

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-MV/LFG

RIO CHAMA STREAM SYSTEM  
Section 7, Village of Chama

M-B Ditch

**ORDER REVISING SUBFILE ORDERS  
ASSOCIATED WITH THE M-B DITCH**

THIS MATTER is before the Court on the motion of the plaintiff State of New Mexico, *ex rel.* State Engineer filed May 2, 2013 (Doc. 10906) to revise all subfile orders entered in the Village of Chama subsection describing irrigation water rights under the M-B Ditch.

No responses opposing the motion have been filed. Having reviewed the Motion and being fully advised in the premises, the Court will grant the motion.

IT IS ORDERED, THEREFORE, that all of the subfile orders entered in the Village of Chama subsection describing irrigation water rights under the M-B Ditch are revised to list the source of water for tracts irrigated by the M-B Ditch and the points of diversion for the M-B Ditch, as follows:

**Source of Water:** Surface water of the Rio Chama and the Rio Chamita, a tributary of the Rio Chama.

**Point of Diversion:**

**Ditch:** M-B DITCH

**Diversion 1:** Rio Chama

**Location X** = 1,546,909 feet      **Y** = 2,155,273 feet

**Diversion 2:** Rio Chamita

**Location X** = 1,540,798 feet      **Y** = 2,149,300 feet

New Mexico Plane Coordinate System, Central Zone, NAD 1983

The individual subfile orders describing water rights under the M-B Ditch that are amended and revised are as follows:

CHCV-003-0001, Consent Order filed June 18, 2004 (Doc. 7485) (Porter Family Trust);

CHCV-003-0002A, Consent Order filed May 18, 2005 (Doc. 7895) (Boyd Family Revocable Trust);

CHCV-003-0002B, Consent Order filed July 29, 2004 (Doc. 7531) (Dustin Boyd);

CHCV-003-0003, Consent Order filed September 3, 2004 (Doc. 7577) (Renee Martinez);

CHCV-003-0004, Consent Order filed June 30, 2004 (Doc. 7505) (Yvonne Torrez);

CHCV-003-0005B, Consent Order filed December 10, 2007 (Doc. 9052) (Dr. Pat Hale);

CHCV-003-0006, Consent Order filed December 12, 2003 (Doc. 7342) (Johnny Rael);

CHCV-003-0007, Consent Order filed February 23, 2004 (Doc. 7411) (Jeff M. Daggett, Maxine F. Daggett);

CHCV-003-0008, Consent Order filed December 12, 2003 (Doc. 7341) (Pedro & Rose Torrez Trust);

CHCV-003-0009, Consent Order filed February 23, 2004 (Doc. 7410) (Los Campos de Chama, LLC);

CHCV-003-0010, Consent Order filed October 23, 2003 (Doc. 7305) (Vigil Family Trust);

CHCV-003-0011, Consent Order filed July 24, 2006 (Doc. 8339) (Lydia J. Garcia, Napoleon R. Garcia);

CHCV-003-0012, Order Granting Default Judgment filed March 6, 2007 (Doc. 8596) (Betty M. Martin);

CHCV-003-0013, Consent Order filed September 3, 2004 (Doc. 7576) (Charles C. Hobbs);

CHCV-003-0014, Consent Order filed March 24, 2006 (Doc. 8209) (Celine M. Brown, Orrin G. Brown);

CHCV-003-0015, Consent Order filed December 12, 2003 (Doc. 7340) (Angie Valdez, Don Valdez);

CHCV-003-0016, Order Granting Default Judgment filed July 14, 2005 (Doc. 7948) (Julia A. Meston, Russell D. Meston);

CHCV-003-0017, Consent Order filed April 4, 2007 (Doc. 8612) (Matthew M. Gallegos, Robert Gallegos, Jr., Maria A. Martinez);

CHCV-003-0018, Consent Order filed July 29, 2004 (Doc. 7532) (Marvin R. Crane, Sandra A. Crane);

CHCV-003-0019A, Consent Order filed July 24, 2006 (Doc. 8340) (Carmen Gonzales, Florian Gonzales Jr.);

CHCV-003-0019B, Consent Order filed May 15, 2008 (Doc. 9197) (Carmen Gonzales, Florian Gonzales Jr.);

CHCV-003-0020, Consent Order filed June 30, 2004 (Doc. 7506) (June J. Overley Living Trust);

CHCV-003-0021, Consent Order filed March 24, 2006 (Doc. 8210) (Robert R. Kissam, Susan L. Windeck);

CHCV-003-0022, Order Granting Default Judgment filed March 5, 2009 (Doc. 9422) (Herman Candelaria, Puanani Kauaihilo, Michael J. Roundy);

CHCV-003-0023, Consent Order filed July 24, 2006 (Doc. 8341) (James W. McElhaney, Maxine McElhaney);

CHCV-003-0024, Consent Order filed August 12, 2005 (Doc. 7999) (Andrew Conder Jr., Cheryl Conder, Kenneth Conder, Peter J. Conder, Russell Fink);

CHCV-003-0025, Consent Order filed July 29, 2004 (Doc. 7527) (Elizabeth Ann Harris, Floyd Harris);

CHCV-003-0026, Consent Order filed March 6, 2007 (Doc. 8585) (Estate of Carlotta Valdez,

Estate of Maximilo Valdez);

CHCV-003-0027A, Consent Order filed May 6, 2006 (Doc. 8276) (Michael Montaña, Peggy Montaña, Steve Montaña, Steven Montaña);

CHCV-003-0027B, Consent Order filed May 6, 2006 (Doc. 9187) (Michael Montaña, Peggy Montaña, Steve Montaña, Steven Montaña);

CHCV-003-0028, Order Granting Default Judgment filed March 6, 2007 (Doc. 8597) (Victoria L. Skrondahl);

CHCV-003-0029A, Consent Order filed December 12, 2003 (Doc. 7339) (Dan Russom, Mary Russom);

CHCV-003-0029B, Order Granting Default Judgment filed November 1, 2007 (Doc. 8981) (Andrew Hurd, Daniel Hurd);

CHCV-003-0030, Consent Order filed December 12, 2003 (Doc. 7338) (Randy Pettingill);

CHCV-003-0031, Consent Order filed June 18, 2004 (Doc. 7484) (Rosalie Ann Gonzalez)

CHCV-003-0032, Consent Order filed February 24, 2004 (Doc. 7408) (Estate of Juan Gonzales);

CHCV-003-0033, Consent Order filed February 23, 2004 (Doc. 7407) (Estate of Juan Gonzales);

CHCV-003-0034, Consent Order filed August 24, 2007 (Doc. 8767) (Estate of E.T. Reilly Sr.);

CHCV-003-0035, Consent Order filed November 18, 2004 (Doc. 7649) (Jose G. Salazar, Mary Salazar);

CHCV-003-0040, Consent Order filed May 4, 2006 (Doc. 8277) (Juanita Gonzales);

CHCV-003-0041, Consent Order filed September 3, 2008 (Doc. 9271) (Herman Candelaria);

CHCV-003-0042, Consent Order filed September 3, 2008 (Doc. 9269) (Herman Candelaria);

CHCV-003-0043, Order Granting Default Judgment filed March 5, 2009 (Doc. 9422) (Herman Candelaria, Puanani Kauaihilo, Michael J. Roundy);

CHCV-004-0001, Consent Order filed May 18, 2005 (Doc. 7896) (Melvin E. Kurth Jr.);

CHCV-004-0002, Consent Order filed December 12, 2003 (Doc. 7337) (Los Campos de

Chama, LLC);

CHCV-004-0003, Consent Order filed December 12, 2005 (Doc. 8085) (Melvin E. Kurth Jr.);

CHCV-004-0004B, Consent Order filed June 13, 2008 (Doc. 9213) (James A. Heath, now Chama Troutstalkers, LLC, *see* Order for substitution filed April 25, 2012 (Doc. 10812)).

The Clerk of the Court shall mail copies of this order to:

CHCV-003-0001

Porter Family Trust  
Robert & Thomas P. Porter TTEE  
P.O. Box 394  
Chama, NM 87520

CHCV-003-0002A

Boyd Family Revocable Trust  
Richard R. Boyd and Vera M. Boyd, Trustees  
P.O. Box 346  
Blanco, NM 87412

CHCV-003-0002B

Dustin Boyd  
P.O. Box 242  
Chama, NM 87520

CHCV-003-0003

Renee Martinez  
4932 Rio Cebolla Ct. NW  
Albuquerque, NM 87114

CHCV-003-0004

Yvonne Torrez  
140 Boyd Way  
Carmel, CA 93923

CHCV-003-0005B

Dr. Pat Hale  
7100 Manual NE  
Albuquerque, NM 87110

CHCV-003-0006

Johnny Rael  
P.O. Box 453  
Chama, NM 87520

CHCV-003-0007

Jeff M. Daggett  
Maxine F. Daggett  
P.O. Box 497  
Chama, NM 87520

CHCV-003-0008

Pedro & Rose Torrez Trust  
Pedro and Rose Torrez  
#3 Road 5803  
Farmington, NM 87401

CHCV-003-0009

Los Campos de Chama, LLC  
C. Mott Wooley, Esq.  
P.O. Box 430  
Santa Fe, NM 87504

CHCV-003-0010

Vigil Family Trust  
Joe C. and Loyola G. Vigil  
P.O. Box 395  
Chama, NM 87520

CHCV-003-0011

Lydia J. Garcia  
Napoleon R. Garcia  
P.O. Box 652  
Chama, NM 87520

CHCV-003-0012

Betty M. Martin  
P.O. Box 654  
Chama, NM 87520

CHCV-003-0013

Charles C. Hobbs  
P.O. Box 2277  
Milan, NM 87021

CHCV-003-0014

Celine M. Brown  
Orrin G. Brown  
13476 Hwy 349 N.  
Live Oak, FL 32060

CHCV-003-0015

Angie Valdez  
Don Valdez  
P.O. Box 733  
Chama, NM 87520

CHCV-003-0016

Julia A. Meston  
Russell D. Meston  
P.O. Box 700  
Chama, NM 87520

CHCV-003-0017

Matthew M. Gallegos  
Robert Gallegos, Jr.  
Maria A. Martinez  
P.O. Box 323  
Chama, NM 87520

CHCV-003-0018

Marvin R. Crane  
Sandra A. Crane  
HC 75, Box 48  
Chama, NM 87520

CHCV-003-0019A

Carmen Gonzales  
Florian Gonzales Jr.  
P.O. Box 344  
Chama, NM 87520

CHCV-003-0019B

Carmen Gonzales  
Florian Gonzales Jr.  
P.O. Box 344  
Chama, NM 87520

CHCV-003-0020

June J. Overley Living Trust  
E. B. Overley Sr. et al.  
18 Antebellum  
Odessa, TX 79762

CHCV-003-0021

Robert R. Kissam  
Susan L. Windeck  
P.O. Box 672  
Chama, NM 87520

CHCV-003-0022

Herman Candelaria  
P.O. Box 39  
Chama, NM 87520

Puanani Kauaihilo  
Michael J. Roundy  
10404 Las Palmas St., NW  
Albuquerque, NM 87114

CHCV-003-0023

James W. McElhaney  
Maxine McElhaney  
P.O. Box 367  
Chama, NM 87520

CHCV-003-0024

Andrew Conder Jr.  
1119 Belmont Ave.  
Pueblo, CO 81004

Cheryl Conder  
110 E. Indiana Ave.  
Walsenburg, CO 81089

Kenneth Conder  
6844 E. Harvard Ave.  
Denver, CO 80224

Peter J. Conder  
2908 Rice  
Pueblo, CO 81005

Russell Fink  
6432 Utica St.  
Arvada, CO 80003



CHCV-003-0025

Elizabeth Ann Harris  
Floyd Harris  
P.O. Box 600  
Chama, NM 87520

CHCV-003-0026

Estate of Carlotta Valdez  
Estate of Maximilo Valdez  
Gylen Aguilar  
P.O. Box 922  
Peñasco, NM 87553

CHCV-003-0027A

Michael Montañó  
Peggy Montañó  
Steve Montañó  
Steven Montañó  
P.O. Box 124  
Chama, NM 87520

CHCV-003-0027B

Michael Montañó  
Peggy Montañó  
Steve Montañó  
Steven Montañó  
P.O. Box 124  
Chama, NM 87520

CHCV-003-0028

Victoria L. Skron Dahl  
8401 Spain Rd. NE, Apt. 50D  
Albuquerque, NM 87111

CHCV-003-0029A

Dan Russom  
Mary Russom  
P.O. Box 103  
Chama, NM 87520

CHCV-003-0029B

Andrew Hurd  
P.O. Box 745  
Chama, NM 87520

Daniel Hurd  
3400 Lake Mary Rd., Apt. 20202  
Flagstaff, AZ 86001-9235

CHCV-003-0030

Randy Pettingill  
P.O. Box 885  
Chama, NM 87520

CHCV-003-0031

Rosalie Ann Gonzalez  
P.O. Box 1062  
Española, NM 87532

CHCV-003-0032

Estate of Juan Gonzales  
Sam Gonzales  
2400 W. Main  
Farmington, NM 87401

CHCV-003-0033

Estate of Juan Gonzales  
Sam Gonzales  
2400 W. Main  
Farmington, NM 87401

CHCV-003-0034

Estate of E.T. Reilly Sr.  
Edwin Reilly Jr.  
2631 Concon St.  
San Antonio, TX 75251

CHCV-003-0035

Jose G. Salazar  
Mary Salazar  
P.O. Box 593  
Española, NM 87532

CHCV-003-0040

Juanita Gonzales  
P.O. Box 11  
Chama, NM 87520

CHCV-003-0041

Herman Candelaria  
P.O. Box 39  
Chama, NM 87520

CHCV-003-0042

Herman Candelaria  
P.O. Box 39  
Chama, NM 87520

CHCV-003-0043

Herman Candelaria  
P.O. Box 39  
Chama, NM 87520

Puanani Kauaihilo  
Michael J. Roundy  
10404 Las Palmas St., NW  
Albuquerque, NM 87114

CHCV-004-0001

Melvin E. Kurth Jr.  
235 Camino del Norte  
Santa Fe, NM 87501

CHCV-004-0002

Los Campos de Chama, LLC  
C. Mott Woolley  
P.O. Box 430  
Santa Fe, NM 87504

CHCV-004-0003

Melvin E. Kurth Jr.  
235 Camino de Norte  
Santa Fe, NM 87501

**IT IS SO ORDERED.**

  
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MARTHA VAZQUEZ  
UNITED STATES DISTRICT JUDGE

Approved:

  
\_\_\_\_\_  
LORENZO F. GARCIA  
UNITED STATES MAGISTRATE JUDGE