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/s/ Bruce D. Black
BRUCE D. BLACK
UNITED STATES
DISTRICT JUDGE
(Published October 27,
November 3, 10 & 17,
2011)

sher's Bill

515 lines one time at 360.50

515 lines 3 times at 927.00

Affidavit 5.00

Subtotal 1,292.50

Tax 150.82

Total 1,398.32

Payment received at Rio Grande SUN
Date October 19, 2011
By [Signature]

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

27th day of October, 2011

and the last publication on the 17th day of

November, 2011. 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.

[Signature: Robert Trapp] Publisher

Subscribed and sworn to before me this 17th day of November A.D. 2011

[Signature: Maria V. Lopez Garcia]
Maria V. Lopez Garcia /Notary Public
My commission expires 13 July 2013

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

STATE OF NEW MEXICO, EX REL. STATE ENGINEER PLAINTIFF, 69CV07941-BB-LFG VS.

RIO CHAMA STREAM SYSTEM ROMAN ARAGON, ET AL.,

SECTION 7, CANONES CREEK DEFENDANTS.

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 CANONES CREEK 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 CANONES CREEK SUBSECTION OF SECTION 7 OF THE RIO CHAMA STREAM SYSTEM AND WHOSE NAMES APPEAR BELOW:

DAGGET DITCH NO. 1 PRIORITY 1902

Defendants: E. Truman Caudill, Jane Caudill, Catherine Clemens, James R. Clemens, Kin-slow-Herbert Living Trust, John D. Morrow, James H. Renken Irrevocable Trust B, Patty S. Terrell, Sherry D. Wingo, Turner A. Wingo

DAGGET DITCH NO. 2 PRIORITY 1902

Defendants: Dale R. Elliott, Virginia V. Elliott, Patrick S. Hogan, Karam Living Trust, Patty S. Terrell

DAGGET DITCH NO. 3 PRIORITY 1902

Defendants: Duncan Family Ltd. Partnership, Jim Ewbank, Orinda Naranjo, M. Edwina Wood, Warren T. Wood

DAGGET DITCH NO. 4 PRIORITY 1902

Defendants: Jeb McNeil Binkley Trust, Margaret Burt Binkley Trust, Sargent Mac Gregor Binkley Trust, Jim Ewbank, Orinda Naranjo

DAGGET DITCH NO. 5 PRIORITY 1902

Defendants: Karam Living Trust

GENTRY DITCH NO. 1 PRIORITY 1902

Defendants: Raleigh K. Gardenhire, Johnna Weaver

GENTRY DITCH NO. 2 PRIORITY 1902

Defendants: Patty S. Terrell

CANONES DITCH NO. 1 PRIORITY 1861

Defendants: El Barranco LLC, Gene H. Gurule, Juan F. Gurule, Antonio L. Martinez, Deborah L. Martinez, Eleuterio Martinez Jr., Ida Martinez, Johnny A. Martinez, Jose Antonio Martinez, Jose Onesimo Martinez Jr., Jose Oriando Martinez,

Lizette M. Martinez, Lucille E. Martinez, Lynette Martinez, Manuel Martinez, Marcus J. Martinez, Michael A. Martinez, Paul Martinez, Raymond R. Martinez, Robert Martinez, Robert E. Martinez, Gonzalo H. Martinez Family Trust, Genevieve Mestas, Darlene Moya, Clorinda L. Nunez, Ramon R. Nunez, River Bend Ranch, LLC, Sadie Sanchez

CANONES DITCH NO. 2 PRIORITY 1861

Defendants: El Barranco LLC, Donald A. Gonzales, Mary Ellen Burns Gonzales, Deborah L. Martinez, Earl James Martinez, Eleuterio Martinez Jr., Lizette M. Martinez, Marcus J. Martinez, Michael A. Martinez, Gonzalo H. Martinez Family Trust, Clorinda L. Nunez, Ramon R. Nunez, River Bend Ranch, LLC

UNNAMED DITCH NO. 1 PRIORITY 1861

Defendants: Mary Ellen Burns Gonzales

UNNAMED DITCH NO. 2 PRIORITY 1861

Defendant: Donald A. Gonzales, Mary Ellen Burns Gonzales

UNNAMED DITCH NO. 3 PRIORITY 1861

Defendants: Charles E. Ezell, Dorothy W. Ezell, Maurice A. Ezell, Arta C. Smith, Leo L. Smith

UNNAMED DITCH NO. 4 PRIORITY 1861

Defendants: Charles E. Ezell, Dorothy W. Ezell, Maurice A. Ezell, Arta C. Smith, Leo L. Smith

BARRANCO DITCH PRIORITY 1861

Defendants: Elviria S. Abeyta, Jose M. Abeyta, El Barranco LLC, Benjamin A. Gallegos Jr., Frank A. Gallegos, John J. Gallegos, Mary Gallegos, Antonio Garcia, Cecilia Grimes, Deborah L. Martinez, Earl James Martinez, Eleuterio Martinez Jr., Lizette M. Martinez, Marcus J. Martinez, Michael A. Martinez, Patrick D. Martinez, Rose L. Martinez, Ted D. Martinez, Terry L. Martinez, Gonzalo H. Martinez Family Trust, River Bend Ranch, LLC, Larry E. Rivera, Cledias Sanchez, Jose A. Sanchez, Medardo Sanchez Jr., Miguel R. Sanchez, Sanchez Family Trust, Rita Trujillo, Cleo B. Valdez, Crystal H. Valdez, Roxanne H. Valdez

SANCHEZ Y CHAVEZ DITCH PRIORITY 1877

Defendants: El Barranco LLC, Ursula Germaine Vicenti Gallegos, Cleofas Sanchez, Miguel R. Sanchez, Sanchez Family Trust

SARGENT CANONES DITCH PRIORITY

November 27, 1931

Defendants: Edward L. Binkley III, Jeb McNeil Binkley Trust, Margaret

Burt Binkley Trust, Sargent Mac Gregor Binkley, Diamond S Ranch, Rice Living Trust, Charles R. Sanders, Darlene Sanders, Derek Strauch

NORTH CANONES DITCH PRIORITY

December 11, 1923

Defendants: Charles E. Ezell, Dorothy W. Ezell, Maurice A. Ezell, Mary Ellen Burns Gonzales, Arta C. Smith, Leo L. Smith

H.N.D. DITCH PRIORITY

December 1, 1922

Defendants: El Barranco LLC, Mundy Ranch Inc. 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 date of your water right and ditch, or the priority dates for any other community or private ditch in the Canones Subsection of Section 7 of the Rio Chama Stream System ("Canones Subsection") as described above. The priority dates for the ditches listed above will apply to all individual irrigation water rights served by the ditches listed, unless you or other persons file objections. The priority dates for ditches listed above will also apply to a spring that serves as a source of water for irrigators under those ditches, and which is described on individual subfile orders filed with the Court. Defendants that have previously agreed to a priority date for their water rights in the Canones Subsection in subfile orders filed with the Court may not object to the dates of their own water rights, but may file objections to the proposed determination of the priority dates of other water users. 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 Canones Subsection for lands irrigated, under pre-1907 ditches 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 1.5 acre-feet per acre per annum.

c. The project diversion requirement (PDR) is 2.5 acre-feet per acre per annum.

North Canones Ditch (OSE No. 1609):

a. The weighted consumptive irrigation requirement (CIR) is 1.05 acre-feet per acre per annum.

b. The farm delivery requirement (FDR) is 1.5 acre-feet per acre per annum.

c. The project diversion requirement (PDR) is 2.5 acre-feet per acre per annum.

H.N.D. Ditch (OSE No. 1544):

a. The weighted consumptive irrigation requirement (CIR) is 1.05 acre-feet per acre per annum.

b. The farm delivery requirement (FDR) is 1.3 acre-feet per acre per annum.

c. The project diversion requirement (PDR) is 2.17 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

amounts apply are all of the ditches identified above with the exception of the Sargent Canones Ditch, North Canones Ditch and H.N.D. Ditch. You are hereby notified that you are required 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 on lands in the Canones Subsection that are irrigated under final licenses issued by the Office of the State Engineer, as described below:

Sargent Canones Ditch (OSE No. 1975):

a. The weighted consumptive irrigation requirement (CIR) is 1.05 acre-feet per acre per annum.

b. The farm delivery requirement (FDR) is 1.5 acre-feet per acre per annum.

c. The project diversion requirement (PDR) is 2.5 acre-feet per acre per annum.

North Canones Ditch (OSE No. 1609):

a. The weighted consumptive irrigation requirement (CIR) is 1.05 acre-feet per acre per annum.

b. The farm delivery requirement (FDR) is 1.5 acre-feet per acre per annum.

c. The project diversion requirement (PDR) is 2.5 acre-feet per acre per annum.

H.N.D. Ditch (OSE No. 1544):

a. The weighted consumptive irrigation requirement (CIR) is 1.05 acre-feet per acre per annum.

b. The farm delivery requirement (FDR) is 1.3 acre-feet per acre per annum.

c. The project diversion requirement (PDR) is 2.17 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 stock ponds 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 Canones 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 Canones Subsection. Subsequent inter se proceedings in the Canones 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 Canones Subsection as stated above, you must file your objection with the Court, in person or by mail, FOR RECEIPT NO LATER THAN December 15, 2011:

United States District Court Clerk 333 Lomas Blvd. NW, Suite 270 Albuquerque, NM 87102

If you timely file an objection the Special Master or the Court 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

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