

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*)
 State Engineer,)
)
 Plaintiff,)
)
 vs.)
)
 R. LEE AAMODT, et al.,)
)
 Defendants,)
)
 and)
)
 UNITED STATES OF AMERICA,)
 PUEBLO DE NAMBÉ,)
 PUEBLO DE POJOAQUE,)
 PUEBLO DE SAN ILDEFONSO,)
 and PUEBLO DE TESUQUE,)
)
 Plaintiffs-in-Intervention.)
 _____)

No. 66cv06639 WJ/WPL

Subfile No.: RG-79917

CONSENT ORDER ADJUDICATING PRE-JANUARY 13, 1983
DOMESTIC WELL WATER RIGHTS

THIS MATTER is before me under the provisions of paragraph *WJ* IV.B.1 of the Court's *usdist Jwd*
 August 2, 2012 Procedural and Scheduling Order for the Adjudication of Water Rights for
 Domestic Wells, Including Pre-Basin Domestic Wells, Drilled or Permitted Prior to This
 Court's Order of January 13, 1983 (Docket No. 7736) and pursuant to the Court's March 18,
 2013 Order to Show Cause (Docket No. 7861) concerning the rights to use the public waters of
 the Rio Grande Underground Water Basin and the Nambe-Pojoaque-Tesuque stream system of
 Defendants:

NM HIGHWAY TRANS. DEPARTMENT
P.O. BOX 1149
SANTA FE, NM 87504

The Court FINDS:

1. The Court has jurisdiction over the Defendant and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant are in agreement concerning certain elements of the Defendant's right to divert and use the public waters of the Rio Grande Stream System. By their signatures appearing below, the State and the Defendant have approved and accepted the elements of the Defendant's water rights as set forth below.
3. There is no just reason to delay entry of this Consent Order as a final judgment as between the Plaintiff State of New Mexico and the Defendant regarding the elements of the claims of the Defendant adjudicated by this Consent Order.

IT IS THEREFORE ORDERED that the right of the Defendant to divert and use the public waters of the Rio Grande Underground Water Basin and the Nambe-Pojoaque-Tesuque stream system is as follows:

Purpose: Domestic and Livestock; Construction and Maintenance of State Roads, Streets, or Highways

State Engineer File No.: RG-79917

Priority: 01/12/1983

Source of Water: Underground waters of the Rio Grande Underground Water Basin

Point of Diversion: Well No. RG-79917

Location: X= 577,200 Y= 1,761,350
On the New Mexico State Plane Coordinate System, Central
Zone, 1927 N.A.D.

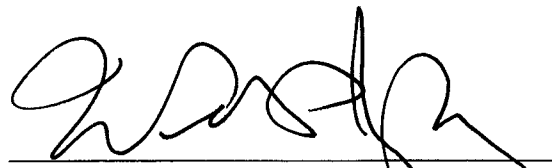
Place of Use: Cuyamungue Grant.

Amount of Water: Not to exceed a diversion of 3.0 acre-feet per year or the historic beneficial use, whichever is less, subject to the other conditions specified in this consent order.

Other Conditions: Subject to all applicable conditions of State Engineer Permit No. RG-79917 for the above described well, which are incorporated herein, and any administrative determination made by the State Engineer pursuant to NMSA 1978, § 67-2-6 and NMSA 1978, § 72-5-34 through § 72-5-38.

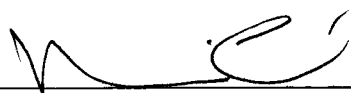
These water rights are subject to objection by any other water right owner with standing in a later (*inter se*) phase of this adjudication suit when water right owners may object between themselves to individual adjudication orders. The rights are also subject to the entry of the final decree in this case.

IT IS FURTHER ORDERED that the Defendants are enjoined from any diversion or use of the waters of the Nambe-Pojoaque-Tesuque Stream System except in accordance with the rights adjudicated in this order or any other order of the Court.



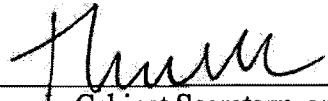
WILLIAM P. JOHNSON
UNITED STATES DISTRICT JUDGE

Recommended for Approval:



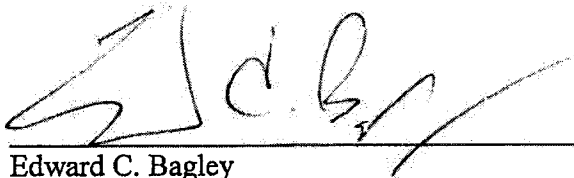
PIERRE LEVY
SPECIAL MASTER

NEW MEXICO DEPARTMENT OF TRANSPORTATION



Tom Church, Cabinet Secretary, or designee
New Mexico Department of Transportation
P.O. Box 1149
Santa Fe, New Mexico 87504-1149
(505) 827-0709
tom.church@state.nm.us

THE STATE OF NEW MEXICO



Edward C. Bagley
Special Assistant Attorney General
Attorney for the State of New Mexico
P.O. Box 25102
Santa Fe, New Mexico 87504-5102
(505) 827-7844
edward.bagley@state.nm.us