

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.

6:69cv07941-BB -LFG

RIO CHAMA STREAM SYSTEM

Section 7, Cañones Creek

Subfile Nos. CHCC-003-0012
CHCC-004-0015

ORDER GRANTING MOTION TO AMEND CONSENT ORDERS
IN SUBFILES CHCC-003-0012 AND CHCC-004-0015

THIS MATTER is before the Court on the State of New Mexico *ex rel.* State Engineer's July 19, 2011, *Motion to Amend Consent Orders in Subfiles CHCC-003-0012 and CHCC-004-0015* (Docket No. 10517). No Objection to the Motion has been filed.

Having reviewed the Motion and being otherwise fully advised in the premises, the Court finds that the request is well-taken, and should be GRANTED.

IT IS ORDERED, THEREFORE, that Subsections E and F of the Consent Order entered for Subfile CHCC-003-0012 (El Barranco LLC) (filed February 7, 2008, Doc. No. 9090) is revised and amended as follows:

E. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer File No(s): 1544

Priority: reserved for future determination by court order entered November 19, 2002.

Source of Water: Surface Water of Cañones Creek, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: H.N.D. Ditch

Location: X = 1,548,337 feet Y = 2,114,510 feet
New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Within the Tierra Amarilla Grant	35.0 acres
Total	35.0 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No. CHCC-003-0012

Amount of Water: reserved for future determination by court order entered November 19, 2002.

F. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer File No(s): 1544

Priority: reserved for future determination by court order entered November 19, 2002.

Source of Water: Surface Water of Cañones Creek, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: H.N.D. Ditch

Location: X = 1,548,337 feet Y = 2,114,510 feet
New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Within the Tierra Amarilla Grant	37.4 acres
Total	37.4 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No. CHCC-003-0012

Amount of Water: reserved for future determination by court order entered November 19, 2002.

FURTHER, Subsection A of the Consent Order entered for Subfile CHCC-004-0015 (Mundy Ranch Inc.) (filed January 5, 2009, Doc. No. 9353) is revised and amended as follows:

A. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer File No(s): 1544, 1544-A into RG-1091

Priority: reserved for future determination by court order entered November 19, 2002.

Source of Water: Surface Water of Cañones Creek, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: H.N.D. Ditch

Location: X = 1,548,337 feet Y = 2,114,510 feet
New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Within the Tierra Amarilla Grant	239.8 acres
Total	239.8 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No. CHCC-004-0015

Amount of Water: reserved for future determination by court order entered November 19, 2002.

FURTHER, the revised individual hydrographic survey maps attached hereto are substituted for the individual subfile maps attached to the filed Consent Orders for Subfiles CHCC-003-0012 and CHCC-004-0015.



BRUCE D. BLACK
CHIEF UNITED STATES DISTRICT JUDGE