

315667

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

FILED  
AT ALBUQUERQUE  
MAY 8 1968  
E. E. GREGSON  
CLERK

STATE OF NEW MEXICO, ex rel.,	)	
S. E. REYNOLDS, State Engineer	)	
	)	
Plaintiff,	)	No. 6639
	)	Civil
vs.	)	
	)	Feliciano Ditch
UNITED STATES OF AMERICA, et al.,	)	Sub-File No. 14.1
	)	
Defendants.	)	Henry Hoyt

ORDER

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: HENRY HOYT
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 XXXXXXXX HENRY HOYT 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. 14.1: HENRY HOYT

A. Purpose - Irrigation:

State Engineer File No.: 01347

Priority:

Point of diversion:

Surface: SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 31, T. 19 N., R. 10 E.

Ground water:

Location & amount of acreage:

Pt. of SE $\frac{1}{4}$  Sec. 25, T. 19 N.,  
R. 9 E., as shown on hydro-  
graphic survey map sheet  
No. 14, Tract 1.

5.61 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):

State Engineer File No.: RG-9393

Priority: July 12, 1963

Point of diversion: NE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, T. 19 N., R. 9 E.

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

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

IT IS FURTHER ORDERED that the defendant HENRY HOYT, 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 \_\_\_\_\_ day of MAY 8 1968, 1967.

  
\_\_\_\_\_  
Judge of the United States District Court