

318530

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

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

STATE OF NEW MEXICO, ex rel.,	)	
S. E. REYNOLDS, State Engineer	)	
	)	
Plaintiff,	)	No. 6639
	)	Civil
vs.	)	
	)	Acequia del Rio
UNITED STATES OF AMERICA, et al.,	)	Sub-File No. 2.2-A
	)	
Defendants.	)	ESTANISLADO GONZALES

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: ESTANISLADO GONZALES
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 ESTANISLADO GONZALES has a right to withdraw public surface and/or underground waters from the Namba-Pojoaque River System for all purposes as follows:

SUB-FILE NO. 2.2-A; ESTANISLADO GONZALES

**A. Purpose - Irrigation:**

State Engineer File No.: None

Priority:

Point of diversion:

Surface: The point of diversion of the Acequia del Rio is located in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 9, T. 19 N., R. 8 E., within the San Ildefonso Pueblo Grant.

Ground water: Acequia del Rio is also supplied with groundwater from a community irrigation well located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 9, T. 19 N., R. 8 E.--NO RIGHT

Location & amount of acreage:

Part of P.C. 67, Complaint 80, P.2, Sec. 9, T. 19 N., R. 8 E., within the San Ildefonso Pueblo Grant, as shown on hydrographic survey map sheet No. 2, Tract 2-A.

0.84 ac.

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): NONE**

State Engineer File No.:

Priority:

Point of diversion:

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

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

IT IS FURTHER ORDERED that the defendant ESTANISLADO GONZALES \_\_\_\_\_, 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 5<sup>th</sup> day of September, 1967.

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

317958

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

ORIGINAL  
FILED IN MY OFFICE

MAR 14 1969

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

E. E. GREESON  
CLERK

No. 6639  
Civil  
Acequia del Rio  
Sub-File No. 2.37 & 2.39

Bernardino Herrera

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: **BERNARDINO HERRERA**
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 BERNARDINO HERRERA 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. 2.37 & 2.39; BERNARDINO HERRERA



**A. Purpose - Irrigation:**

State Engineer File No.: **None**

Priority:

Point of diversion:

Surface: **The point of diversion of the Acequia del Rio is located in the NW<sup>1</sup> SE<sup>1</sup> NE<sup>1</sup>, Sec. 9, T.19 N., R.8 E., within the San Idefonso Pueblo Grant.**

Ground water: **The Acequia del Rio is also supplied with groundwater from a community irrigation well located in the NW<sup>1</sup> SE<sup>1</sup> SW<sup>1</sup>, Sec. 9, T.19 N., R.8 E.**

Location & amount of acreage:

**Part of P.C. 31, Complaint 40, P.2, Sec. 9, T.19 N., R.8 E., within the San Idefonso Pueblo Grant, as shown on hydrographic survey map sheet No. 2, Tract 37. 1.09 acres**

**Part of P.C. 52, Exception 142, P.1, Part of P.C. 54, Exception 144, P.1, Sec. 9, T.19 N., R.8 E., within the San Idefonso Pueblo Grant, as shown on hydrographic survey map sheet No. 2, Tract 39. .35 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): **None****

State Engineer File No.:

Priority:

Point of diversion:

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

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

IT IS FURTHER ORDERED that the defendant BERNARDINO HERRERA, 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 MAR 14 1969, 1969.

**H. VEARLE PAYNE**

Judge of the United States District Court

317962

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

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

STATE OF NEW MEXICO, ex rel.,	)	
S. E. REYNOLDS, State Engineer	)	
	)	
Plaintiff,	)	No. 6639
	)	Civil
vs.	)	
	)	Acequia del Rio
UNITED STATES OF AMERICA, et al.,	)	Sub-File No. 2.40
	)	
Defendants.	)	Jose Maria Serna

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: JOSE MARIA SERNA
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 JOSE MARIA SERNA 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. 2.40: JOSE MARIA SERNA

**A. Purpose - Irrigation:**

**State Engineer File No.:** None

**Priority:**

**Point of diversion:**

**Surface:** The Point of diversion of the Acequia del Rio is located in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 9, T. 19 N., R.8 E. within the San Ildefonso Pueblo Grant.

**Groundwater:** Acequia del Rio is also supplied with groundwater from a community irrigation well located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 9, T. 19 N., R. 8 E.

**Location & amount of acreage:**

Part of P.C. 116, Exception 265, P. 2, Sec. 9, T. 19 N., R. 8 E., within the San Ildefonso Pueblo Grant, as shown on hydrographic survey map sheet No. 2, Tract 40.

0.32 ac.

**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): NONE**

**State Engineer File No.:**

**Priority:**

**Point of diversion:**

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



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

IT IS FURTHER ORDERED that the defendant JOSE MARIA SERNA, 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. Hearle Payne*  
Judge of the United States District Court