

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT

STATE OF NEW MEXICO <i>ex rel.</i>)	No. D-623-CV-2005-0054
NEW MEXICO STATE ENGINEER,)	Honorable Jarod K. Hofacket
)	
Plaintiff,)	ANIMAS UNDERGROUND WATER
vs.)	BASIN ADJUDICATION
)	
ROSETTE, INC., et al.,)	Subfile No. AUB-031-1001
)	
Respondents.)	
_____)	

ORDER GRANTING SUBFILE DEFAULT JUDGMENT

THIS MATTER coming to be heard upon motion by Plaintiff State of New Mexico for entry of a Subfile Default Judgment against the following claimants:

ANDREW VEAO PETERSON

KACIE L. PETERSON

the Court having considered the record and being otherwise fully advised in the premises, finds:

1. The Court has jurisdiction of the parties and the subject matter herein.
2. The claimants have been legally served with process.
3. The claimants have failed to timely respond to an adjudication packet or a Notice

Terminating Water Rights Consultation.

4. The water rights of the claimants to divert and use public waters of the Animas

Underground Water Basin are as follows:

A. UNDERGROUND WATER

Office of the State Engineer File No(s): A-00685

(1) Priority: A-00685: March 31, 1900

(2) Source of Water: Animas Underground Water Basin

(3) Purpose of Use: Non 72-12-1 Livestock Watering

(4) Point(s) of Diversion:

Well No.: A-00685

Location: X=2,438,296 Y=410,074 Map: AUB-31

on the New Mexico State Plane Coordinate System, West Zone, 1983 N.A.D.

(5) Place of Use: Within boundaries described by BLM grazing permit for Rainbow Wash North allotment number NM01025.

(6) Amount of Water: Historical beneficial use not to exceed 3.00 acre-feet per year.

5. All terms and conditions set forth or incorporated in the State of New Mexico's proposed Subfile Final Judgment served on the claimants shall be incorporated into this Judgment.

6. There is no just reason for delay of the entry of a final judgment as to the elements of the claims of the claimants adjudicated by this Judgment.

IT IS THEREFORE ORDERED that the rights of the claimants are set forth above.

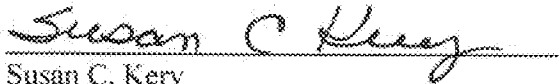
IT IS FURTHER ORDERED that the claimants and all those in privity with the claimants are enjoined from any diversion or use of the public underground waters of the Animas Underground Water Basin except in strict accordance with the water rights set forth in this Order and in other orders of this Court.



HONORABLE JAROD K. HOFACKET
District Judge

AGREED:

PLAINTIFF STATE OF NEW MEXICO



Susan C. Kery

Utton & Kery, PA

500 Tijeras Ave. NW



Albuquerque, NM 87102

(505) 379-4203

Attorney for the State of New Mexico

Date: 11/02/2022



<p>Legend</p> <p> Point of Diversion</p>	<p>New Mexico State Plane West NAD 83 2016 Aerial Imagery</p> <p>1:6,000 1 inch equals 500 feet</p> <p>0 200 400 600 800 1,000 Feet</p> <p>N</p>	<p>State of New Mexico Office of the State Engineer Mike A. Hamman, P.E., State Engineer</p> <p>Animas Underground Water Basin Hydrographic Survey Cotton City Section</p>	 <p>Subfile Number AUB-031-1001 October 14, 2022</p>
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