

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

FILED  
AT ALBUQUERQUE  
MAY 8, 1968  
E. E. GREESON  
C/FRK

STATE OF NEW MEXICO, ex rel.,	)	
S. E. REYNOLDS, State Engineer	)	
	)	
Plaintiff,	)	No. 6639
	)	Civil
vs.	)	
	)	Chupadero Irrigation Co. Ditch
UNITED STATES OF AMERICA, et al.,	)	Sub-File No. 17.1
	)	
Defendants.	)	Christian Brothers Major Superior

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: CHRISTIAN BROTHERS MAJOR SUPERIORS
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 CHRISTIAN BROTHERS MAJOR SUPERIORS 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. 17.1: CHRISTIAN BROTHERS MAJOR SUPERIORS

A. Purpose - Irrigation:

State Engineer File No.: None

Priority:

Point of diversion:

Surface: The Chupadero Irrigation Company Ditch is located in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 8, T. 18 N., R. 10 E.

Ground water:

Location & amount of acreage:

Part of S $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 5, T. 18 N., R. 10 E., and Part of N $\frac{1}{2}$ , Sec. 8, T. 18 N., R. 10 E., as shown on hydrographic survey map sheet No. 17, Tract 1.

20.64 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.: None

Priority: 1918

Point of diversion: SW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 8, T. 18 N., R. 10 E.

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

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

IT IS FURTHER ORDERED that the defendant CHRISTIAN BROTHERS MAJOR SUPERIORS, 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