

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

Ranch 101Ditch

**ORDER REVISING SUBFILE ORDERS
ASSOCIATED WITH THE RANCH 101 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. No. 10908) to revise all subfile orders entered in the Village of Chama subsection describing irrigation water rights under the Ranch 101 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 the subfile orders entered in the Village of Chama subsection describing irrigation water rights under the Ranch 101 Ditch are revised to describe the source of water and the points of diversion for tracts of land irrigated from the Ranch 101 Ditch, as described below:

Subfile CHCV-007-0002A – Alfred Unser – Consent Order filed January 26, 2005 (Doc. 7718). The description of the point of diversion in subsection A of the Consent Order entered on January 26, 2005 in Subfile CHCV-007-0002A is revised as follows:

Point of Diversion:

Ditch: RANCH 101 DITCH

Diversion A: Rio Chama

Location X = 1,544,358 feet **Y** = 2,126,566 feet

New Mexico Plane Coordinate System, Central Zone, NAD 1983

Subfile CHCV-007-0002B – Tuoraey, LLC – Consent Order filed May 26, 2009 (Doc. 9455). The description of the point of diversion in subsection A of the Consent Order entered on May 26, 2009 in Subfile CHCV-007-0002B is revised as follows:

Point of Diversion:

Ditch: RANCH 101 DITCH

Diversion A: Rio Chama

Location X = 1,544,358 feet **Y** = 2,126,566 feet

New Mexico Plane Coordinate System, Central Zone, NAD 1983

Subfile CHCV-007-0003 – Kevin Yearout, Lian Yearout – Consent Order filed April 17, 2007 (Doc. 8618). The description of the point of diversion in Subsection A of the Consent Order entered on April 17, 2007 in Subfile CHCV-007-0003 is revised as follows:

Point of Diversion:

Ditch: RANCH 101 DITCH

Diversion A: Rio Chama

Location X = 1,544,358 feet **Y** = 2,126,566 feet

New Mexico Plane Coordinate System, Central Zone, NAD 1983.

The description of the point of the source of water and point of diversion in Subsection B of the Consent Order entered on April 17, 2007 in Subfile CHCV-007-0003 (Doc. 8618) is revised as follows:

Source of Water: Surface water of the Rio Chama.

Point of Diversion:

Ditch: RANCH 101 DITCH

Diversion A: Rio Chama

Location X = 1,544,358 feet **Y** = 2,126,566 feet

Diversion B: Rio Chama

Location X = 1,546,127 feet **Y** = 2,124,052 feet

New Mexico Plane Coordinate System, Central Zone, NAD 1983

Subfile CHCV-007-0004 – Lawrence Family, LLC – Consent Order filed May 18, 2005

(Doc. 7899). The description of the source of water and point of diversion in subsection A of the Consent Order entered on May 18, 2005 in Subfile CHCV-007-0004 is revised as follows:

Source of Water: Surface water of the Rio Chama.

Point of Diversion:

Ditch: RANCH 101 DITCH

Diversion A: Rio Chama

Location X = 1,544,358 feet **Y** = 2,126,566 feet

Diversion B: Rio Chama

Location X = 1,546,127 feet **Y** = 2,124,052 feet

New Mexico Plane Coordinate System, Central Zone, NAD 1983

Subfile CHCV-007-0005 – Daniel D. Shoats, Ellen J. Shoats – Consent Order filed

December 12, 2003 (Doc. 7335). The description of the source of water and point of diversion in subsection A of the Consent Order entered on December 12, 2003 in Subfile CHCV-007-0005 is revised as follows:

Source of Water: Surface water of the Rio Chama.

Point of Diversion:

Ditch: RANCH 101 DITCH

Diversion A: Rio Chama

Location X = 1,544,358 feet **Y** = 2,126,566 feet

Diversion B: Rio Chama

Location X = 1,546,127 feet **Y** = 2,124,052 feet

New Mexico Plane Coordinate System, Central Zone, NAD 1983

Subfile CHCV-007-0006 – Patricia Serna, Richard M. Serna – Consent Order filed November 22, 2006 (Doc. 8478). The description of the source of water and point of diversion in subsection A of the Consent Order entered on November 22, 2003 in Subfile CHCV-007-0006 is revised as follows:

Source of Water: Surface water of the Rio Chama.

Point of Diversion:

Ditch: RANCH 101 DITCH

Diversion A: Rio Chama

Location X = 1,544,358 feet **Y** = 2,126,566 feet

Diversion B: Rio Chama

Location X = 1,546,127 feet **Y** = 2,124,052 feet

New Mexico Plane Coordinate System, Central Zone, NAD 1983

Subfile CHCV-007-0007 – Jicarilla Apache Nation – Consent Order filed September 3, 2008 (Doc. 9273). The description of the source of water and point of diversion in subsection A of the Consent Order entered on September 3, 2008 in Subfile CHCV-007-0007 is revised as follows:

Source of Water: Surface water of the Rio Chama.

Point of Diversion:

Ditch: RANCH 101 DITCH

Diversion A: Rio Chama

Location X = 1,544,358 feet **Y** = 2,126,566 feet

Diversion B: Rio Chama

Location X = 1,546,127 feet **Y** = 2,124,052 feet

New Mexico Plane Coordinate System, Central Zone, NAD 1983

FURTHER, the revised subfile maps attached hereto are substituted for the corresponding maps attached to the Consent Orders filed with the Court in Subfiles CHCV-007-0003, CHCV-007-0004 and CHCV-007-0007.

The Clerk of the Court shall mail copies of this Order to the following:

CHCV-007-0002A

Alfred Unser
7625 Central NW
Albuquerque, NM 87121

Subfile CHCV-007-0002B

Tuoraey, LLC
c/o Kevin Yearout
10208 San Barnardino, NE
Albuquerque, NM 87122

Subfile CHCV-007-0003

Kevin Yearout
Lian Yearout
10208 San Barnardino, NE
Albuquerque, NM 87122

CHCV-007-0004


Lawrence Family, LLC
B. W. Lawrence
9522 Pebble Beach NE
Albuquerque, NM 87111

CHCV-007-0005

Daniel D. Shoats
Ellen J. Shoats
9627 4th St., NW
Albuquerque, NM 87114

CHCV-007-0006
Patricia Serna
Richard M. Serna
P.O. Box 843
Chama, NM 87520

IT IS SO ORDERED.



MARTHA VÁZQUEZ
UNITED STATES DISTRICT JUDGE

Approved:



LORENZO F. GARCIA
UNITED STATES MAGISTRATE JUDGE