

# Affidavit of Publication

State of New Mexico  
County of Rio Arriba

I, Robert Trapp, being first duly sworn, declare and say I am the Publisher of the **Rio Grande SUN**, a weekly newspaper published in the English language and having a general circulation in the County of Rio Arriba, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937. The publication, a copy of which is hereto attached, was published in said paper once each week for 4 consecutive weeks and on the same day of each week in the regular issue of the paper during the time of publication and the notice was published in the newspaper proper, and not in any supplement. The first publication being on the

### Publisher's Bill

3 day of June 2010

\_\_\_\_\_ lines one time at \_\_\_\_\_

and the last publication on the 24<sup>th</sup> day of

\_\_\_\_\_ lines \_\_\_\_\_ times at \_\_\_\_\_

June 2010. Payment for said advertisement has been duly made, or assessed as court costs. The undersigned has personal knowledge of the matters and things set forth in this affidavit.

Affidavit 5.00

Robert Trapp Publisher

Subtotal 2,555.00

Tax 201.21

Subscribed and sworn to before me this 24<sup>th</sup> day of JUNE A.D. 2010

Total 2,756.21

Payment received at **Rio Grande SUN**

Date May 26, 2010

Maria V Lopez Garcia  
Maria V. Lopez Garcia /Notary Public  
My commission expires 13 July 2013

By Donna Wray

**Notices**

**Announcements**



**ATTENTION LANDOWNERS:** if you are a member of the Santa Cruz ditch and you are paying for water you are not getting, your water rights are being abused. It is time to stop this Abuse. Call 753-4170 So we can set up a meeting

**NEEDED:** a lead guitar and keyboard player for band. Call 692-2165

**INDIVIDUALS WITH DISABILITIES:** are eligible for government loans for equipment to grow their business. Contact the New Mexico Seed Loan Program for more information. 1-800-866-2253

**NEED TO FIND JUANITA:** from Santa Cruz, NM. age 44. We met 12 years ago in Albuquerque. We need to meet and talk. Reply to Ruben at PO Box 26434, Albuquerque, NM 87126-6434

**HIGH-SPEED INTERNET!:** Still waiting for high-speed where you live? Call WildBlue! Available virtually anywhere through satellite! Call NOW for a LIMITED TIME special offer! 1-877-305-9194

Rio Grande Sun  
Classifieds  
Call 753-2126  
to place your ad



**THE ESPANOLA FIESTA COUNCIL**  
is NOW ACCEPTING  
applications for  
booth space for the  
2010 Espanola Fiesta.

Please contact  
**ANDREW HERRERA**  
at (505)927-2522

**Legal Notices**

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

STATE OF NEW MEXICO, ex rel.  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, et al.,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 3, Rio Nutrias

**NOTICE AND ORDER TO SHOW CAUSE**

TO ALL CLAIMANTS, KNOWN AND UNKNOWN, WHO CLAIM A RIGHT TO USE THE SURFACE OR UNDERGROUND WATERS OF THE RITO DE TIERRA AMARILLA SUBSECTION OF SECTION 7 OF THE RIO CHAMA STREAM SYSTEM

AND TO ALL OF THE FOLLOWING WHO CLAIM A RIGHT TO USE SURFACE WATER FOR IRRIGATION PURPOSES IN THE RITO DE TIERRA AMARILLA SUBSECTION OF SECTION 7 OF THE RIO CHAMA STREAM SYSTEM AND WHOSE NAMES APPEAR BELOW:

<u>DEFENDANT</u>	<u>ACEQUIA OR DITCH</u>	<u>PRIORITY</u>
Adan Garcia Jr.	Ismael Ulibarri Ditch	1870
Armando Garcia	Ismael Ulibarri Ditch	1870
Donna Garcia	Ismael Ulibarri Ditch	1870
Joan Garcia	Ismael Ulibarri Ditch	1870
Leroy Garcia	Ismael Ulibarri Ditch	1870
Miguel Martinez	Ismael Ulibarri Ditch	1870
Pamela Manzanares	Ismael Ulibarri Ditch	1870
Samuel Garcia	Ismael Ulibarri Ditch	1870
Viola Chavez	Ismael Ulibarri Ditch	1870
Agripina G. Salazar	Sena Ditch	1870
Benjamin R. Trujillo	Sena Ditch	1870
Frank C. Sena	Sena Ditch	1870
John M. Sena	Sena Ditch	1870
Victor Salazar Sr.	Sena Ditch	1870
Agripina G. Salazar	Nutritas Ditch No. 1	1870

## Legal Notices

Frank C. Sena	Nutritas Ditch No. 1	1870
John M. Sena	Nutritas Ditch No. 1	1870
Victor Salazar Sr.	Nutritas Ditch No. 1	1870
Frank C. Sena	Unnamed Ditch No. 1	1870
John M. Sena	Unnamed Ditch No. 1	1870
Acencion Labrier	Lujan Ditch	1870
Ellis Gordon Schlegel	Lujan Ditch	1870
Acencion Labrier	Labrier Ditch	1870
Heirs of Carlota L. Martinez	Labrier Ditch	1870
Heirs of Levi Martinez	Labrier Ditch	1870
Heirs of Lucas Martinez	Labrier Ditch	1870
Emilie Luna Anthony	Nutritas Ditch No. 2	1861
Estate of Esther Bruno	Nutritas Ditch No. 2	1861
Estate of Olivia Garmody	Nutritas Ditch No. 2	1861
Frank D. Luna IV	Nutritas Ditch No. 2	1861
Gilbert Luna Sr.	Nutritas Ditch No. 2	1861
Hilario Luna	Nutritas Ditch No. 2	1861
Marcela Masson	Nutritas Ditch No. 2	1861
Salomon A. Luna	Nutritas Ditch No. 2	1861
Archdiocese of Santa Fe	Tierra Amarilla Community Ditch	1861
Colomex Oil and Gas Co., Inc.	Tierra Amarilla Community Ditch	1861
La Clinica Foundation	Tierra Amarilla Community Ditch	1861
Rio Arriba County	Tierra Amarilla Community Ditch	1861
Agripina G. Salazar	Tierra Amarilla Community Ditch	1861
Alajandro Chavez	Tierra Amarilla Community Ditch	1861
Alex Flores	Tierra Amarilla Community Ditch	1861
Amabel Ulibarri	Tierra Amarilla Community Ditch	1861
Amada R. Flores	Tierra Amarilla Community Ditch	1861
Andrew Romero	Tierra Amarilla Community Ditch	1861
Angelina Sanchez	Tierra Amarilla Community Ditch	1861
Angie Garcia	Tierra Amarilla Community Ditch	1861
Anna Atencio Ferrell	Tierra Amarilla Community Ditch	1861
Antonio Luis Abeyta	Tierra Amarilla Community Ditch	1861
Art Espinosa	Tierra Amarilla Community Ditch	1861
Benjamin R. Trujillo	Tierra Amarilla Community Ditch	1861
Berthina Romero	Tierra Amarilla Community Ditch	1861
Brent C. Mortensen	Tierra Amarilla Community Ditch	1861
Carmelita Chacon	Tierra Amarilla Community Ditch	1861
Carmella Atencio Varos	Tierra Amarilla Community Ditch	1861
Cecilia Campos	Tierra Amarilla Community Ditch	1861
Celia S. Ulibarri	Tierra Amarilla Community Ditch	1861
Chama Valley Ind. Sch. Dist. No. 19	Tierra Amarilla Community Ditch	1861
Deborah Ulibarri	Tierra Amarilla Community Ditch	1861
Dolores Rena Romero	Tierra Amarilla Community Ditch	1861
Dolores Romero	Tierra Amarilla Community Ditch	1861
Dolores Valdez	Tierra Amarilla Community Ditch	1861
Domie Ulibarri	Tierra Amarilla Community Ditch	1861
Doris Trujillo	Tierra Amarilla Community Ditch	1861
Edna Ulibarri	Tierra Amarilla Community Ditch	1861
Eliseo M. Valdez	Tierra Amarilla Community Ditch	1861
Eloy Sanchez	Tierra Amarilla Community Ditch	1861
Epimenio Ulibarri	Tierra Amarilla Community Ditch	1861
Eric Willard	Tierra Amarilla Community Ditch	1861
Erlinda Trujillo	Tierra Amarilla Community Ditch	1861
Ernesto L. Ulibarri Jr.	Tierra Amarilla Community Ditch	1861
Ernesto Salazar	Tierra Amarilla Community Ditch	1861
Estate of Maria Casias	Tierra Amarilla Community Ditch	1861
Estate of Manuelita U. Abeyta	Tierra Amarilla Community Ditch	1861
Estate of Octaviano Ulibarri	Tierra Amarilla Community Ditch	1861
Esther H. Salazar	Tierra Amarilla Community Ditch	1861
Eva R. Vigil	Tierra Amarilla Community Ditch	1861
Faustina Espinosa	Tierra Amarilla Community Ditch	1861
Feliberto Ulibarri	Tierra Amarilla Community Ditch	1861
Felipe C. Atencio	Tierra Amarilla Community Ditch	1861
Frances Castellano	Tierra Amarilla Community Ditch	1861
Gail Garcia	Tierra Amarilla Community Ditch	1861
Gustavo Martinez Jr.	Tierra Amarilla Community Ditch	1861
Harry O. Martinez	Tierra Amarilla Community Ditch	1861
Helen Moore	Tierra Amarilla Community Ditch	1861
Henry Ulibarri	Tierra Amarilla Community Ditch	1861
Hope U. Martinez	Tierra Amarilla Community Ditch	1861
Hortencia Martinez	Tierra Amarilla Community Ditch	1861
Ivan C. Corrales	Tierra Amarilla Community Ditch	1861
J.R. Martinez Estate	Tierra Amarilla Community Ditch	1861
Jaime Trujillo	Tierra Amarilla Community Ditch	1861
James R. Dawson	Tierra Amarilla Community Ditch	1861
Joann C. Martinez	Tierra Amarilla Community Ditch	1861
Joe E. Silva	Tierra Amarilla Community Ditch	1861
Jose Avalos	Tierra Amarilla Community Ditch	1861
Jose L. Martinez	Tierra Amarilla Community Ditch	1861
Jose P. Gallegos	Tierra Amarilla Community Ditch	1861
Josefita Trujillo	Tierra Amarilla Community Ditch	1861
Joseph Valdez	Tierra Amarilla Community Ditch	1861
Josephine Valdez	Tierra Amarilla Community Ditch	1861

Josie Sanchez Dubois	Tierra Amarilla Community Ditch	1861
Juan A. Romero	Tierra Amarilla Community Ditch	1861
Juan I. Martinez	Tierra Amarilla Community Ditch	1861
Juanita Atencio	Tierra Amarilla Community Ditch	1861
Juanita M. Eturriaga	Tierra Amarilla Community Ditch	1861
Julia Ulibarri	Tierra Amarilla Community Ditch	1861
Justiniano Valdez	Tierra Amarilla Community Ditch	1861
Kelly Ward	Tierra Amarilla Community Ditch	1861
Kim Montano	Tierra Amarilla Community Ditch	1861
Lawrence Castellano	Tierra Amarilla Community Ditch	1861
Leo E. Rodela	Tierra Amarilla Community Ditch	1861
Leroy G. Garcia	Tierra Amarilla Community Ditch	1861
Lionel E. Martinez II	Tierra Amarilla Community Ditch	1861
Louis Trujillo	Tierra Amarilla Community Ditch	1861
Lucile A. Trujillo	Tierra Amarilla Community Ditch	1861
Mable Ulibarri	Tierra Amarilla Community Ditch	1861
Magdalene Sanchez	Tierra Amarilla Community Ditch	1861
Manuel D. Trujillo	Tierra Amarilla Community Ditch	1861
Manuel E. Corrales	Tierra Amarilla Community Ditch	1861
Marcella D. Burbank Trujillo	Tierra Amarilla Community Ditch	1861
Marcella T. Corrales	Tierra Amarilla Community Ditch	1861
Marcella Ulibarri	Tierra Amarilla Community Ditch	1861
Margaret A. Martinez	Tierra Amarilla Community Ditch	1861
Margaret Rodela	Tierra Amarilla Community Ditch	1861
Margie E. Atencio	Tierra Amarilla Community Ditch	1861
Mariella Avalos	Tierra Amarilla Community Ditch	1861
Mario R. Martinez	Tierra Amarilla Community Ditch	1861
Mark L. Montano	Tierra Amarilla Community Ditch	1861
Mark Noel Rowe	Tierra Amarilla Community Ditch	1861
Martin Romero	Tierra Amarilla Community Ditch	1861
Mary Esther Lucero	Tierra Amarilla Community Ditch	1861
Melvin Montano	Tierra Amarilla Community Ditch	1861
Michael S. Garcia	Tierra Amarilla Community Ditch	1861
Nancy R. Romero	Tierra Amarilla Community Ditch	1861
Oriando J. Martinez	Tierra Amarilla Community Ditch	1861
Pablo Martinez	Tierra Amarilla Community Ditch	1861
Patricia A. Alvarado	Tierra Amarilla Community Ditch	1861
Patrick Samora	Tierra Amarilla Community Ditch	1861
Paul Trachtman	Tierra Amarilla Community Ditch	1861
Rachel Valdez	Tierra Amarilla Community Ditch	1861
Ramon E. Sanchez	Tierra Amarilla Community Ditch	1861
Renee Romero Samora	Tierra Amarilla Community Ditch	1861
Reynel O. Lucero	Tierra Amarilla Community Ditch	1861
Richard Atencio	Tierra Amarilla Community Ditch	1861
Robert D. Romero	Tierra Amarilla Community Ditch	1861
Roberto Lovato	Tierra Amarilla Community Ditch	1861
Roberto Romero	Tierra Amarilla Community Ditch	1861
Roman Romero	Tierra Amarilla Community Ditch	1861
Ronald J. Demasters	Tierra Amarilla Community Ditch	1861
Rose M. Romero	Tierra Amarilla Community Ditch	1861
Rosina L. Phillips	Tierra Amarilla Community Ditch	1861
Salomon A. Luna	Tierra Amarilla Community Ditch	1861
Shaun Ward	Tierra Amarilla Community Ditch	1861
Silviano A. Atencio	Tierra Amarilla Community Ditch	1861
Simonita U. Trujillo	Tierra Amarilla Community Ditch	1861
Sixto L. Espinosa	Tierra Amarilla Community Ditch	1861
Sophia D. Martinez	Tierra Amarilla Community Ditch	1861
Stella U. Garcia	Tierra Amarilla Community Ditch	1861
Teodoro D. Ulibarri	Tierra Amarilla Community Ditch	1861
Theresa M. Rael	Tierra Amarilla Community Ditch	1861
Tito Garcia	Tierra Amarilla Community Ditch	1861
Tom R. Lucero	Tierra Amarilla Community Ditch	1861
Tommy Campos III	Tierra Amarilla Community Ditch	1861
Tony Casados Sr. & Sons, Prtn.	Tierra Amarilla Community Ditch	1861
Tracy T. Howell	Tierra Amarilla Community Ditch	1861
Veronica Romero De Chavez	Tierra Amarilla Community Ditch	1861
Vicente Montano	Tierra Amarilla Community Ditch	1861
Vicki Silva	Tierra Amarilla Community Ditch	1861
Victor Salazar Sr.	Tierra Amarilla Community Ditch	1861
Virginia Martinez	Tierra Amarilla Community Ditch	1861
Virginia McDermott	Tierra Amarilla Community Ditch	1861
Miguel Trujillo	Trujillo Ditch	1887
Mariano S. Manzanares	Manzanares Ditch	1887
Mary L. Manzanares	Manzanares Ditch	1887
Ruben Manzanares	Manzanares Ditch	1887
Mariano S. Manzanares	Unnamed Ditch No. 2	1887
Mary L. Manzanares	Unnamed Ditch No. 2	1887
Miguel Trujillo	Unnamed Ditch No. 2	1887
Ruben Manzanares	Unnamed Ditch No. 2	1887
Charles Dove	Briggs Ditch	1887
Jamie Sams	Briggs Ditch	1887
Louella Dove	Briggs Ditch	1887

You are hereby notified that the Court has entered an order requiring you to file an objection with the Court if you disagree with the State's proposed determination of the priority

**TO PLACE AN AD, call 753-2126 • Fax: 753-**

**Notices**

date of your water right and ditch, or the priority dates for any other community or private ditch in the Rito de Tierra Amarilla Subsection of Section 7 of the Rio Chama Stream System ("Tierra Amarilla Subsection") as described above.

In addition, you are hereby notified that the Court has entered an order requiring you to file an objection with the Court if you disagree with the State's proposed determination of the irrigation water requirements for surface water irrigation use in the Tierra Amarilla Subsection as described below:

- a. The weighted consumptive irrigation requirement (CIR) is 1.05 acre-feet per acre per annum.
- b. The farm delivery requirement (FDR) is 2.63 acre-feet per acre per annum.
- c. The project diversion requirement (PDR) is 4.38 acre-feet per acre per annum.

The term "Consumptive Irrigation Requirement" ("CIR") refers to the quantity of water, expressed in acre-feet per acre per year, exclusive of effective precipitation, that is consumptively used by plants or is evaporated from the soil surface during one calendar year. The term "Farm Delivery Requirement" ("FDR") refers to the quantity of water expressed in acre-feet per acre per year, exclusive of effective precipitation, delivered to the farm headgate or which is diverted from a source of water which originates on the farm itself, such as a well or spring, necessary to satisfy the consumptive irrigation requirements of crops grown on a farm in one calendar year. The "Project Diversion Requirement" ("PDR") or off-farm diversion requirement is defined as the quantity of water, exclusive of effective precipitation, which is diverted from the stream or an off-farm source to satisfy the farm delivery requirement for one calendar year. The irrigation water requirements set forth above do not include diversion requirements associated with stockponds or other impoundments determined to have valid water rights in these proceedings.

If you agree with the priority dates and irrigation water requirements described above, you do not need to take any action. If any objections are filed by any persons you may participate in the proceedings to resolve those objections. If no objections are filed, the Court will enter an order that recognizes the elements of the water rights for surface water irrigation use in the Tierra Amarilla Subsection as described above. If you disagree, you must follow the instructions below.

This will be your only opportunity in these proceedings to object to the determination of priority dates or irrigation water requirements in the Tierra Amarilla Subsection. Subsequent inter se proceedings in the Tierra Amarilla Subsection will not include the opportunity to object to those determinations.

IT IS THEREFORE ORDERED THAT if you object to any of the priority dates stated above, or to the irrigation water requirements for surface water irrigation use in the Tierra Amarilla Subsection as stated above, you must file your objection with the Court, in person or by mail FOR RECEIPT NO LATER THAN July 31, 2010:

United States District Court Clerk  
106 South Federal Place  
Santa Fe, NM 87501

If you timely file an objection the Special Master will notify you of a mandatory scheduling and pretrial conference, where you will learn how objections will be heard by the Court. This will be your only opportunity to object to these elements of your water rights or any other water rights. If you fail to timely object and attend the scheduling and pretrial conference you may not raise objections in the future.

If you have any questions, call or write:

Edward G. Newville  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 867-7444 phone  
(505) 867-2299 facsimile

or,

John W. Utton  
Attorney for Asociación de Acéguas NorteZas de Rio Arriba  
Sheehan, Sheehan & Stelzner PA  
P.O. Box 271  
Albuquerque, NM 87103-0271  
(505) 699-1445 telephone  
(505) 842-8890 facsimile

/s/ Bruce D. Black  
BRUCE D. BLACK  
UNITED STATES DISTRICT JUDGE

Approved:

/s/ Vickie L. Gabin  
VICKIE L. GABIN  
SPECIAL MASTER  
(Published June 3, 10, 17 & 24, 2010)