

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-64443

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**CONSENT ORDER ADJUDICATING PRE-BASIN DOMESTIC
WELL WATER RIGHTS**

THIS MATTER is before me under the provisions of paragraph V.B.1 of the Court's 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 3, 2015 Order to Show Cause (Docket No. 10119) concerning the rights to use the public waters of the Rio Grande Underground Water Basin and the Nambé-Pojoaque-Tesuque stream system of Defendants:

JOSE GREGORIO GONZALES
9 VIA FELIZ LOOP
SANTA FE, NM 87506-1395

The Court FINDS:

1. The Court has jurisdiction over the Defendant(s) and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning certain elements of 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(s) have approved and accepted the elements of 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(s) regarding the elements of the claims of the Defendant(s) adjudicated by this Consent Order.

IT IS THEREFORE ORDERED that the right of the Defendant(s) 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: Non NMSA § 72-12-1 and -1.1 Domestic use multiple households

State Engineer File No.: RG-64443

Priority: 06/15/1946

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

Point of Diversion: Well No. RG-64443

Well No.: RG-64443 Location X: 545,203 feet Y: 1,780,083 feet
on the New Mexico State Plane Coordinate System, Central
Zone, NAD 1927

Number of Households Served By Well: Multiple Households


Place of Use: Within the property and households of the users served by the well.

Amount of water: Not to exceed a diversion and consumption of 3.0 acre feet per year from the well described above unless a more restrictive diversion limit applies

pursuant to court order, covenant or ordinance.

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 Defendant(s) 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:

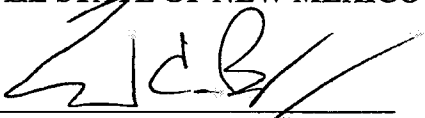

PIERRE LEVY
SPECIAL MASTER

ACCEPTED:  for Jose G. Gonzales
JOSE GREGORIO GONZALES

ADDRESS: 8 Via Feliz Loop
Santa Fe, NM 87506

DATE: 3/23/17

THE STATE OF NEW MEXICO



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

3/27/2017
DATE

**NEW MEXICO STATUTORY FORM
POWER OF ATTORNEY**

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the Uniform Power of Attorney Act.

This power of attorney does not authorize the agent to make health care decisions for you. You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is entitled to reasonable compensation unless you state otherwise in the Special Instructions.

This form provides for designation of one agent. If you wish to name more than one agent, you may name co-agent in the Special Instructions. Co-agents are not required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent. This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I, JOSE G. GONZALES,

Name the following persons to serve as my co-agents:

Name of Co-Agent: Beth Gonzales

Agent's Address: 8 Via Feliz Loop, Santa Fe, NM 87506

Agent's Telephone Number: (505) 473-9055

Name of Co-Agent: Frances Ehrgood

Agent's Address: P.O. Box 957, Grass Valley, CA 95945

Agent's Telephone Number: (530) 274-8855

DESIGNATION OF CO-SUCCESSOR AGENT(S) (OPTIONAL)

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of Successor Agent: _____

Successor Agent's Address: _____

Successor Agent's Telephone Number: _____

If my successor agent is unable or unwilling to act for me, I name as my second successor agent:

Name of Second Successor Agent: _____

Second Successor Agent's Address: _____

Second Successor Agent's Telephone Number: _____

GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me Initial Here: _____ respect to the following subjects as defined in the Uniform Power of Attorney (INITIAL each subject you want to include in the agent's general authority. If to grant general authority over all of the subjects, you may initial "All Preceding Subjects" instead of initialing each subject.)

- Real Property
- Tangible Personal Property
- Stocks and Bonds
- Commodities and Options
- Banks and Other Financial Institutions
- Insurance and Annuities
- Estates, Trusts and Other Beneficial Interests
- Claims and Litigation
- Personal and Family Maintenance
- Benefits from Governmental Programs or Civil or Military Service
- Retirements Plans
- Taxes
- All Preceding Subjects

DBB

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent MAY NOT do any of following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to your agent.)

- Create, amend, revoke or terminate an inter vivos trust
- Make a gift, subject to the limitations of Section 217 of the Uniform Power of Attorney Act and any special instructions in this power of attorney
- Create or change rights of survivorship
- Create or change a beneficiary designation
- Authorize another person to exercise the authority granted under this power of attorney
- Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- Exercise fiduciary powers that the principal has authority to delegate
- Disclaim or refuse an interest in property, including a power of appointment

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines: _____

Initial Here: _____

CHECK AND INITIAL THE FOLLOWING PARAGRAPH IF YOU INTEND FOR THIS POWER OF ATTORNEY TO BECOME EFFECTIVE ONLY IF YOU BECOME INCAPACITATED. YOUR FAILURE TO DO SO WILL MEAN THAT YOUR ATTORNEY(S)-IN-FACT ARE EMPOWERED TO ACT ON YOUR BEHALF FROM THE TIME YOU SIGN THIS DOCUMENT UNTIL YOUR DEATH UNLESS YOU REVOKE THE POWER BEFORE YOUR DEATH.

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_____ This power of attorney shall become effective only if I become incapacitated. My attorney(s)-in-fact shall be entitled to rely on notarized statements from two qualified health care professionals, one of whom shall be a physician, as to my incapacity. By incapacity I mean that among other things, I am unable to effectively manage my personal care, property or financial affairs.

EFFECTIVE DATE

This power of attorney is effective immediately unless I have stated otherwise in the Special Instructions.

NOMINATION OF CONSERVATOR OR GUARDIAN (OPTIONAL)

If it becomes necessary for a court to appoint a conservator or guardian of my estate or guardian of my person, I nominate the following person(s) for appointment:

Name of Nominee for conservator of my estate: _____

Nominee's Address: _____

Nominee's Telephone Number: _____

Name of Nominee for Guardian of my person: _____


Nominee's Address: _____

Nominee's Telephone Number: _____

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it has terminated or is invalid.

SIGNATURE AND ACKNOWLEDGEMENT



Your Signature: Jose G. Gonzales

Date: January 2, 2014

Your Name printed: Jose G. Gonzales

Your Address: 8 Via Feliz Loop, Santa Fe, NM 87506

Your Telephone Number: (505) 473-9055

STATE OF NEW MEXICO)

)ss

COUNTY OF SANTA FE)

This instrument was acknowledged before me on this 2ND day of January, 2014, by Beth Gonzales and Frances Ehrgood.

My Commission Expires: 9/15/14

[Signature]
Notary Public

IMPORTANT INFORMATION FOR AGENT

Agent's Duties

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

1. do what you know the principal reasonably expects you to do with the principal's property, if you do not know the principal's expectations, act in the principal's best interest;
2. act in good faith;
3. do nothing beyond the authority granted in this power of attorney; and
4. disclose your identity as an agent whenever you act for the principal and signing your own name as "agent" in the following manner:

Jose R. Gonzales by _____ Beth Gonzales and
 _____ Frances Ehrgood as Co-Agents
 (Principal's Name) (Your Signature)

Unless the Special Instructions in this power of attorney state otherwise, you may also:

1. act loyally for the principal's benefit;
2. avoid conflicts that would impair your ability to act in the principal's best interest;
3. act with care, competence, and diligence;
4. keep a record of all receipts, disbursements and transactions made on behalf of the principal;
5. cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and

- 6. attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

Termination of Agent's Authority

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

- 1. death of the principal;
- 2. the principal's revocation of the power of attorney or you authority;
- 3. the occurrence of a termination event stated in the power of attorney;
- 4. the purpose of the power of attorney is fully accomplished; or
- 5. if you are married to the principal, a legal action is filed with a court to end you marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

Liability of Agent

The meaning of the authority granted to you is defined in the Uniform Power of Attorney Act or act outside the authority granted, you may be liable for any damages caused by your violation.

If there is anything about this document you don't understand or your duties that you do not understand, you should seek legal advice.

AGENTS CERTIFICATION AS TO THE VALIDITY OF POWER OF ATTORNEY AND AGENT'S AUTHORITY

STATE OF NEW MEXICO)

) ss

COUNTY OF SANTA FE)

We, Beth Gonzales and Frances Ehrgood acting as Co-Agents, certify under penalty of perjury that Jose ~~G~~ Gonzales (Name of Principal) granted me authority as co-agents or successor agent in a power of attorney date January 2, 2014. I further certify that to my knowledge:

- (1) the Principal is alive and has not revoked the Power of Attorney or my authority to act under the Power of Attorney and the Power of Attorney and my authority to act under the Power of Attorney have not terminated;
- (2) if the Power of Attorney was drafted to become effective upon the happening of an event or contingency, the event or contingency has occurred;
- (3) if I was named as a successor agent, the prior agent is no longer able or willing to serve; and
- (4)

JEB

(Insert other relevant statements)

SIGNATURE AND ACKNOWLEDGEMENT

Co-Agent's Signature: [Signature]
Date: January 2, 2014
Co-Agent's Name Printed: Beth Gonzales
Co-Agent's Address: 8 Via Feliz Loop Santa Fe, NM 87506
Co-Agent's Telephone Number: (505) 473-9055

Co-Agent's Signature: [Signature]
Date: January 2, 2014
Co-Agent's Name Printed: Frances Ehrgood
Co-Agent's Address: P.O. Box 957, Grass Valley, CA 95945
Co-Agent's Telephone Number: (530) 274-8855

This instrument was acknowledged before me on this 2ND day of January, 2014,
by Beth Gonzales & Frances Ehrgood

My Commission Expires:
9/15/2016

[Signature]
Notary Public