_\_ L 4 \_\_\_ P. AGE \_\_\_ 2. AS DOCUMEN NO. | 1 \_\_\_ AS DOCUMEN OF SANTA FE COUNTY, STATE OF NEW MEXICO.





SANTA FE COUNTY APPROVAL, NOTES AND CONDITIONS

reception inspection

9/12/2006 1-30-2007 DATE Mark Galand 1-25-07 

MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENT IS THE RESPONSIBILITY OF THE LAND OF UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT.

The approval of this plat does not constitute the approval of any further development, including building permits.

LANDS SHOWN HERSON LIE QUISIDE THE 100 YEAR FLOOD PLAIN IN ZONE "X" ACCORDING TO THE FEDERAL FLOOD INSURANCE RATE MAP PANEL No. 350069-01108.

EXISTING NATURAL DRAINAGEWAYS WILL NOT 85 MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATION OR COUNTY PROPOLOGIST, DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

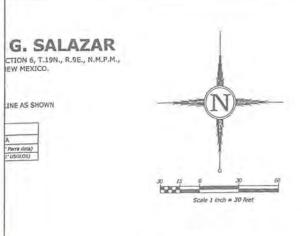
THE LANDS SHOWN HEREON LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE.

SANTA PE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENTS) OR ROAD(S), IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.

THE PARCELS AS PLATTED HEREON ARE SUBJECT TO ARTICLE VII, SECTION 3 OF THE SANTA FE COUNTY TERRAIN MARAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.

NEW DRIVEWAY/ROAD ACCESS FROM COUNTY ROAD 105 IS SUBJECT TO APPROVAL BY THE PUBLIC WORKS DIRECTOR: THE DIRECTOR SHALL APPROVE THE LOCATION AND INSTALLATION OF A CULVERT AS PERMITTED BY SANTA FE COUNTY PRIOR TO ISSUING A PERMIT FOR CONSTRUCTION .

NEW DRIVEWAY/ROAD ACCESS FROM U.S. HIGHWAY 84/285 IS SUBJECT TO PERMIT REQUIREMENTS OF THE NEW MEXICO DEPARTMENT OF TRANSPORTATION.





## Original of Poor Quality

ESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF THE LICIATION FOR BUILDING PERMIT.

IS RATING: PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING THE THIS IPERTY IS DESIGNATED AS BEING MODERATE-SEVER REGARDING LIMITATIONS TO SEPTIC TAINS. SEPTIAL BUTERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENTAL PARTHENT WHETHER THESES SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN EMMATURE SYSTEM IS REQUIRED.

DEVELOPMENT SHALL OCCUR WITHIN BUILDABLE AREAS IN ACCORDANCE WITH THE SANTA FE COUNTY ID DEVELOPMENT CODE.

FURTHER DIVISION OF THESE LOTS SHALL BE PERMITTED.

ise lots are subject to the requirements of the fire marshall affidavit filed in the office of a county clerk and recorded as instrument no.  $\_$   $\_$   $\bot$   $\bot$   $\bot$   $\bot$   $\bot$   $\bot$   $\bot$   $\bot$ 

#### SPECIAL BUILDING PERMIT CONDITIONS

EVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED PROVEMENTS FOR ROADS, FIRE PROTECTION AND DRAINAGE ARE COMPLETED AS APPROVED BY 75F.

#### OWNER'S ACKNOWLEDGMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT THE UNDERSIGNED LAND OWNER(S) AND PROPRIETOR(S) HEREON HAVE CAUSED A LOT LINE ADJUSTMENT OF LANDS LYING AND BEING SITUATE IN A PORTION OF EXCEPTION 187, P.C. 238 WITHIN SECTION 6, T.1.BN., R.9E., N.H.P.M., COUNTY OF SANTA FE, STATE OF NEW MEXICS THE HISTORY LAND OWNERS AND PROPRIETOR(S) HEREON, UTILITIES AS SHOWN ARE SUBJECT TO ALL EASEMENTS OF RECORD AND GRANTED TO THEIR RESPECTIVE UTILITY COMPANIES. THE BOUNDARIES AS DEPICTED ARE A TRUE REPRESENTATION OF THE LANDS SHOWN HEREON.

Chera Dalazak CLARA G. SALAZAR

64601/29

10101

9: OHBU

TUYION

Paty & Sandred

MY COMMISSION EXPIRES 11-29-07

#### LEGEND

- MONUMENT FOUND AND USED AS NOTED.
- O MONUMENT SET, ALUMINUM CAP PS 10988.
- U.S.G.LO.S. BRASS CAP FOUND AS NOTED.
- T- WIRE FENCE, BARBED WIRE FENCE, OR AS NOTED.

DINA OVERHEAD UTILITY LINE WITH POWER POLE.

OPEN SPACE, PORCH, CARPORT, PORTAL, OR AS NOTED.

#### DOCUMENTS REFERENCED

PLAT: BOUNDARY SURVEY REQUESTED BY JIM R. TRUJILLO and VICTORIA L, TRUJILLO, FILED FOR RECORD IN BOOK 453, PAGE 019, AS CERTIFIED BY C. PETER LUJAN, NMPS 7220.

NEW MEXICO STATE HIGHWAY COMMISSION RIGHT OF WAY MAP, NEW MEXICO PROJECT NO. F-051-1 (4), SHEET 3B OF 7.

IMPROVEMENTS OF REMAINING PORTION OF EXCEPTION 187, P.C. 238. SECTRON 6, T.19N., R.9E., N.M.P.M., AS CERTIFIED BY JAMES W. PARRA.

WARRANTY DEED; MARIA PAUBLITA SALAZAR, & WIGOW TO ESEQUIEL SALAZAR and CLARA G. SALAZAR, FILED FOR RECORD IN BOOK 151, PAGE 444.

WARRANTY DEED: (Joint Yenenis) FROM JOSE P. SALAZAR and PAULITA Q. SALAZAR to ESEQUIEL SALAZAR and CLARA G. SALAZAR, FILED FOR RECORD IN BOOK 64, PAGE 404.

1, SALVADOR 1, VIGIL, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, HEREBY CERTIFY THAT THIS LOT LINE ADJUSTMENT PLAT AND THE NOTES HEREON WERE PREPARED FROM AN ACTUAL FIELD SUR PERFORMED BY HE OR UNDER MY DIRECT SURPEVISION ON OCTOBER 17, 2006 AND THAT I AM RESPONSIBLE FOR THIS SURVEY AS DEFICITED ON THE PLAT HEREON, BOUNDARIES FOR THIS BOUNDARY SURVEY LOT SPLIT AS SHOWN HEREON WERE ESTABLISHED USING FOUND MOUNDAITS, DOCUMENTS O RECORD AND AS PER THE INSTRUCTIONS OF THE UNIT OWNER(S). THIS SURVEY IS NOT A DIVISION OF CAMD AS STIPHLATED IN THE NEW MEXICO SUBDIVISION ACT, AND MEETS THE MINIMUM STANDARDS SETONTH BY THE NEW MEXICO SURDIVISION ACT, AND MEETS THE MINIMUM STANDARDS SETONTH BY THE NEW MEXICO PROFESSIONAL GOARD OF LICENSURE FOR SURVEYORS AND BROIMPERS.

# LAND SURVEYING COMPANY Sulveder I. Vigo, III y 10003 P.O. Box 4506 P.O. Box 4506 Stroot Stroot From the Stroot Str

OCT. 21, 2006 STV, SLV, LD

S.I.VIGILRIS | SANTA FE COUNTY CLERK'S INDEX INFORMATION LOT LINE ADJUSTMENT PREPARED FOR ESEQUIEL SALAZAR

and
CLARA G. SALAZAR
PORTION OF EXCEPTION 187, P.C. 238 WITHIN SECTION 6
T.18N., R.S. E., M.R.M., POLONGUE PUEBLO GRANT,
COUNTY OF SANTA FE, STATE OF NEW MEXICO





#### IMPROVEMENT LOCATION REPORT

Buyer: John Gunn

Seller: David Rael and Bart Ortiz

Project: 11010017

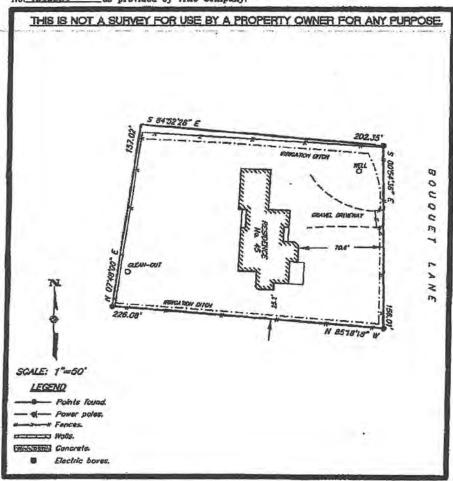


PLAT REFERENCE: Bearings, distances and/or curve data are taken from the following plat.

"Lot Line Adjustment Prepared for Esequiel Salazar...", filed in Plat Book 646,

Page 029, records of Santa Fe County, New Mexico.

NOTE: The error of closure is one foot for every 100,000 feet along the perimeter of the legal description as provided. Easements shown hereon are as listed in Title Commitment No. 1542534 as provided by Title Company.



improvement location is hared on pravious property surveys. No monuments were set. This tract is subject to all easements, restrictions and reservations of record which pertain. This report is not to be relied upon for the establishment of fences, buildings or other future improvements.

Page 1 of 2



## **Point of Diversion Summary**

(quarters are 1=NW 2=NE 3=SW 4=SE)

(quarters are smallest to largest)

(NAD83 UTM in meters)

Source:

POD Number SD 02442

Q64 Q16 Q4 Sec Tws Rng

X

4 1 2 08 19N 09E

River Name: RIO NAMBE

Ditch Name: ACEQUIA DE LOS TRUJILLOS

Surface

Start Date:

Finish Date:

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

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POINT OF DIVERSION SUMMARY



### **Point of Diversion Summary**

(quarters are 1=NW 2=NE 3=SW 4=SE) (quarters are smallest to largest)

Q64 Q16 Q4 Sec Tws Rng

(NAD83 UTM in meters)

POD Number SD 02442

4 1 2 08 19N 09E

X

River Name: RIO NAMBE

Source:

Surface

Ditch Name: ACEQUIA DE LOS TRUJILLOS

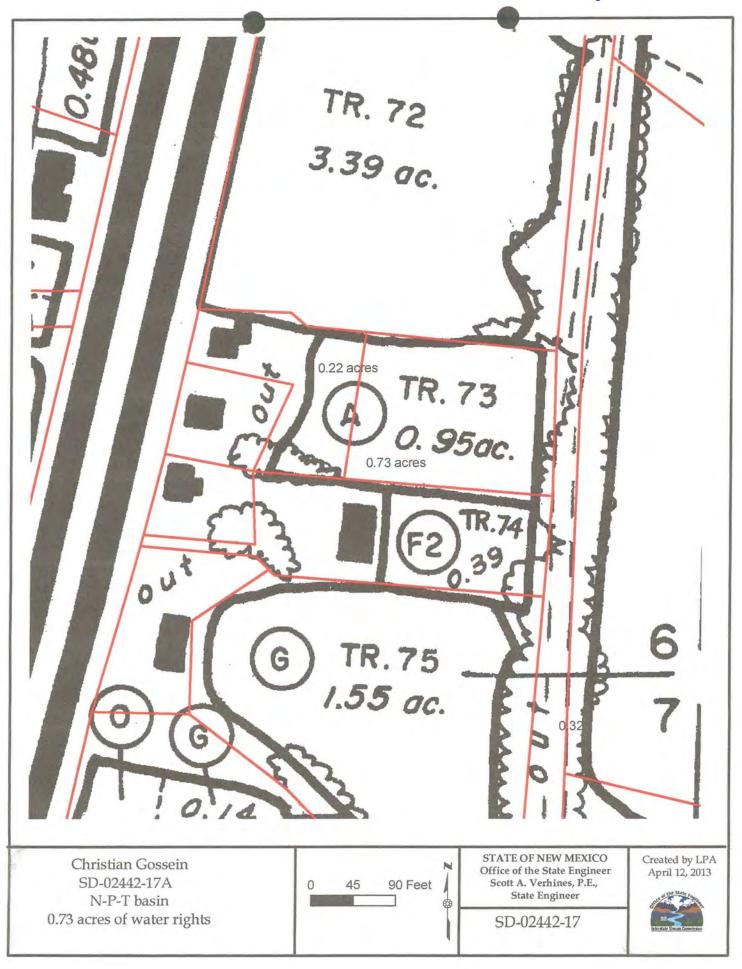
Start Date:

Finish Date:

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

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POINT OF DIVERSION SUMMARY





### **Water Right Summary**



WR File Number:

SD 02442 17A

Primary Purpose:

IRR IRRIGATION

**Primary Status:** 

PMT PERMIT

Total Acres:

0.73

Total Diversion:

2.446 CHRISTIAN GOSSEIN

Documents on	1731	
Documents on	гп	c

**	13 OH A 11									
				Sta	atus		From/			
	Trn#	Doc	File/Act	1	2	Transaction Desc.	To	Acres	Diversion	Consumptive
(15	526119	COWNP	2013-04-13	PMT	APR	SD 02442 17A	T	0.73	2.446	
	526118	COWNP	2013-03-29	APP	RCV	SD 02442 17A	T	0	0	

**Current Points of Diversion** 

(NAD83 UTM in meters)

POD Number SD 02442

64Q16Q4Sec Tws Rng 4 1 2 08 19N 09E

Other Location Desc

NPT

**Priority Summary** 

Priority 03/17/1907

Status ADJ Acres 0.73 Diversion Pod Number 2.446 SD 02442

Place of Use

Q Q 256 64 Q16 Q4Sec Tws Rug 06 19N 09E

Acres 0.73 Diversion 2.446 CU Use Priority IRR 03/17/1907

Status Other Location Desc PMT AS SHOWN ON HYDRO SURVEY MAP NO. 8, TRACT

Source

Acres Diversion 2.446 0.73

CU Use Priority IRR 03/17/1907

Source Description SW

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WATER RIGHT SUMMARY