

FILED *dlb*
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

IN THE UNITED STATES DISTRICT COURT 12 OCT 19 PM 1:39
FOR THE DISTRICT OF DISTRICT OF NEW MEXICO
CLERK-ALBUQUERQUE

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

Case No. 69cv-07941-BB

Plaintiff,

Rio Chama Stream System

v.

Section 1 (mainstream)

ROMAN ARAGON, et al,

Defendants.

To: The Honorable Bruce D. Black, District Judge

From: david ortiz, Plebian, Acequia de
Chamita

**PLEADING AND OBJECTION TO THE STATES MOTION
TO LIMIT TESTIMONY BY PLEBIAN david ortiz.**

Well what do we have here? The State of New Mexico is bringing a poor ignorant plebian to the Court of Law to defend his water right and to make sure the plaintiff gets his way, he is objecting to my evidence and exhibits and now he wants to duct tape my mouth shut so I cannot speak.

What will the Honorable Court do? Even if the court were to reject my evidence and exhibits that the State is objecting to, that's alright. What he is not objecting to, far outweighs his expert historians evidence that the August 11, 1598 Acequia was dug on the "east" bank of the Rio Grande. I do not want to present personal opinion without evidence like his historian does. I noticed in 1996 the expert historian's opinions without evidence,

were accepted by the Court and Plaintiff. I will keep my mouth shut, unless I am asked a question. LET THE EVIDENCE SPEAK FOR ME.

The Plaintiff Lawyer is an expert in the law, according to the letter. And his historian is recognized as an expert in the court and I am just a layman, an ignorant plebian. Two experts against an ignoramus plebian, should be an easy decision for the court.

This is a simple matter. When was the Acequia de Chamita established? Look at his evidence and look at mine. The historian has no special anointing. I have been and will be a study in education as long as I live. I am not and I am not asking to be a recognized expert by the court or anyone else. I am a lifelong student, ever learning and ever coming to the truth. The hardest thing for a human is to admit he is wrong. At court, show me the conclusive evidence that the Acequia de Chamita was established in 1600, and I will apologize to the Court, the Plaintiff, the two Historians and sheepishly walk out of the court room. The Plaintiff says I am not an expert historian. I don't claim to be. Knowledge is transmitted to the brain through the physical senses of sight, hearing, tasting, smelling and feeling and I lack none of the above. Therefore the honorable Court must put all of the evidence on the scales of justice and issue a final decision.

The State has brought a suit against me and asked me to prove who I am and prove what rights I have and don't have. The State is trying to limit the water rights of current owners and control their use and take the water to the cities. Case in point, Aamodt, with the pueblo as favorites. Nothing personal against the Lawyer, in fact I like him, he is just doing his job. If he doesn't, someone else will. Expert Lawyers and expert historians work for wages. We defendants pay them to take us to court.

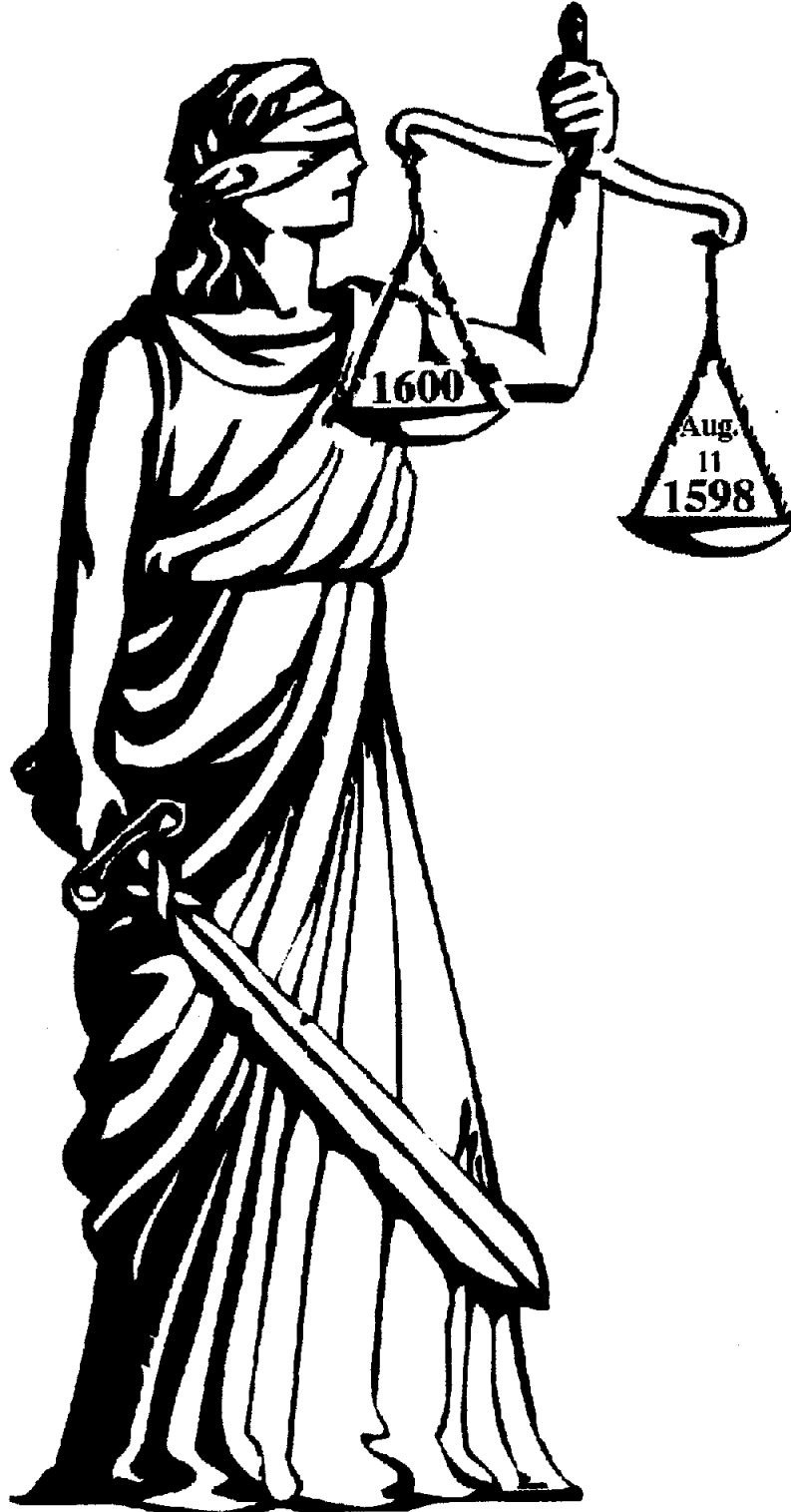
I take no issue with the historian's credentials as a historian, except in this matter of my Acequia's establishment date and my water rights.

I take no issue with the Lawyers credentials as a Lawyer. The State is wrong in adjudicating of waters. They have become the water casino, picking winners and losers. Permitting without partiality is necessary but only to keep account of who has what and how much is being used.

LET THE HISTORICAL EVIDENCE SPEAK, ALL OF IT.

Case: 6:69-cv-07941-BB

Respectfully Submitted by Defendant David Ortiz,



David Ortiz
(Signature of Defendant)
David Ortiz, Commissioner/Treasurer

DAVID ORTIZ
(Printed name of Defendant)

PO Box 1082
(Street address or P.O. Box)

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

Tract 17

Map 22

Subfile 267

David Ortiz
PO Box 1082
San Juan Pkto NM 87566-1082

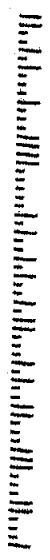
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OCT 19 2012

MATTHEW J. DYKMAN
CLERK

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