

STATE OF NEW MEXICO
THE ELEVENTH JUDICIAL DISTRICT COURT
SAN JUAN COUNTY

DISTRICT COURT
SAN JUAN COUNTY NM

FILED
2010 OCT 25 AM 9 25

STATE OF NEW MEXICO, *ex rel.* STATE ENGINEER,

Plaintiff,

vs.

THE UNITED STATES OF AMERICA, *et al.*,

Defendants,

THE JICARILLA APACHE TRIBE AND THE
NAVAJO NATION,

Defendant-Intervenors.

CV-75-184
JAMES J. WECHSLER
Presiding Judge

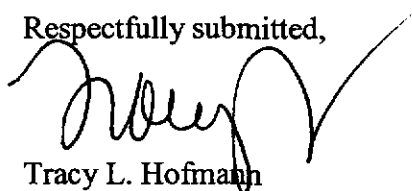
SAN JUAN RIVER
GENERAL STREAM
ADJUDICATION

**PROOF OF PUBLICATION OF THE NOTICE OF PENDENCY OF WATER RIGHTS
ADJUDICATION TO IDENTIFIED CLAIMANTS
NOT PERSONALLY SERVED BY MAIL**

COMES NOW the Plaintiff, State of New Mexico *ex rel.* State Engineer ("State), and hereby files proof of publication of the Notice of Pendency of Water Rights Adjudication to Identified Claimants Not Personally Served by Mail pursuant to Rule 1-004 NMRA, for the purpose of serving by publication those identified water rights claimants not personally served by mail.

Attached as Exhibit A is the Affidavit of Publication, signed by Bill Tafoya, Classified Advertising Manager of The Albuquerque Journal, stating that the Notice was published for 4 consecutive weeks beginning on September 7, 2010 and ending on September 27, 2010.

Respectfully submitted,



Tracy L. Hofmann
Special Assistant Attorney General
New Mexico Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 827-6150
Attorney for Plaintiff State of New Mexico
ex rel. State Engineer

Dkted

STATE OF NEW MEXICO
County of Bernalillo SS

EXHIBIT

A

ELEVENTH JUDICIAL DISTRICT COURT
SAN JUAN COUNTY
CV-75-184
Hon. James J. Wechsler
Presiding Judge

OF NEW MEXICO, ex rel.
ENGINEER,
et al.,

UNITED STATES OF AMERICA, et al.,
Plaintiffs,
CARILLA APACHE TRIBE
et al.,
Defendants,
NATION,
et al.,
Intervenor-Defendants.

JUAN RIVER GENERAL
WATER RIGHTS ADJUDICATION
LA PLATA RIVER SECTION

STATE OF NEW MEXICO, et al.,
Plaintiffs,
RIGHTS ADJUDICATION
IDENTIFIED CLAIMANTS
PERSONALLY SERVED
BY MAIL

Notary Public for the
Eleventh Judicial District Court

LEE ACTON AF-01-578;
004-0029 PO BOX 445
Alamogordo, NM 87418
Y LEE ACTON AF-01-578;
004-0029 PO BOX 445
Alamogordo, NM 87418
K E. ALLENBAUGH AF-
008-0039 13 CR
Farmington, NM 87401
K E. ALLENBAUGH AF-
008-0039 13 CR
Farmington, NM 87401
STER H. BENALLY AF-
007-0065 50 Road
Farmington, NM 87401
VONNE J. BENALLY AF-
007-0065 50 Road
Farmington, NM 87401
BERT G. BUTTES AF-01-395;
008-0059 Riverstone Trailer
; #26
Farmington, NM 87401
GINA A. BUTTES AF-01-395;
008-0059 Riverstone Trailer
; #26
Farmington, NM 87401
IAN C. CAGE AF-01-524;
P-007-0035C 15 Road 1634,
Farmington, NM 87401
ADLEY P. CHESSER AF-
007-0003B 2 CR
Farmington, NM 87401
TESA CHESSER AF-01-299;
P-007-0003B 2 CR 2468,
Farmington, NM 87401
QUITA EARLEY AF-01-345;
P-008-0007 726 HWY 170,
Farmington, NM 87401
LIAM EARLEY AF-01-345;
P-008-0007 726 HWY 170,
Farmington, NM 87401
VERY HOGUE AF-01-510;
P-008-0008 722 HWY 170
Farmington, NM 87401
AS L. HOGUE AF-01-510;
P-008-0008 722 HWY 170
Farmington, NM 87401
WN M. HOGUE AF-01-510;
P-008-0008 722 HWY 170
Farmington, NM 87401
CENT EARL JAMES AF-
004-0048 315 NW
St.,
Alamogordo, WA 98117
ERT JOE, JR. AF-01-296;
007-0001 Box 467,
Alamogordo, NM 87418
ARA L. LASSITER AF-
009-0003 1 CR
Farmington, NM 87401
LAWING AF-01-384; SJLP-
046 688 NM 170,
Farmington, NM 87401
ALM LAWING AF-01-384;
008-0046 688 NM 170,
Farmington, NM 87401
NE J. MARTIN, JR. AF-
007-0042 876 HWY
Farmington, NM 87401

Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 4 times, the first publication being on the 7 day of September, 2010, and the subsequent consecutive publications on 9/13, 20, 27, 2010

Bill Tafoya

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this

12 day of October of 2010

PRICE 593.21

Statement to come at end of month. 180994

ACCOUNT NUMBER

CLA-22-A (R-1/93)

OFFICIAL SEAL
Jenny Gomez
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 2/18/13

Jenny Gomez

BARBARA N. MCSMITH AF-
01-275; SJLP-006-0022 704 W.
Ahimas St.,
Farmington, NM 87401
JOHN D. TAYLOR AF-01-241;
SJLP-005-0034 PO Box 170,
Amistad, NM 88410
LAURAL K. TAYLOR AF-01-241;
SJLP-005-0034 PO Box 170,
Amistad, NM 88410
You are hereby notified that the State of New Mexico ("State") has filed a water rights adjudication lawsuit in the Eleventh Judicial District of New Mexico, San Juan County, pursuant to NMSA 1978, §§ 72-4-15 through 72-4-17, under the caption and case number shown above. The purpose of this lawsuit, referred to as the "San Juan Adjudication," is to identify and determine all rights to use the surface and underground waters of the San Juan River Stream System within the State of New Mexico, which includes all tributary rivers of the San Juan River within New Mexico. The Court is proceeding on a river-by-river basis and is currently determining all rights to divert water from the La Plata River, or from a well, to irrigate land within the La Plata Section. The Court is conducting the adjudication in accordance with its April 30, 2006 Scheduling Order Governing Adjudication of Irrigation Water Rights in the La Plata Section ("Scheduling Order"), which imposes deadlines, detailed adjudication procedures, and filing requirements. A copy of the Scheduling Order and other pertinent information may be obtained from the Court's website at <http://www.11thjdc.com/modules/tinycontent/?id=79> or by contacting the State's attorney identified below. If you have not already been served in this adjudication, you are required to appear before the

CLIFFORD ALLEN PISTOLE AF-
01-278; SJLP-006-0025 5880
Boulder Falls St., Apt.1 Hender-
son, NV 89011
DIANA REDHORSE AF-01-428;
SJLP-008-0096 681 HWY 170,
Farmington, NM 87401
LEO REDHORSE AF-01-428;
SJLP-008-0096 681 HWY 170,
Farmington, NM 87401
HEIDI J. RUYBALID AF-01-148;
SJLP-004-0003B 35 CR 1304,
La Plata, NM 87418
JACOB A. RUYBALID AF-01-148;
SJLP-004-0003B 35 CR 1304,
La Plata, NM 87418
RODNEY M. SEATON AF-01-529;
SJLP-003-0018B 459 Lowell Blvd.,
Denver, CO 80204
JACOB SEEBECK AF-01-441;
SJLP-008-0109 641 NM 170,
Farmington, NM 87401
ELISABETHE J. SMITH AF-
01-422; SJLP-008-0089 7 RD
1783,
Farmington, NM 87401
ELMER SMITH AF-01-422; SJLP-
008-0089 7 RD 1783,
Farmington, NM 87401
JACKIE SORRELL AF-01-461;
SJLP-009-0007 51 CR 1800,
Farmington, NM 87401
RANDOLPH SPECHT AF-01-525;
SJLP-007-0035B 3313 Northridge
Dr.,
Farmington, NM 87401
RHONDA L. STOCKERT AF-
01-434; SJLP-008-0102 PO Box
8616,
Farmington, NM 87499
CINDY L. STOCKTON AF-01-335;
SJLP-007-0065 54 Road 1636,
Farmington, NM 87401
JEFFREY W. STOCKTON AF-

any, you must use the waters of the La Plata River. Unless you file a responsive pleading or Notice of Claim ("NOC"), which you may obtain from the Court's website, with the Court within sixty (60) days after the last date this Notice is published, any default judgment to be entered against you may be revised. Report include claimant has no lands with appurtenant irrigation water rights within the La Plata Section and/or no right to divert surface water or underground water for irrigation within the La Plata Section.

Questions about the San Juan Adjudication? Call the Court at 505-842-2300. WITNESS the hand and seal of the Eleventh Judicial District Court, County of San Juan, State of New Mexico, this 29th day of December, 2009.

s/ Loretta Bachert
District Court Clerk
Journal: September 7, 13, 20, 27, 2010