

Case: 6:69-cv-07941-BB

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

10 JUN 11 AM 11:08

STATE OF NEW MEXICO, on the relation of)
The State Engineer,)

Plaintiff,)

v.)

ROMAN ARAGON, et al.,)

Defendants.)

No. 69cv 07941-BB

Rio Chama Stream
System

Section I (mainstream)

CLERK-SANTA FE

**PRO SE PERSONS / SUCCESSORS-IN-INTEREST OF THE ACEQUIA DE CHAMITA REPLY
TO THE PLAINTIFF STATE OF NEW MEXICO, EX REL. STATE ENGINEER'S MOTION TO
REQUIRE SHOWING BY SANDIE HOLGUIN, THOMAS MARTINEZ AND JOE BRANCH
THAT THEY HAVE AN INTEREST IN LANDS IRRIGATED BY ACEQUIA DE CHAMITA
AND THAT THEY ARE SUCCESSORS-IN-INTEREST TO PERSONS THAT TIMELY FILED
OBJECTIONS TO NOTICES AND ORDERS TO SHOW CAUSE (DOC. 9767, FILED
05/27/2010).**

The *pro se* / successor-in-interest defendant(s) to be in compliance with the State's motion, Document 9767, Filed 05/27/2010, come now to respond to said Motion:

1. Because the *pro se* parties didn't understand proper procedural conduct they did not reply to the State's motion (Doc. 9606, Filed 02/25/2010) in a timely manner; and thus the Court responded, "No parties filed a timely response opposing the State's motion to limit consideration of objections" (Doc. 9720, Filed 05/21/2010 at 2). The Courts resulting motion was to grant the State's motion to limit consideration of objections to the Special Master's Report to those filed by persons that timely objected to Notices and Orders to Show Cause (*ibid.*).

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2. While still unsure of this kind of procedural conduct, but in hopes of preventing a similar response in judgment by the Honorable Court, the Defendant parties wish to submit a reply to the State's motion. (Doc. 9767, Filed 05/27/2010).
3. Comes now *pro se* party/ successor-in-interest Joe Branch (Doc. 9625, 9684, 9720), to show by deed or otherwise that I have an interest in lands irrigated by the Acequia de Chamita and that I am in fact a successor-in-interest to persons that timely filed objections to the Notices and Orders to Show Cause issued by the Court in 1994-95 (*ibid.* at 3). I am a successor-in-interest to Defendant Juan D. Archuleta Subfile No. 229, Doc. No. 3974.13, (Document 9700 Filed 04/28/2010 at 3). Documents of interest follow:

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Respectfully submitted by defendant Joe Branch
(Doc. 9625, 9684, 9720),

Joe Branch
(Signature of Defendant)

by Joe Branch, Date: _____

JOE BRANCH
(Printed name of Defendant)

P.O. Box 1116
(Street address or P.O. Box)

SAN JUAN Pueblo NM
(City, State and Zip Code) 87566

WARRANTY DEED

JUAN D. ARCHULETA and CLORA M. ARCHULETA

_____ for consideration paid, grant _____
to JOE BRANCH and CONNIE BRANCH

whose address is _____

the following described real estate in RIO ARRIBA County, New Mexico:

A PARCEL OF LAND LYING WITHIN EXCEPTION 1 PRIVATE CLAIM 244 PARCEL 3 OF THE SAN JUAN PUEBLO GRANT IN SECTION 9 T.21 N., R. 8 E. N.M.P.M. IN THE VICINITY OF CHAMITA COUNTY OF RIO ARRIBA, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:
COMMENCING AT A.P.11 OF EX.1 P.C.244 P.3 OF THE SAN JUAN PUEBLO GRANT, THENCE N.85°48'57"W. 155.36 FEET TO THE POINT AND PLACE OF BEGINNING, THIS BEING THE NORTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED; THENCE S.18°36'46" W., 52.97 FEET TO THE SOUTHEAST CORNER; THENCE S.74°10'24" W., 109.78 FEET TO THE SOUTHWEST CORNER; THENCE N.13°59'49"E., 42.35 FEET TO THE NORTHWEST CORNER; THENCE N.70°49'37" E., 118.89 FEET TO THE POINT AND PLACE OF BEGINNING. CONTAINING 0.103 ACRES.

with warranty covenants.

Witness both hand s _____ and seal _____ this 18th day of MAY, 2004
JUAN D. ARCHULETA (Seal) Juan D Archuleta (Seal)
Clora M. Archuleta (Seal) Clora M Archuleta (Seal)

ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO)
COUNTY OF RIO ARRIBA) ss.

This instrument was acknowledged before me on MAY 18, 2004

by Juan D. Archuleta + Clora M. Archuleta

My commission expires _____

Cecilia R. Baca
NOTARY PUBLIC
CECILIA R. BACA
ACKNOWLEDGEMENT FOR CORPORATION

FOR RECORDER'S USE ONLY

STATE OF NEW MEXICO)

A PARCEL OF LAND LYING WITHIN EXCEPTION 1 PRIVATE CLAIM 244 PARCEL 3 OF THE SAN JUAN PUEBLO GRANT IN SECTION 9 T.21 N., R. 8 E. N.M.P.M. IN THE VICINITY OF CHAMITA COUNTY OF RIO ARriba, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT: COMMENCING AT A.P.11 OF EX.1 P.C.244 P.3 OF THE SAN JUAN PUEBLO GRANT, THENCE N.85°48'57"W. 155.36 FEET TO THE POINT AND PLACE OF BEGINNING, THIS BEING THE NORTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED; THENCE S.18°36'46" W., 52.97 FEET TO THE SOUTHEAST CORNER; THENCE S.74°10'24" W., 109.78 FEET TO THE SOUTHWEST CORNER; THENCE N.13°59'49"E., 42.35 FEET TO THE NORTHWEST CORNER; THENCE N.70°49'37" E., 118.89 FEET TO THE POINT AND PLACE OF BEGINNING. CONTAINING 0.103 ACRES.

with warranty covenants.

Witness both hands and seal this 18th day of MAY, 2004
JUAN S. ARCHULETA (Seal) Juan S Archuleta (Seal)
Clora M. Archuleta (Seal) Clora M Archuleta (Seal)

ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO) *
COUNTY OF Rio Arriba) ss.

This instrument was acknowledged before me on MAY 18, 2004,
by Juan S. Archuleta + Clora M. Archuleta

My commission expires
(Seal) 10/22/05

Cecilia R. Baez
CECILIA R. BAEZ
NOTARY PUBLIC
ACKNOWLEDGEMENT FOR CORPORATION

FOR RECORDER'S USE ONLY

STATE OF NEW MEXICO)
COUNTY OF _____) ss.
This instrument was acknowledged before me on _____, 20____,
by _____ (NAME OF OFFICER),
_____ of _____ (CORPORATION ACKNOWLEDGMENT)
a _____ corporation, on behalf of said corporation
(STATE OF INCORPORATION)
My commission expires: _____ NOTARY PUBLIC
(Seal)

6/8/2010

Acequia de Chamita

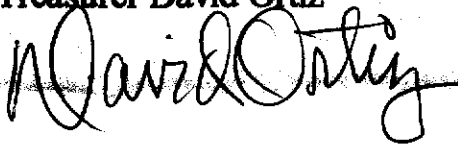
P O Box 930
San Juan Pueblo,
New Mexico 87566
Est. August 11, 1598

I hereby answer the Plaintiffs Motion to show cause and verify that the following parciante, having objected to the Special Masters recommendation of 1600 for the Acequia de Chamita (Don Juan de Onate's Acequia), Joe and Connie Branch are members in good standing since they acquired the land with appurtenant water rights on the Acequia de Chamita. The Grant in part has to do with a parcel of land that the Branch's acquired from Juan D. Archuleta, May 18, 2004, having acquired the land with the water rights from Juan D. Archuleta, who is identified as a person who filed a timely objection (doc.3974.13 sub file 229), filed December 7, 1994.

Copy of the Deed transferring property with all rights is attached.

Joe Branch
PO Box 1116
San Juan Pueblo, NM 87566

Acequia de Chamita Commissioner
Treasurer David Ortiz



JOE DYKMAN
PO Box 1116
SAN JUAN Pueblo, NM
87566

Office of the Clerk
United States District Court
106 South Federal Place
Santa Fe, New Mexico 87501

MATTHEW J. DYKMAN
CLERK

JUN 11 2010

RECEIVED
AT SANTA FE



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