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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

FILED
AT ALBUQUERQUE

MAY 8 1968

E. E. GREESON
CLERK

No. 6639

Civil

Sub-File No. DS-193

Eloy & Armando Baros

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

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: **Eloy & Armando Baros**
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 defendants' 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 defendants' rights and said Offer of Judgment is hereby approved.
5. The defendant Eloy & Armando Baros 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. DS-193; Eloy & Armando Baros

A. Purpose - Irrigation:
NONE

B. Purpose - Domestic and/or Stock (underground water):

State Engineer File No.: RG-10899

Priority: April 21, 1964

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 19 N., R. 8 E.

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

- 6. The defendant Eloy & Armando Baros has no other surface or underground water rights in the Nambe-Pojoaque River System.
- 7. That the defendant Eloy & Armando Baros his agents, employees, privies, co-tenants, 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 Eloy & Armando Baros be and hereby is adjudicated to have a good and valid water right as set forth above.

IT IS FURTHER ORDERED that the defendant Eloy & Armando Baros, his agents, employees, privies, co-tenants, tenants, assigns, attorneys, and any and all other persons having constructive knowledge of the restraining order, by 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.

Stearle Payne
Judge of the United States District Court