

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,)

Plaintiffs-in-Intervention.)

No. 66cv6639 MV/WPL

Acequia del Medio (Ortiz Branch)

Subfile Nos. 1.7, 2.45 & 2.46, 2.48, 2.50,
2.52, 2.53

**[PROPOSED] ORDER GRANTING MOTION TO CORRECT SUBFILE ORDERS FOR
WATER RIGHTS SERVED BY ACEQUIA DEL MEDIO (ORTIZ BRANCH) TO
ADOPT PRIORITY DATE FOR SUPPLEMENTAL GROUNDWATER IRRIGATION
WATER RIGHT ADJUDICATED FOR DIVERSION FROM COMMUNITY
IRRIGATION WELL**

THIS MATTER is before the Court on the State of New Mexico’s (the “State”) *Motion to Correct Subfile Orders for Water Rights Served by the Acequia del Medio (Ortiz Branch) to Adopt Priority Date for Supplemental Groundwater Irrigation Water Right Adjudicated for Diversion from Community Irrigation Well* (Doc. _____, _____), filed pursuant to the Court’s July 23, 2013, *Procedural Order for Correcting Subfile Errors* (Doc. 7909). Having been fully advised in the premises, the Court finds the State’s motion well-taken, and that it should be GRANTED.

IT IS ORDERED, THEREFORE, that a priority of “November 28, 1956, or date the well was completed if earlier” is adopted for the supplemental groundwater irrigation water right adjudicated for diversion from the community irrigation well for the Acequia del Medio (Ortiz Branch).

IT IS FURTHER ORDERED, that subfile orders entered in Subfile Nos. 1.7, 2.45 & 2.46, 2.48, 2.50, 2.52, 2.53 adjudicating surface water irrigation water rights or “no rights” served by the Acequia del Medio (Ortiz Branch), are hereby corrected to fully describe the supplemental groundwater irrigation water right associated with the community well for the Acequia del Medio (Ortiz Branch) as follows:

Purpose – Irrigation

Groundwater:

State Engineer File No: None

Priority: November 28, 1956, or date the well was completed if earlier

Point of Diversion: The Acequia del Medio (Ortiz Branch) is also supplied with groundwater from a community irrigation well located in the NE ¼ SW ¼ NW ¼ Sec. 9, T. 19N, R. 8E.

Except as expressly corrected by this Order, all elements of the rights adjudicated under the above-referenced subfiles should remain as stated in the subfile orders including, but not limited to, the determination in the subfile orders concerning the right to receive water from the community irrigation well for the Acequia del Medio (Ortiz Branch). Whether a given subfile tract has the right to receive water from the community irrigation well remains as stated in the subfile order.

WILLIAM P. JOHNSON
UNITED STATES DISTRICT JUDGE

