

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA, and)	
STATE OF NEW MEXICO, ex rel. STATE)	
ENGINEER,)	
)	
Plaintiffs,)	
)	
and)	No. 01-cv-0072 MV/WPL
)	
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ZUNI RIVER BASIN
)	ADJUDICATION
Plaintiffs in Intervention,)	
)	
v.)	Subfile No. ZRB-5-0014
)	
A & R PRODUCTIONS, et al.,)	
)	
Defendants.)	

**ORDER ADOPTING MAGISTRATE JUDGE’S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**

This matter is before the Court on the Magistrate Judge’s Proposed Findings and Recommended Disposition (PFRD), filed June 1, 2016. (Doc. 3277) The parties were notified that objections were due within fourteen days of service of the PFRD and that if no objections were filed, no appellate review would be allowed. To this date, no objections have been filed.

IT IS THEREFORE ORDERED that:

- 1) the PFRD is adopted as an order of the Court;
- 2) the Plaintiffs’ Joint Motion for Judgment on the Pleadings (Doc. 3264) is GRANTED;
- 3) the right of the Defendant, The Clawson Farm & Ranch LLC d/b/a The Quarter Circle Ranch, to divert and use the public waters of the Zuni River Stream System, Ramah Sub-area, is as set forth below:

STOCK POND

Map Label: 3B-5-SP056
Purpose of Use: LIVESTOCK
Priority Date: 12/31/1971
Source of Water: Surface Runoff
Point of Diversion: Not Applicable

Amount of Water:

Depth (ft): 3.0
Surface Area (sq. ft): 19,143
Storage Impoundment Volume (ac-ft): 0.791

Pond Location: As shown on Hydrographic Survey Map 3B-5D

S. 3 T. 10N R. 16W 1/4, 1/16, 1/64 NW SW NE

X (ft): 2,518,020 Y (ft): 1,502,941

New Mexico State Plane Coordinate System, West Zone, NAD 1983

WELL

Map Label: 3B-5-W047
OSE File No: G 02002
Priority Date: 12/31/1940
Purpose of Use: NON 72-12-1 DOMESTIC & LIVESTOCK

Well Location: As shown on Hydrographic Survey Map 3B-5B

S. 9 T. 10N R. 16W 1/4, 1/16, 1/64 NE NE SE

X (ft): 2,516,550 Y (ft): 1,498,679

New Mexico State Plane Coordinate System, West Zone, NAD 1983

Amount of Water: 1.839 ac-ft per annum

WELL

Map Label: 3B-5-W052

OSE File No: G 01998

Priority Date: 12/31/1964

Purpose of Use: NON 72-12-1 LIVESTOCK WATERING

Well Location: As shown on Hydrographic Survey Map 3B-5D

S. 9 T. 10N R. 16W 1/4, 1/16, 1/64 NE NE NE

X (ft): 2,519,309 Y (ft): 1,504,214

New Mexico State Plane Coordinate System, West Zone, NAD 1983

Amount of Water: 1.139 ac-ft per annum

WELL

Map Label: 3B-5-W053

OSE File No: G 02004

Priority Date: 12/31/1932

Purpose of Use: NON 72-12-1 DOMESTIC & LIVESTOCK

Well Location: As shown on Hydrographic Survey Map 3B-5D

S. 3 T. 10N R. 16W 1/4, 1/16, 1/64 NW NE NE

X (ft): 2,519,349 Y (ft): 1,504,469

New Mexico State Plane Coordinate System, West Zone, NAD 1983

Amount of Water: 1.839 ac-ft per annum

WELL

Map Label: 3B-5-W054

OSE File No: G 02001
Priority Date: 12/31/1987
Purpose of Use: NON 72-12-1 LIVESTOCK WATERING; COMMERCIAL
Well Location: As shown on Hydrographic Survey Map 3B-5D
S. 3 T. 10N R. 16W 1/4, 1/16, 1/64 NW NW NE
X (ft): 2,518,251 **Y (ft):** 1,504,106
New Mexico State Plane Coordinate System, West Zone, NAD 1983

Amount of Water: 1.839 ac-ft per annum

WELL

Map Label: 3B-5-W055
OSE File No: G 02005
Priority Date: 12/31/1948
Purpose of Use: NON 72-12-1 DOMESTIC & LIVESTOCK
Well Location: As shown on Hydrographic Survey Map 3B-5D
S. 3 T. 10N R. 16W 1/4, 1/16, 1/64 NW SW NE
X (ft): 2,517,870 **Y (ft):** 1,502,703
New Mexico State Plane Coordinate System, West Zone, NAD 1983

Amount of Water: 1.839 ac-ft per annum

WELL

Map Label: 3B-5-W112
OSE File No: G 02003
Priority Date: 12/31/1910
Purpose of Use: NON 72-12-1 DOMESTIC & LIVESTOCK

Well Location: As shown on Hydrographic Survey Map 3B-5B

S. 9 T. 10N R. 16W 1/4, 1/16, 1/64 NW NW NW

X (ft): 2,512,185 Y (ft): 1,499,220

New Mexico State Plane Coordinate System, West Zone, NAD 1983

Amount of Water: 1.839 ac-ft per annum

4) The Defendant has no right to divert and use the public waters of the Zuni River Stream System, Ramah Sub-area, except as set forth in this Order and other Orders entered by the Court in this cause;

5) The Defendant, its successors, representatives, heirs, and assigns, are enjoined from any diversion or use of the public waters of the Zuni River Stream System, Ramah Sub-area, except in strict accordance with this Order and other orders of the Court in this cause; and

6) The water right described herein is adjudicated as between the United States, the State of New Mexico, and the Defendant, subject to the right of any other water right claimant with standing to object prior to the entry of a final decree in this cause.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE