

DISTRICT COURT
SAN JUAN COUNTY NM
FILED
2013 MAY 10 PM 3:21

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

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

Plaintiff,

D-1116-CV-75-184
HON. JAMES J. WECHSLER
Presiding Judge

vs.

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

Defendants,

SAN JUAN RIVER
GENERAL STREAM
ADJUDICATION

THE JICARILLA APACHE TRIBE AND THE
NAVAJO NATION,

AB-07-1
Claims of the Navajo Nation

Defendant-Intervenors.

NAME OF PARTY: The United States of America

DESCRIPTIVE SUMMARY: The United States' response to Motions seeking to invalidate permits held by the United States for Bureau of Reclamation projects.

NUMBER OF PAGES: 9 (exclusive of certificate of service and attachments)

DATE OF SERVICE: May 10, 2013

**THE UNITED STATES' RESPONSE TO MOTIONS
SEEKING TO INVALIDATE BUREAU OF RECLAMATION WATER RIGHTS**

The Community Ditch Objectors (“Ditches”) and Gary L. Horner (collectively “Objectors”) have filed motions which seek to use this expedited *inter se* of the Settlement of the Navajo Nation’s water rights as a vehicle to collaterally attack the permits for United States

JUDGE

Bureau of Reclamation (“Reclamation”) Projects within the San Juan River Basin.¹ See COMMUNITY DITCH DEFENDANTS’ MOTION AND MEMO FOR PARTIAL SUMMARY JUDGMENT CONCERNING APPLICATIONS FOR PERMITS FROM THE STATE ENGINEER (April 15, 2013) and GARY L. HORNER’S MOTION FOR A DETERMINATION THAT FEDERAL LAW PERMITS OR CONTRACT DO NOT DEFINE THE EXTENT OF THE WATER RIGHTS FOR THE NAVAJO NATION (April 15, 2013) (collectively “Motions”). The Motions’ challenge to Reclamation’s permits echoes a substantively identical motion orchestrated by Mr. Horner – and disposed of by this Court without express consideration – during the expedited *inter se* sub-proceeding addressing the water rights settlement for the Jicarilla Apache Nation. See RICHARD AND VICKEY AUSTIN’S MOTION TO CANCEL THE PERMITS ISSUED TO THE UNITED STATES FOR THE RIGHT TO USE WATER OF THE STATE OF NEW MEXICO WITHIN THE SAN JUAN BASIN (Oct. 21, 1998).

¹ As is explained below, Reclamation has complied with N.M. Stat. Ann. § 72-5-33 (1978) (“NMSA 72-5-33”). The interest created pursuant to NMSA 72-5-33 is commonly referred to as a “permit,” even though the statute does not expressly provide for a permit. Thus, in this memorandum the United States uses the term “permit” to refer to that interest. In doing so, the United States does not waive its position that the United States has since completed the appropriations initiated by the “permits.”

The Objectors do not expressly challenge the permit for the Hammond Project (State Engineer File No. 2848). However, the Objectors indirectly challenge the Hammond Project permit because it was established by the same statutory process as the other project permits. Accordingly, the United States addresses the Hammond Project permit below.

Mr. Horner also challenges the validity of State Engineer File Nos. 758, 2472, 2807 and 2875. The settlement expressly cancels each of those interests. Settlement Agreement at ¶ 4.3.1. Accordingly Mr. Horner’s claims are moot. Finally, the Ditches challenge the permit associated with State Engineer File No. 2829 but provide no information regarding that file. To the United States’ knowledge, State Engineer File No. 2829 has no connection to a federal Reclamation project.

The Court should reach the same result here because the Objectors ask this Court to decide an issue which the Court has no need – nor any legitimate reason – to reach. Moreover, the Objectors’ arguments have no merit because the United States has fully complied with the procedures NMSA 72-5-33, a statute expressly addressed to federal reclamation projects. Indeed, the Objectors do no more than invite this Court to nullify the careful distinction between federal reclamation projects and other water users drawn by the New Mexico legislature and affirmed by the New Mexico Supreme Court.

I. THE COURT SHOULD SUMMARILY DISPOSE OF THE CHALLENGES TO RECLAMATION’S PERMITS WITHOUT CONSIDERATION OF THE MERITS.

There are at least four reasons why summary disposal is appropriate. First, the Objectors effectively ask the Court to adjudicate Bureau of Reclamation water rights, despite this Court’s repeated and clear instruction that this expedited *inter se* sub-proceeding “includes only the claims of the Navajo Nation.” *See e.g.*, ORDER STRIKING COMMUNITY DITCH DEFENDANTS’ ANSWER AND COUNTERCLAIM at 3 (Feb. 15, 2013). Put more bluntly, the Objectors’ challenges to the validity of Reclamation’s permits are improper because Reclamation’s claims to water rights are not before this Court.

Second, the Objectors’ arguments are a collateral attack on State Engineer actions taken decades ago. New Mexico law has long disfavored such collateral attacks. *See e.g.*, *McDonald v. Padilla*, 53 N.M. 116, 119-20, 202 P.2d 970, 973 (N.M. 1948). Third, the permits have been relied on by Reclamation for decades in distributing water by contract to countless New Mexicans for use in their homes, farms and businesses. New Mexico law has long

counseled that decisions underlying commercial transactions must not be disturbed. *See e.g., State ex rel. Bliss v. Dority*, 55 N.M. 12, 18, 225 P.2d 1007, 1011 (1950). Further, these beneficiaries of Project water have had no notice that the water upon which they rely will be placed at risk in this expedited *inter se* sub-proceeding.

The fourth, and perhaps most important reason, why the Court should summarily dispose of the challenges to Reclamation's permits is that the premise of the Objectors' arguments is fundamentally misguided. Contrary to Mr. Horner's repeated representations, Reclamation's permits do not "authorize" or "provide the basis" for the Navajo Nation water rights addressed in the Settlement. Rather, it is the Federal reserved water rights doctrine that both "authorizes" and "provides the basis" for the Navajo Nation's water rights. *See Winters v. United States*, 207 U.S. 564 (1908). Some of the challenged Reclamation permits play no role whatsoever in the settlement water supply. Those that do are part of the settlement only because as a matter of compromise the Navajo Nation has agreed to accept water from Reclamation project facilities in lieu of exercising its senior direct flow reserved water rights. Thus, the projects' role in the Settlement only *benefits* other water users by providing a source of water for the Navajo Nation that does not require additional water to be withdrawn from the San Juan River.

In short, the Objectors' challenge to Reclamation's permits should be summarily rejected because it is wholly outside the scope of this sub-proceeding and raises an

issue which the Court has no legitimate reason to reach.² Even if that were not the case, however, the Objectors' arguments have no merit.

II. THE CHALLENGES TO RECLAMATION'S PERMITS ARE WITHOUT MERIT.

The essence of the Objectors' arguments is that the Reclamation does not hold valid permits because the United States did not comply with procedures allegedly required by New Mexico statutes. *E.g.*, Ditches Motion at 1-2, Horner Brf. at 88. What the Objectors fail to appreciate is that New Mexico statutes carefully distinguish between federal reclamation projects and other water users. *See City of Raton v. Vermejo Conservancy Dist.*, 101 N.M. 95, 678 P.2d 1170 (N.M. 1984) (affirming that distinction). Two of the distinctions drawn by the New Mexico legislature are of particular import here. First, through NMSA 72-5-33 the legislature provided a separate mechanism for the United States to initiate appropriations for federal reclamation projects which is independent of the statutory procedures cited by the Ditches. Second, by enacting N.M. Stat. Ann. § 72-9-4 (1978) ("NMSA 72-9-4"), the New Mexico legislature expressly exempted federal Reclamation projects from provisions of New Mexico's water code, including NMSA 72-5-1, the otherwise applicable permit requirement.³

² Indeed, Mr. Horner appears to concede that the question of the validity of Reclamation's permits is not properly before the court. *See e.g.*, GARY L. HORNER'S BRIEF IN SUPPORT OF GARY L. HORNER'S MOTION FOR A DETERMINATION THAT FEDERAL LAW PERMITS OR CONTRACT DO NOT DEFINE THE EXTENT OF THE WATER RIGHTS FOR THE NAVAJO NATION at 87 ("Horner Brf.") (characterizing his argument that permit 2883 should be cancelled as a digression).

³ Mr. Horner attacks both of these long-standing statutes as "unconstitutional." This is not the forum to decide the constitutionality of statutes that have been in effect for decades (and in

The title of NMSA 72-5-33, "Federal reclamation projects; appropriation for," captures the statute's function – to provide a means for the United States to initiate an appropriation for federal reclamation projects. The statutory process begins with notice to "the state engineer that the United States intends to utilize certain specified waters." NMSA 72-5-33. The water identified in the notice is then not "subject to a further appropriation under the laws of the state for a period of three years from the date of the notice." *Id.* The process is completed by the United States "fil[ing] plans for the proposed works in the office of the state engineer for his information" within that three year period. *Id.* Once the plans are filed, "no adverse claim to the use of water required in connection with such plans, initiated subsequent to the date of such notice, shall be recognized under the laws of the state."⁴ *Id.* For more than fifty years the State of New Mexico has considered NMSA 72-5-33 a valid means of initiating water rights for federal reclamation projects. *See e.g.*, State Engineer letter of May 2, 1956 ("The water right of the Hammond Project, per se, was established by a Notice of Intention filed by the State

the case of NMSA 72-5-33, more than a century), but in any event the New Mexico Supreme Court affirmed NMSA 72-5-33 against constitutional challenge in *City of Raton*, 678 P.2d at 1174. In doing so, the New Mexico Supreme Court observed that "the legislature's distinction between federal reclamation projects and other areas of water use in this state is not at all unreasonable or arbitrary." *Id.* at 1174-75. That distinction underlies both NMSA 72-5-33 and NMSA 72-9-4. Consequently, even if the constitutionality of those statutes could be challenged in this proceeding, the New Mexico Supreme Court's instruction would require this Court to affirm the statutes.

⁴ The reservation of water created by the statute remains in effect unless and until "the United States congress, the secretary of the interior or a court of competent jurisdiction, in a nonappealable final judgment, determines that the planned federal reclamation project will not be constructed." NMSA 72-5-33.A (2). No such determination has been made for any of the Projects addressed in the Motions.

Engineer on June 17, 1955.”) (Attachment A). The Objectors’ arguments have no merit because the process set by NMSA 72-5-33 was followed for each of the projects.

The Objectors ask this Court to invalidate the permits associated with the San Juan-Chama Project, the Animas-La Plata Project, Navajo Reservoir, the Navajo Indian Irrigation Project and, indirectly, those of the Hammond Project. Each of those Projects is a product of the Colorado River Storage Project Act (CRSPA), which authorized Navajo Dam and the Hammond Project, and directed the Secretary of the Interior to complete planning reports for the Navajo Indian Irrigation, Animas La-Plata and San Juan-Chama Projects.⁵ See 43 U.S.C. §§ 620-620o.

CRSPA was intended to facilitate water development by the States of the Upper Colorado Basin. See 43 U.S.C. § 620. The prospect of CRSPA being enacted prompted the New Mexico State Engineer to file Notices of Intention to appropriate for the Hammond Project (File 2848), Animas-La Plata Project (File 2883), Navajo Reservoir (File 2873), San Juan-Chama Project (File 2847) and Navajo Indian Irrigation Project (File 2849) (collectively Attachment B). *Id.* at 2. Following the passage of CRSPA, the United States filed a Notice of Intention for an additional appropriation at Navajo Reservoir (File 2917) (Attachment C). The State then assigned all of the Notices it had filed to the United States, on the condition that the United States submit a formal application to appropriate water and the corresponding plans of

⁵ The Navajo Indian Irrigation and San Juan-Chama Projects were later authorized by Pub. Law 87-483, 76 Stat. 96 (June 13, 1962). The Animas-La Plata Project was formally authorized by the Colorado River Basin Project Act of 1968, Pub. Law 90-537, 82 Stat. 885 (Sept. 30, 1968).

development to the New Mexico State Engineer. State Engineer Letters of September 27, 1957 (assigning the Notices for the Hammond Project, Navajo Reservoir, Navajo Indian Irrigation Project and San-Juan Chama Project); State Engineer Letter of April 6, 1959 (assigning the Notice for the Animas-La Plata Project) (collectively Attachment D).

On March 6, 1958 the United States submitted an Application for Permit and corresponding plans of development for the San-Juan Chama Project (File 2847), Navajo Indian Irrigation Project (2849), and the two Navajo Reservoir appropriations (Files 2873 and 2917). This Application was assigned to State Engineer File No. 2847, 2849, 2873, 2917 Combined. The State Engineer certified that the application was "submitted in compliance with Section 75-5-31, New Mexico Statutes Annotated, 1953 Compilation" on June 17, 1958.⁶ *See* Combined Application at 3 (Attachment E). An Application for Permit and plan of development for the Hammond Project (File 2848) followed on Feb. 20, 1958, and for the Animas-La Plata Project (File 2883) on April 14, 1959. The State Engineer certified those Applications complied with the statute on June 17, 1958 and May 12, 1959, respectively. *See* Application 2848 at 5; Application 2883 at 3 (both in Attachment F)

The final permit for the Projects, State Engineer File No. 3215, was initiated by a Notice of Intention filed on August 28, 1967 (Attachment G). The United States submitted an Application for Permit and accompanying plans on December 16, 1968. The State Engineer certified compliance with the statute that is now NMSA 72-5-33 on December 17, 1968. *See*

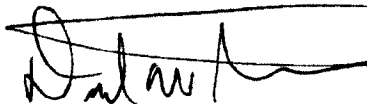
⁶ N.M. Stat. Ann. § 75-5-31 (1953) is now codified as NMSA 72-5-33.

Application 3215 at 3 (Attachment H). Thus by the close of 1968, the United States had fully complied with NMSA 72-5-33 for each of the projects now challenged by the Objectors. Because the United States fully complied with that statute, the Objectors' challenges to Reclamation's permits have no merit.⁷

DATED this 10th day of May, 2013.

Respectfully Submitted,

UNITED STATES OF AMERICA

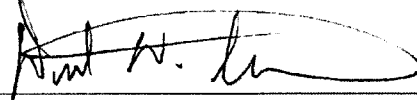


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Denver, CO 80202
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⁷ Mr. Horner makes an additional ancillary argument that “a water right [can] never vest in the United States with respect to federal reclamation projects” because “the United States never applied the subject [Project] water to beneficial use.” Horner Brf. at 88. Again there is no reason to address this argument because Reclamation's water rights are not at issue in this proceeding. Moreover, Mr. Horner's argument implicates the interests of Project water users who are not present in this proceeding. In any event, the argument has no merit. While the contours of Reclamation's rights may vary from state to state, the United States Supreme Court has repeatedly affirmed that the United States' ability to hold title to Reclamation Project rights, even where it is not the end user of the Project water. *See e.g., Nevada v. United States*, 463 U.S. 110, 126 (1983) (addressing Project water rights “confirmed to the government”).

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of May, 2013, a true and correct copy of the forgoing was served on all parties by attaching a copy of said document to an email sent to wnavajointerse@nmcourts.gov.



DAVID W. GEHLERT

Attachment A

May 2, 1956

C
O
P
Y

Mr. Wm. F. Crabtree
Area Engineer
Bureau of Reclamation
Durango, Colorado

File 2848

Dear Mr. Crabtree:

Reference is made to your letter of April 11. The water right of the Hammond Project, per se, was established by a Notice of Intention filed by the State Engineer on June 17, 1955. The file number of this Notice of Intention is 2848 and its expiration date is June 17, 1958.

Notice of Intention No. 2373 filed by Hammond, Inc., on February 12, 1948 and referred to in the second paragraph of your letter was cancelled on October 20, 1942.

The Kutz Canyon Water Users Association filed on 6855 acre-feet per annum measured on the land (3 acre-feet per acre for 2285 acres) under Notice of Intention No. 2593 dated February 25, 1945. A permit has been granted under this Notice of Intention and I have been unofficially advised that thus far water has been beneficially applied on 1612 acres. It is my understanding that the land designated in Notice of Intention No. 2593 will be incorporated in the Hammond project and therefore this water right would be transferred to the project.

According to our records, stream depletions based on rights prior to the Kutz Canyon Water Users Association's Notice of Intention No. 2593 amount to approximately 110,000 acre-feet per annum. This amount refers to estimated depletion and not to diversion requirements.

Attachment A

Mr. Wm. F. Crabtree

-2-

May 1, 1956

C
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In addition to the depletion of 110,000 acre-feet mentioned above, but not including Notice of Intention No. 2593, there are permits on file in this office which allow depletions of approximately 5000 acre-feet and which have a priority date earlier than the State Engineer's Notice of Intention No. 2848. Notices of Intention on file in this office with a priority date earlier than Notice of Intention No. 2848 are shown in the attached table.

The total of 196,332.01 acre-feet shown in the attached table reflects reservations for diversion requirements and no attempt has been made to estimate either the extent of the developments that will actually occur under these reservations or the depletions that might result from the diversions. It is suggested that you may wish to come to this office to discuss further the present and contemplated water uses set forth above and their effect on the water rights of the Hammond Project.

Yours truly,

SER:c
encl.

S. E. Reynolds
State Engineer

cc: Reid Jerman
Regional Development Engr.
Region 4-USBR SLC, Utah

Attachemnt A

Attachment B

2848

312919

STATE ENGINEER - SANTA FE, N. M.
RECEIVED
 JUN 17 1955
 AM 7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7
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IMPORTANT—READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

NOTICE OF INTENTION TO MAKE FORMAL APPLICATION FOR PERMIT

To Appropriately the Natural Public Surface Waters of the State of New Mexico

Page 2848

Filed in Book M-2

Appl. No. 2848

1. Date of receipt of Notice of Intention June 17, 1955
 (a) Formal application to be received on or before June 17, 1958
2. Name of applicant State of New Mexico, by John H. Bliss, State Engineer
 Post Office Santa Fe Box 1079, County of Santa Fe, State of New Mexico
3. If applicant is a corporation give:
 (a) Date and place of organization _____
 (b) Amount of capital stock \$ _____ (c) Amount paid in \$ _____
 (d) Names and addresses of directors _____

4. Quantity of unappropriated water claimed (see note on back) 23,000 acre-feet
 (a) By direct diversion _____ sec. ft. (b) by storage _____ acre-feet
 (and, or) _____
 (c) _____

5. Source of water supply (a) Name of stream or watercourse San Juan River
 (b) Which is a tributary of Colorado River

6. Location of point of diversion or outlet from storage (if more than one, locate each):
 _____ quarter of _____ quarter
 of section _____ Township 29 N. Range 9 W. N. M. P. M.

7. To be used for Irrigation purposes.

IRRIGATION AND DOMESTIC USE

- (a) Number of acres to be irrigated 4600
- (b) Described as follows: Township 29 North, Ranges 9, 10, 11, 12 and 13 West, adjacent to and South of San Juan River.

MANUFACTURING, MINING, POWER AND LIKE PURPOSES

- (a) Quantity of water _____ sec. ft., to be used for _____
- (b) Power to be generated _____ horse power (c) conducted by _____
 (give approximate size and description of conduit) _____ (length) _____
 feet in length from a point in the _____ quarter of _____ quarter of
 (locate point of diversion of outlet from storage)
 section _____ Township _____ Range _____ N. M. P. M.,
 to a point where water will be returned to stream undiminished in quantity in the _____ quarter of
 _____ quarter of section _____ Township _____
 Range _____ (locate point of return)

8. Further description of proposed project of old works to be amended or enlarged hereby:

9. References: _____

I, John H. Bliss, State Engineer do solemnly swear that I have read the foregoing statements and that the same are true to the best of my knowledge and belief.

Claimant: State of New Mexico
John H. Bliss

Subscribed and sworn to before me this 19th day of June A.D. 1955
My commission expires Jan 28, 1957

Stella C. Blumhardt
Notary Public.

Additional statements or explanations: This filing is for the Hammond Project and is made simultaneously with filings for the Navajo and San Juan - Chama Projects.

INSTRUCTIONS AND EXPLANATIONS FOR FILLING THIS FORM

(See Manual of Revised Rules and Regulations, Section on General Principles of Appropriation and Article on Notice of Intention.)

This form shall be made out in duplicate and shall be accompanied by a filing fee of \$10.00. If the application is to enlarge an existing project or to amend a permit, fill out this form to cover only the enlarged or amended portion, then state under Section 8 the data necessary to define the old works.

- Section 1. This section to be filled out by the State Engineer.
- Section 2. Fill in the name and address of the applicant.
- Section 3. If the applicant is a corporation, company or firm, fill out blanks under section three. Give date of filing certificate of incorporation with the Corporation Commission.
- Section 4. The quantity of water to be appropriated for irrigation purposes should be stated in acre-feet delivered on the land. The amount to be used wholly or in part by direct diversion shall be noted after (a); that to be used wholly or in part by storage, after (b). Under (c) give any additional information necessary to properly state or define the use.
Important: Except in the case of flood water projects, no direct diversion to the irrigated lands may be made at a rate greater than 1 second foot for each 70 acres. In no case may a right be acquired for more water than can be beneficially used upon the irrigated area.
- Section 5. Each blank under this section shall be filled out.
- Section 6. In a direct diversion project, or in the case of diversion to an off-channel reservoir, the point of diversion is the location of the canal headgates on the bank of the stream or water-course. If water is to be stored behind a dam across the stream itself, the point of diversion then becomes the location of the outlet gates from the reservoir.
If the point of diversion lies on unsurveyed lands, it should be described as nearly as possible by legal subdivision "as projected" from the nearest accepted government survey.
- Section 7. State all the purposes for which the water is to be used. If for "Irrigation and Domestic Use" state under (a) the total number of acres to be irrigated; under (b) the location of lands to be irrigated. If for "Manufacturing, Mining, Power, or Like Purpose", fill out the statements under that heading. If water is to be used for several purposes, fill out all blanks referring to the different purposes.
- Section 8. Give here any additional data necessary to describe the proposed works or old works to be amended or enlarged hereby.
- Section 9. Give references of a bank and merchant with whom applicant does business or to whom he is known.
Claimant shall sign affidavit to above statements before a Notary Public or other proper official qualified to administer oaths.

Note: If additional space is necessary, use a separate sheet of paper and attach securely hereto.
QUALITY PRESS—SANTA FE

302825

IMPORTANT—READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

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STATE ENGINEER OFFICE
SANTA FE

NOTICE OF INTENTION TO MAKE FORMAL APPLICATION FOR PERMIT

To appropriate the Natural Public Surface Waters of the State of New Mexico

Page 2883

Filed in Book M-2

Appl. No. 2883

1. Date of receipt of Notice of Intention May 1, 1956
 (a) Original application to be received on or before May 1, 1959
 2. Name of applicant State of New Mexico by S. W. Reynolds, State Engineer
 Post Office Santa Fe County of Santa Fe State of New Mexico

If applicant is a corporation give:

(a) Date and place of organization of corporation _____
 (b) Amount of capital stock, \$ _____ (c) Amount paid in \$ _____
 (d) Names and addresses of directors _____

4. Quantity of unappropriated water claimed (see note on back) 49,510 (on the land) acre-foot
 (a) By direct diversion _____ sec. ft. _____ (b) by storage _____ acre-foot
 (and, or)
 (c) Direct diversion and storage as per planned Colorado-New Mexico Animas - La Plata Project

5. Source of water supply (a) Name of stream or watercourse Animas and La Plata Rivers
 (b) Which is a tributary of San Juan River

6. Location of point of diversion or outlet from storage (if more than one, locate each):
 _____ quarter of _____ quarter of _____
 of section _____ Township _____ Range _____ N. M. P. M.
Points of diversion in Colorado and New Mexico.

7. To be used for Full and supplemental irrigation purpose.

IRRIGATION AND DOMESTIC USE

(a) Number of acres to be irrigated 20,600
 (b) Described as follows: In La Plata and Animas Valleys in San Juan County, New Mexico, as indicated in Animas - La Plata Project status report Bureau of Reclamation November 1954.

MANUFACTURING, MINING, POWER AND LIKE PURPOSES

(a) Quantity of water _____ sec. ft. to be used for _____
 (b) Power to be generated _____ horse power (c) conducted by _____
 (give approximate size and description of conduit) _____ (length) _____
 feet in length from a point in the _____ quarter of _____
 (locate point of diversion of outlet from storage)
 section _____ Township _____ Range _____ N. M. P. M.
 at a point where water will be returned to stream undiminished in quantity in the _____ quarter of
 _____ quarter of section _____ Township _____
 Range _____ (locate point of return)

8. Further description of proposed project of old works to be amended or enlarged hereby:

9. References:

I, _____ do solemnly swear that I have read the foregoing statements and that the same are true to the best of my knowledge and belief.

Claimant

[Signature]

Subscribed and sworn to before me this 1st day of May A. D. 1954

My commission expires Jan 21, 1959

[Signature]
Notary Public

Additional statements or explanations:

INSTRUCTIONS AND EXPLANATIONS FOR FILLING THIS FORM

(See Manual of Revised Rules and Regulations, Section on General Principles of Appropriation and Article on Notice of Intention.)

This form shall be made out in duplicate and shall be accompanied by a filing fee of \$10.00. If the application is to enlarge an existing project or to amend a permit, fill out this form to cover only the enlarged or amended portion, then state under Section 8 the data necessary to define the old works.

Section 1. This section to be filled out by the State Engineer.

Section 2. Fill in the name and address of the applicant.

Section 3. If the applicant is a corporation, company or firm, fill out blanks under section three. Give date of filing certificate of incorporation with the Corporation Commission.

Section 4. The quantity of water to be appropriated for irrigation purposes should be stated in acre-feet delivered on the land. This amount to be used wholly or in part by direct diversion shall be noted after (a); that to be used wholly or in part by storage, after (b). Under (c) give any additional information necessary to properly state or define the use.

Important: Except in the case of flood water projects, no direct diversion to the irrigated lands may be made at a rate greater than 1 second foot for each 70 acres. In no case may a right be acquired for more water than can be beneficially used upon the irrigated area.

Section 5. Each blank under this section shall be filled out.

Section 6. In a direct diversion project, or in the case of diversion to an off-channel reservoir, the point of diversion is the location of the canal headgates on the bank of the stream or water-course. If water is to be stored behind a dam across the stream itself, the point of diversion then becomes the location of the outlet gates from the reservoir.

If the point of diversion lies on unsurveyed lands, it should be described as nearly as possible by legal subdivision "as projected" from the nearest accepted government survey.

Section 7. State all the purposes for which the water is to be used. If for "Irrigation and Domestic Use" state under (a) the total number of acres to be irrigated; under (b) the location of lands to be irrigated. If for "Manufacturing, Mining, Power, or Like Purpose", fill out the statements under that heading. If water is to be used for several purposes, fill out all blanks referring to the different purposes.

Section 8. Give here any additional data necessary to describe the proposed works or old works to be amended or enlarged hereby.

Section 9. Give references of a bank and merchant with whom applicant does business or to whom he is known.

Claimant shall sign affidavit to above statements before a Notary Public or other proper official qualified to administer oaths.

Note: If additional space is necessary, use a separate sheet of paper and attach securely hereto.

QUALITY PAPER - SANTA FE

STATE ENGINEER OFFICE
SANTA FE, N. M.

NOTICE OF INTENTION TO MAKE FORMAL APPLICATION FOR PERMIT

To Appropriate the Natural Public Surface Waters of the State of New Mexico

Page 2873 Filed in Book M-2 Appl. No. 2873

- Date of receipt of Notice of Intention January 17, 1956
(a) Formal application to be received on or before January 17, 1959
- Name of applicant State of New Mexico by S. E. Reynolds, State Engineer
Post Office Box 1079, Santa Fe, County of Santa Fe, State of New Mexico
- If applicant is a corporation give:
(a) Date and place of organization of corporation _____
(b) Amount of capital stock, \$ _____ (c) Amount paid in \$ _____
(d) Names and addresses of directors _____

- Quantity of unappropriated water claimed (see note on back) _____ acre-feet
(a) By direct diversion _____ sec. ft. (b) by storage 28,800 acre-feet
(c) This quantity of water charged against New Mexico for evaporation losses in the Navajo Storage Project Esmerald

- Source of water supply (a) Name of stream or watercourse San Juan River and its tributaries
(b) Which is a tributary of _____

- Location of point of diversion or outlet from storage (if more than one, locate each):
New Mexico quarter of _____ quarter
of section _____ Township _____ Range _____, N. M. P. M.,

- To be used for evaporation losses purposes.

IRRIGATION AND DOMESTIC USE

- Number of acres to be irrigated _____
- Described as follows: _____

MANUFACTURING, MINING, POWER AND LIKE PURPOSES

- Quantity of water _____ sec. ft., to be used for _____
- Power to be generated _____ horse power (c) conducted by _____
(give approximate size and description of conduit) (length)
feet in length from a point in the _____ quarter of _____ quarter of
(locate point of diversion of outlet from storage)
section _____ Township _____ Range _____, N. M. P. M.,
to a point where water will be returned to stream undiminished in quantity in the _____ quarter of
_____ quarter of section _____ Township _____
Range _____ (locate point of return)

8. Further description of proposed project of old works to be amended or enlarged hereby:

9. References: _____

I, S. E. Reynolds, do solemnly swear that I have read the foregoing statements and that the same are true to the best of my knowledge and belief.
Claimant *S. E. Reynolds*

Subscribed and sworn to before me this 17th day of January, A. D., 19 56
My commission expires August 9, 1958
Donald E. Stender
Notary Public.

Additional statements or explanations: _____

INSTRUCTIONS AND EXPLANATIONS FOR FILLING THIS FORM

(See Manual of Revised Rules and Regulations, Section on General Principles of Appropriation and Article on Notice of Intention.)

This form shall be made out in duplicate and shall be accompanied by a filing fee of \$10.00. If the application is to enlarge an existing project or to amend a permit, fill out this form to cover only the enlarged or amended portion, then state under Section 8 the data necessary to define the old works.

- Section 1. This section to be filled out by the State Engineer.
 - Section 2. Fill in the name and address of the applicant.
 - Section 3. If the applicant is a corporation, company or firm, fill out blanks under section three. Give date of filing certificate of incorporation with the Corporation Commission.
 - Section 4. The quantity of water to be appropriated for irrigation purposes should be stated in acre-feet delivered on the land. The amount to be used wholly or in part by direct diversion shall be noted after (a); that to be used wholly or in part by storage, after (b). Under (c) give any additional information necessary to properly state or define the use.
Important: Except in the case of flood water projects, no direct diversion to the irrigated lands may be made at a rate greater than 1 second foot for each 70 acres. In no case may a right be acquired for more water than can be beneficially used upon the irrigated area.
 - Section 5. Each blank under this section shall be filled out.
 - Section 6. In a direct diversion project, or in the case of diversion to an off-channel reservoir, the point of diversion is the location of the canal headgates on the bank of the stream or water-course. If water is to be stored behind a dam across the stream itself, the point of diversion then becomes the location of the outlet gates from the reservoir.
If the point of diversion lies on unsurveyed lands, it should be described as nearly as possible by legal subdivision "as projected" from the nearest accepted government survey.
 - Section 7. State all the purposes for which the water is to be used. If for "Irrigation and Domestic Use" state under (a) the total number of acres to be irrigated; under (b) the location of lands to be irrigated. If for "Manufacturing, Mining, Power, or Like Purpose", fill out the statements under that heading. If water is to be used for several purposes, fill out all blanks referring to the different purposes.
 - Section 8. Give here any additional data necessary to describe the proposed works or old works to be amended or enlarged hereby.
 - Section 9. Give references of a bank and merchant with whom applicant does business or to whom he is known.
Claimant shall sign affidavit to above statements before a Notary Public or other proper official qualified to administer oaths.
- Note: If additional space is necessary, use a separate sheet of paper and attach securely hereto.

QUALITY PRESS-SANTA FE

S. J. T. (M.N.)

IMPORTANT—READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

JUN 17 1955

NOTICE OF INTENTION TO MAKE FORMAL APPLICATION FOR PERMIT

To Appropriate the Natural Public Surface Waters of the State of New Mexico

2847

Filed in Book 17-2

Appl. No. 2847

2. Date of receipt of Notice of Intention June 17, 1955

(a) Formal application to be received on or before JUNE 17, 1955

3. Name of applicant State of New Mexico, by John E. Bliss, State Engineer

Post Office Santa Fe Box 1079 County of Santa Fe State of New Mexico

If applicant is a corporation give:

(a) Date and place of organization of corporation _____

(b) Amount of capital stock, \$ _____ (c) Amount paid in \$ _____

(d) Names and addresses of directors _____

4. Quantity of unappropriated water claimed (see note on back) _____ acre-feet

(a) By direct diversion _____ sec. ft. (b) by storage _____ acre-feet

(c) Average annual diversion of 235,000 acre-feet

5. Source of water supply (a) Name of stream or watercourse San Juan River and tributaries

(b) Which is a tributary of Colorado River

6. Location of point of diversion or outlet from storage (if more than one, locate each):

UPPER SAN JUAN COUNTY quarter of _____

of section _____ Township _____ Range _____ N. M. P. M. _____

7. To be used for Municipal, industrial, and irrigation purposes.

IRRIGATION AND DOMESTIC USE

(a) Number of acres to be irrigated Supplemental supply for 235,000 acres.

(b) Described as follows: In Rio Grande and Cimarron drainage basins

MANUFACTURING, MINING, POWER AND LIKE PURPOSES

(a) Quantity of water _____ sec. ft. to be used for _____

(b) Power to be generated _____ horse power (c) conducted by _____

(give approximate size and description of conduit) _____ (length)

feet in length from a point in the _____ quarter of _____

section _____ Township _____ Range _____ N. M. P. M. _____

to a point where water will be returned to stream undiminished in quantity in the _____ quarter of _____

quarter of section _____ Township _____ Range _____

(locate point of return)

1. Further description of proposed project or old works to be amended or enlarged hereby:

2. References:

I, John H. Bliss, State Engineer

do solemnly swear that I have read the foregoing statements and that the same are true to the best of my knowledge and belief.

Claimant State of New Mexico
John H. Bliss

Subscribed and sworn to before me this 12th day of June State of New Mexico
My commission expires Jan 1st, 1959 A. D. 1955

William H. Blanchard
Notary Public

Additional statements or explanations: This filing is for San Juan - Chama Project and is made simultaneously with filings for Hammond and Navajo Projects.

INSTRUCTIONS AND EXPLANATIONS FOR FILLING THIS FORM

(See Manual of Revised Rules and Regulations, Section on General Principles of Appropriation and Article on Notice of Intention.)

This form shall be made out in duplicate and shall be accompanied by a filing fee of \$10.00. If the application is to enlarge an existing project or to amend a permit, fill out this form to cover only the enlarged or amended portion, then state under Section 4 the data necessary to define the old works.

- Section 1. This section to be filled out by the State Engineer.
- Section 2. Fill in the name and address of the applicant.
- Section 3. If the applicant is a corporation, company or firm, fill out blanks under section three. Give date of filing certificate of incorporation with the Corporation Commission.
- Section 4. The quantity of water to be appropriated for irrigation purposes should be stated in acre-feet delivered on the land. The amount to be used wholly or in part by direct diversion shall be noted after (a); that to be used wholly or in part by storage after (b). Under (c) give any additional information necessary to properly state or define the use.
Important: Except in the case of flood water projects, no direct diversion to the irrigated lands may be made at a rate greater than 1 second foot for each 70 acres. In no case may a right be acquired for more water than can be beneficially used upon the irrigated area.
- Section 5. Each blank under this section shall be filled out.
- Section 6. In a direct diversion project, or in the case of diversion to an off-channel reservoir, the point of diversion is the location of the canal headgates on the bank of the stream or water-course. If water is to be stored behind a dam across the stream itself, the point of diversion then becomes the location of the outlet gates from the reservoir.
If the point of diversion lies on unurveyed lands, it should be described as nearly as possible by legal subdivision "as projected" from the nearest accepted government survey.
- Section 7. State all the purposes for which the water is to be used. If for "Irrigation and Domestic Use" state under (a) the total number of acres to be irrigated; under (b) the location of lands to be irrigated. If for "Manufacturing, Mining, Power, or Like Purpose", fill out the statements under that heading. If water is to be used for several purposes, fill out all blanks referring to the different purposes.
- Section 8. Give here any additional data necessary to describe the proposed works or old works to be amended or enlarged hereby.
- Section 9. Give references of a bank and merchant with whom applicant does business or to whom he is known.
Claimant shall sign affidavit to above statements before a Notary Public or other proper official qualified to administer oaths.

Note: If additional space is necessary, use a separate sheet of paper and attach securely hereto.

IMPORTANT—READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

STATE ENGINEER—STATE, N. M.
JUN 17 1955
7:8|9|10|11|12|1|2|3|4|5|6 PM

NOTICE OF INTENTION TO MAKE FORMAL APPLICATION FOR PERMIT

To appropriate the Natural Public Surface Waters of the State of New Mexico

Page 2849

Filed in Book 142

Appl. No. 2849

1. Date of receipt of Notice of Intention June 17, 1955
 (a) Formal application to be received on or before June 17, 1958
2. Name of applicant State of New Mexico, by John H. Bliss, State Engineer.
 Post Office Santa Fe Box 1079, County of Santa Fe, State of New Mexico
3. If applicant is a corporation give:
 (a) Date and place of organization of corporation _____
 (b) Amount of capital stock, \$ _____ (c) Amount paid in \$ _____
 (d) Names and addresses of directors _____

4. Quantity of unappropriated water claimed (see note on back) 630,000 acre-feet
 (a) By direct diversion _____ sec. ft. (b) by storage _____ acre-feet
 (and, or) _____
 (c) Storage will be provided to reasonably insure average annual diversion of 630,000 acre-feet

5. Source of water supply (a) Name of stream or watercourse San Juan River and tributaries
 (b) Which is a tributary of Colorado River

6. Location of point of diversion or outlet from storage (If more than one, locate each):
 _____ quarter of _____ quarter
 of section _____ Township _____ Range _____ N. M. P. M.,
Storage works immediately below confluence of Pine and San Juan River

7. To be used for Irrigation, power, and domestic purposes.

IRRIGATION AND DOMESTIC USE

- (a) Number of acres to be irrigated _____
 (b) Described as follows: In San Juan County, South of San Juan River in and adjacent to Navajo Indian Reservation

MANUFACTURING, MINING, POWER AND LIKE PURPOSES

- (a) Quantity of water _____ sec. ft., to be used for _____
 (b) Power to be generated _____ horse power (c) conducted by _____
 (give approximate size and description of conduit) _____ (length) _____
 feet in length from a point in the _____ quarter of _____ quarter of
 (locate point of diversion or outlet from storage)
 section _____ Township _____ Range _____ N. M. P. M.,
 to a point where water will be returned to stream undiminished in quantity in the _____ quarter of
 _____ quarter of section _____ Township _____
 Range _____ (locate point of return)

8. Further description of proposed project of old works to be amended or enlarged hereby:

9. References:

I, John H. Bliss, State Engineer do solemnly swear that I have read the foregoing statements and that the same are true to the best of my knowledge and belief.

Claimant State of New Mexico
John H. Bliss
State Engineer

Subscribed and sworn to before me this 17th day of June, A. D., 1955

My commission expires Jan 25, 1959
Stella E. Blankard
Notary Public.

Additional statements or explanations: This filing is for the Navajo Project and is made simultaneously with filings for Hammond and San Juan - Chama Projects

INSTRUCTIONS AND EXPLANATIONS FOR FILLING THIS FORM

(See Manual of Revised Rules and Regulations, Section on General Principles of Appropriation and Article on Notice of Intention.)

This form shall be made out in duplicate and shall be accompanied by a filing fee of \$10.00. If the application is to enlarge an existing project or to amend a permit, fill out this form to cover only the enlarged or amended portion, then state under Section 8 the data necessary to define the old works.

Section 1. This section to be filled out by the State Engineer.

Section 2. Fill in the name and address of the applicant.

Section 3. If the applicant is a corporation, company or firm, fill out blanks under section three. Give date of filing certificate of incorporation with the Corporation Commission.

Section 4. The quantity of water to be appropriated for irrigation purposes should be stated in acre-feet delivered on the land. The amount to be used wholly or in part by direct diversion shall be noted after (a); that to be used wholly or in part by storage, after (b). Under (c) give any additional information necessary to properly state or define the use.

Important: Except in the case of flood water projects, no direct diversion to the irrigated lands may be made at a rate greater than 1 second foot for each 70 acres. In no case may a right be acquired for more water than can be beneficially used upon the irrigated area.

Section 5. Each blank under this section shall be filled out.

Section 6. In a direct diversion project, or in the case of diversion to an off-channel reservoir, the point of diversion is the location of the canal headgates on the bank of the stream or water-course. If water is to be stored behind a dam across the stream itself, the point of diversion then becomes the location of the outlet gates from the reservoir.

If the point of diversion lies on unsurveyed lands, it should be described as nearly as possible by legal subdivision "as projected" from the nearest accepted government survey.

Section 7. State all the purposes for which the water is to be used. If for "Irrigation and Domestic Use" state under (a) the total number of acres to be irrigated; under (b) the location of lands to be irrigated. If for "Manufacturing, Mining, Power, or Like Purpose", fill out the statements under that heading. If water is to be used for several purposes, fill out all blanks referring to the different purposes.

Section 8. Give here any additional data necessary to describe the proposed works or old works to be amended or enlarged hereby.

Section 9. Give references of a bank and merchant with whom applicant does business or to whom he is known.

Claimant shall sign affidavit to above statements before a Notary Public or other proper official qualified to administer oaths.

Note: If additional space is necessary, use a separate sheet of paper and attach securely hereto.

Attachment C

IMPORTANT—READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

1953 SEP 15 AM 9.
STATE ENGINEERING OFFICE
SANTA FE, N.M.

NOTICE OF INTENTION TO MAKE FORMAL APPLICATION FOR PERMIT

To appropriate the Natural Public Surface Waters of the State of New Mexico

Page 2817 Filed in Book M-3 Appl. No. 2817

- Date of receipt of Notice of Intention Sept. 16, 1957
(a) Formal application to be received on or before Sept. 16, 1960
- Name of applicant United States of America, c/o Bureau of Reclamation
Post Office P.O. Box 360, Salt Lake City, Utah
- If applicant is a corporation give:
(a) Date and place of organization of corporation
(b) Amount of capital stock
(c) Amount paid in
(d) Names and addresses of directors

4. Quantity of unappropriated water desired (see note on back) 225,000 acre-feet
 By direct diversion 225,000 acre-feet per year and by storage _____ acre-feet
 Note: (a) Storage will be provided at the Navajo Reservoir site to reasonably insure average annual diversion of 225,000 acre-feet.

5. Source of water supply (a) Name of stream or watercourse San Juan River and tributaries
 (b) Which is a tributary of Colorado River

6. Location of point of diversion or outlet from storage (if more than one, locate each):
 quarter of _____ section _____ Township _____ Range _____ N. X. F. M.
Storage works will be located immediately below confluence of Pine and San Juan Rivers.

7. To be used for MANUFACTURING, MINING, POWER AND LIKE PURPOSES
 industrial, mining, municipal, and power purposes.
 (a) Number of acres to be irrigated _____
 (b) Described as follows: Uses of water described above will be in San Juan County, New Mexico.

MANUFACTURING, MINING, POWER AND LIKE PURPOSES
 (a) Quantity of water _____ cfs. to be used for _____
 (b) Power to be generated _____ horse power (c) conducted by _____
 (give approximate size and description of conduit) _____
 feet in length from a point in the _____ quarter of _____
 section _____ Township _____ Range _____ N. X. F. M.
 to a point where water will be returned to stream undiminished in quantity in the _____ quarter of _____
 Range _____
 (locate point of return)

2. Further description of proposed project of old works to be amended or enlarged hereby:

3. References:

I, E. O. Larson do solemnly swear that I have read the foregoing statements and that the same are true to the best of my knowledge and belief.

Witness my hand and seal of office this 12th day of March 1958.

Subscribed and sworn to before me this 12th day of March, 1958.
W. Frank Jr.
Notary Public

Additional statements or explanations: Nothing in this notice shall constitute a waiver of any rights which the United States may have in and to the waters covered by this notice.

INSTRUCTIONS AND EXPLANATIONS FOR FILLING THIS FORM

(See Manual of Revised Rules and Regulations, Section on General Principles of Appropriation and Article on Notice of Intention.)

This form shall be made out in duplicate and shall be accompanied by a filing fee of \$10.00. If the application is to enlarge an existing project or to amend a permit, fill out this form to cover only the enlarged or amended portion, then state under Section 5 the data necessary to define the old works.

- Section 1. This section to be filled out by the State Engineer.
- Section 2. Fill in the name and address of the applicant.
- Section 3. If the applicant is a corporation, company or firm, fill out blanks under section three. Give date of filing certificate of incorporation with the Corporation Commission.
- Section 4. The quantity of water to be appropriated for irrigation purposes should be stated in acre-foot delivered on the land. The amount to be used wholly or in part by direct diversion shall be noted after (a); that to be used wholly or in part by storage after (b). Under (c) give any additional information necessary to properly state or define the use.
Important: Except in the case of flood water projects, no direct diversion to the irrigated lands may be made at a rate greater than 1 second foot for each 70 acres. In no case may a right be acquired for more water than can be beneficially used upon the irrigated area.
- Section 5. Each blank under this section shall be filled out.
- Section 6. In a direct diversion project, or in the case of diversion to an off-channel reservoir, the point of diversion is the location of the canal headgates on the bank of the stream or water-course. If water is to be stored behind a dam across the stream itself, the point of diversion then becomes the location of the outlet gates from the reservoir.
If the point of diversion lies on unsurveyed lands, it should be described as nearly as possible by legal subdivision "as projected" from the nearest accepted government survey.
- Section 7. State all the purposes for which the water is to be used. If for "Irrigation and Domestic Use" state under (a) the total number of acres to be irrigated; under (b) the location of lands to be irrigated. If for "Manufacturing, Mining, Power, or Other Purpose", fill out the statements under that heading. If water is to be used for several purposes, fill out all blanks referring to the different purposes.
- Section 8. Give here any additional data necessary to describe the proposed works or old works to be amended or enlarged hereby.
- Section 9. Give references of a bank and merchant with whom applicant does business or to whom he is known.
Claimant shall sign affidavit to above statements before a Notary Public or other proper official qualified to administer oaths.

Note: If additional space is necessary, use a separate sheet of paper and attach securely hereto.

ENERGY WREG-SANTA FE

Attachment D

September 27, 1937

1163-847

Mr. E. C. Larson, Regional Director
Region 4
Bureau of Reclamation
Salt Lake City, Utah

Mr. Robert W. Jennings, Regional Director
Region 5
Bureau of Reclamation
P. O. Box 1000
Amarillo, Texas

Gentlemen:

Pursuant to an action of the New Mexico Interstate Stream Commission at a meeting on September 5, 1937 Notice of Intention No. 2046 and 2047, both filed by the State of New Mexico on June 17, 1935 and Notice of Intention No. 2073, filed by the State of New Mexico on January 17, 1936 are hereby assigned to the United States Department of the Interior; provided, that prior to June 1, 1938 a proper officer of that department files with the State Engineer of New Mexico formal application to appropriate water, accompanied by plans of development substantially in accordance with the Bureau of Indian Affairs report entitled "Navajo Project, New Mexico, Supplemental Report (March 1937) to Feasibility Report (January 1935)" and the Bureau of Reclamation report entitled "San Juan-Chama Project, Colorado-New Mexico, November, 1935."

Yours truly,

SEN:ic
cc: Mr. Paul Jones
Mr. Murray Crosse

S. W. Reynolds
Secretary

C
O
P
Y

100-15
310

September 27, 1957

C
O
P
Y

Mr. H. O. Larson
Regional Director
Region 4
Bureau of Reclamation
Salt Lake City, Utah

Dear Mr. Larson:

Pursuant to an action of the New Mexico Interstate Stream Commission at a meeting on September 5, 1957 Notice of Intention No. 2948, filed by the State of New Mexico on June 17, 1955, is hereby assigned to the United States Department of the Interior; provided, that prior to June 1, 1958 a proper officer of that department files with the State Engineer of New Mexico formal application to appropriate water, accompanied by plans of development substantially in accordance with the Bureau of Reclamation report entitled, "Hammond Project, New Mexico - A Supplement to the Colorado River Storage Project Report, November, 1956".

Yours truly,

SKR:c

S. E. Reynolds
Secretary

Attachment D

April 6, 1959

Mr. E. D. Larson
Regional Director
Region 4
Bureau of Reclamation
P. O. Box 360
Salt Lake City, Utah

Dear Mr. Larson:

Please refer to your telegram of April 3, 1959. Pursuant to an action of the New Mexico Interstate Stream Commission at a meeting on February 6, 1958 Notice of Intention No. 2883, filed by the State of New Mexico on May 1, 1956 in connection with the proposed Animas-La Plata Project, is hereby assigned to the United States Department of the Interior; provided, that prior to May 1, 1959 a proper officer of that department files with the State Engineer of New Mexico, in accordance with Sec. 75-5-31, NMSA 1953 Comp., plans for proposed works substantially in accordance with "Animas-La Plata Project, Status Report, Bureau of Reclamation, November 1954."

Yours truly,

SEK:c

S. E. Reynolds
Secretary

Attachment E

IMPORTANT -- READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

APPLICATION FOR PERMIT

To appropriate the Public Surface Waters of the State of New Mexico

Book No. E-2

File No. 2817-2818, 2873
2817 Comb.

1. Date of receipt of formal application Mar. 6, 1958
 2. Name of applicant United States of America, Department of the Interior
C/O Regional Director, Region 4, Bureau of Reclamation
 Post Office address P.O. Box 360, Salt Lake City, Utah, County of Salt Lake
 State of _____

3. If applicant is a corporation give: (a) Date and place of organization _____
 (b) Amount of capital stock, \$ _____ (c) Amount paid in, \$ _____
 (d) Names and addresses of directors _____

4. Quantity of unappropriated water applied for: 1,118,800 acre feet;
 (a) By direct diversion _____ acre feet; (b) by storage _____ acre feet;
 (c) Which with the application for the Hammond Project mentioned in
Explanatory covers all unappropriated water in San Juan River and its
tributaries above proposed Navajo Dam.
See explanatory attached.

5. Period of annual use: January 1 to December 31
 6. Source of water supply: (a) Name of stream or watercourse: San Juan River and its tributaries

(b) which is a tributary of: the Colorado River
 (c) or is situated in Section _____ Township _____ Range _____

7. Location of point of diversion or outlet from channel/reservoir storage: Various - See Explanatory
 of the _____ quarter of Section _____ Township _____
 Range _____, N. M. P. M., at a point whence the _____
 of Section _____, Township _____, Range _____
 bears _____ feet distant.

8. To be used for: irrigation, industrial, municipal, domestic, mining, power purposes.
 or Other beneficial

9. If used for IRRIGATION AND DOMESTIC PURPOSES fill in the following:
 (a) Application is hereby made for: See Explanatory acre feet of water per acre for irrigation
 (and domestic) purposes; (b) if application is made for water during the non-irrigation season,
 state the need for the same: _____

(e) number acres to be irrigated _____ acres, described as follows:

Sub-Division	Sec.	Twp.	Rge.	Acres	Owner
<u>See Explanatory</u>					

MSB MAR - 8 Ph 3126
 STATE ENGINEER OFFICE
 SANTA FE, N.M.

10. If used for MANUFACTURING, LANDING, POWER OR LIKE PURPOSES fill in the following: See Explanatory

(a) Application is hereby made for _____ second feet of water to be used for _____ purposes;
(b) power to be generated _____ horsepower; (c) conducted by _____

(give name and description of conduit)
_____ feet in length; (d) from a point in the _____ quarter of _____ quarter of Section _____ Township _____

Range _____, N. M. P. M., (e) to a point where the water will be returned to the stream substantially undiminished in quantity in the _____ quarter of _____ quarter of Section _____ Township _____ Range _____ whence the _____ of Section _____ Township _____ Range _____ bears _____ feet distant; (f) the amount of water which will be consumptively used in the above operation is: _____

11. Describe diversion dam, stating construction materials, character of foundation, dimensions, etc. See Explanatory

12. Hydraulic properties of main canal or conduit See Explanatory (name or number);
Bottom width _____ feet; depth of water at full operating capacity _____ feet;
total depth including freeboard _____ feet; side slopes _____ horizontal to 1 vertical;
diameter (pipe line or circular flume) _____ feet; slope _____ feet per 1000 feet;
hydraulic radius _____ feet; coefficient of roughness (n) _____; velocity at full capacity _____ feet per second; capacity _____ cubic feet per second;
length of canal _____, the location being as shown on the filing maps accompanying this application.

13. Hydraulic properties of main canal or conduit See Explanatory (name or number);
Bottom width _____ feet; depth of water at full operating capacity _____ feet;
total depth including freeboard _____ feet; side slopes _____ horizontal to 1 vertical;
diameter (pipe line or circular flume) _____ feet; slope _____ feet per 100 feet;
hydraulic radius _____ feet; coefficient of roughness (n) _____; velocity at full capacity _____ feet per second; capacity _____ cubic feet per second;
length of canal _____, the location being as shown on the filing maps accompanying this application.

14. Hydraulic properties of storage dam: Maximum height above foundation See Explanatory feet;
length of crest _____ feet; maximum width at base _____ feet;
crest width _____ feet; slope of upstream face _____;
slope of downstream face _____; elevation at crest of dam _____ feet;
elevation of spillway crest _____ feet; elevation of flow line of outlet conduit _____ feet; freeboard (above high water line at maximum spill) _____ feet; width of spillway _____ feet;
discharge capacity of spillway _____ cubic feet per second; size and character of outlet conduit _____;
discharge capacity of outlet under full head _____ cubic feet per second;
type of dam, construction material, etc. _____

Elevation of Depth Above Outlet	Area of Water Surface, Acres	Storage Capacity, Acre Feet	Remarks
See Explanatory			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

14. Additional data or explanation: See Explanatory

15. Estimated costs: Main canal or conduit \$
Storage Dam \$ See Explanatory
Total cost \$

16. Time required to begin construction _____
Time required to complete the works _____
Time required to fully apply water to beneficial use _____

17. References: _____

I, _____, applicant
being first duly sworn, upon my oath, depose and say that I have read the foregoing statements and that the
same are true to the best of my knowledge and belief: United States Department of the Interior
C/O Regional Director, Reg. 4, Bureau of Reclamation, Applicant

By: Thomas C. Walker
Regional Director, Reg. 4, Bureau of Reclamation
Subscribed and sworn to before me this 19th day of August, 1960

My commission expires Aug. 19, 1960 (Notary Public, Residing at
Big Lake, Minn.)

SEE ATTACHMENT

ENDORSEMENT OF STATE ENGINEER

Number of this filing 2847, 2849, 2873, 2917 Combined
Recorded in Book M-2 Page 2847
Notice of Intention Nos. 2847 & 2849 received June 17, 1955
Notice of Intention No. 2873 received January 17, 1956
Notice of Intention No. 2917 received September 18, 1957
Formal Application received March 6, 1958

It is hereby acknowledged that the attached plans for proposed works to develop
and use 1,118,800 acre feet of water per annum from the San Juan River and its
tributaries above Navajo Dam have been submitted in compliance with Section
74-5-31, New Mexico Statutes Annotated, 1953 Compilation.

Witness my hand and seal this 17th day of June, A. D., 1958

W. E. Reynolds
State Engineer

EXPLANATORY STATEMENT

General

This application is made to secure a direct diversion and storage right for the San Juan-Chama Project, a right to divert, store and release water in the proposed Navajo Reservoir Unit, for use of Navajo Indian Irrigation Project, and San Juan-Chama Project, (by exchange), and for miscellaneous purposes, including the generation of power, all as a part of and as contemplated by the Colorado River Storage Project, authorized by Congress April 11, 1956 (70 Stat. 105).

The Navajo Dam will be located on the San Juan River about 34 miles east of the town of Farmington. The dam will be a rolled, earth-filled embankment rising approximately 395 feet above stream bed, and the reservoir will provide a capacity of 1,700,000 acre-feet of water. The dam and reservoir will provide for gravity diversion for Indian lands to be irrigated under the Navajo Indian Irrigation Project, exchange water for San Juan-Chama Project, and for other purposes (See Paragraph 8).

The Navajo Indian Irrigation Project is a wholly Indian project consisting of approximately 110,639 acres of arable land lying south of the San Juan River near the town of Shiprock in northwestern New Mexico. Water released from Navajo Dam and Reservoir will serve the project.

The San Juan-Chama Project contemplates the appropriation of 235,000 acre-feet of water annually by diversion and storage from the headwaters of the San Juan River into the Rio Grande Basin to supply water for irrigation, municipal, industrial, and other beneficial uses.

Storage releases will be made from the Navajo Reservoir for the above purposes as well as for power generation and for any river regulation and for making water deliveries to the Lower Basin and Mexico as may be required under existing compacts and Treaties.

The following documents are attached and by this reference made a part of this application:

1. "Attachment A" - Maps showing in general the project features, their location, and the irrigable lands therein consisting of two sheets, marked Sheet Nos. 1 and 2.
2. "Attachment B" - A drawing showing engineering details of the Navajo Dam and Reservoir, consisting of one sheet, marked Sheet No. 3.

3. "Attachment C" - The Navajo (Indian Irrigation) Project Feasibility Report of January 1955 prepared by the Bureau of Indian Affairs.

4. "Attachment D" - The Supplemental Report to the Feasibility Report described above, dated March 1957.

5. "Attachment E" - The San Juan-Chama Project Feasibility Report of November 1955, prepared by Region 5 of the Bureau of Reclamation.

This application is in conformity with the Upper Colorado River Basin Compact, dated October 11, 1948, approved February 2, 1949 by the State of New Mexico.

This application is made in recognition of the rights of the Indians and Indian Tribes to waters from the sources applied for herein and, by resolution the Navajo Tribe has endorsed the project development as described in the Navajo (Indian Irrigation) Project Feasibility Report. (Attachment "C")

Reference is also made to the United States application for a permit, File No. 2848, for a water supply with equal priority to application herein for the Hammond Project, Notice of Intent for which was heretofore filed on June 17, 1955. All or part of the water supply for that project will be delivered from the Navajo Dam and Reservoir described herein.

Nothing in this application shall constitute a waiver of any rights which the United States may have in and to the waters covered by this application.

Paragraph 6

The source and use of the major part of the water supply is more particularly described in the reports referred to above as attachments "C", "D" and "E". The remainder of the water will be used for industrial, municipal, power and other like purposes. The above water is applied for pursuant to the following Notices of Intention:

- a. State of New Mexico No. 2847* - 235,000 acre-feet 6/17/55.
- b. State of New Mexico No. 2849* - 630,000 acre-feet 6/17/55.
- c. State of New Mexico No. 2873* - 28,800 acre-feet 1/17/56.
- d. United States of America No. 2917 - 225,000 acre-feet 9/16/57.

*Assigned to applicant by letter dated September 27, 1957.

Paragraph 7

(1) The point of diversion for the San Juan-Chama Project are on tributaries of the San Juan River as follows:

- (a) West Fork Diversion
On the west fork of the San Juan River in Mineral County, Colorado, in NW 1/4 of NE 1/4 of Section 29, T. 37 N., R. 1 E., N.M.P.M.

- (b) East Fork Diversion
On the east fork of San Juan River in Archuleta County, Colorado, in SW 1/4 of SE 1/4 of Section 5, T. 36 N., R. 1 E., N.M.P.M. (subdivision determined from paper projection into unsubdivided area.)
- (c) Rito Blanco Diversion
On Rito Blanco in Archuleta County, Colorado, in SE 1/4 of SE 1/4 of Section 25, T. 35 N., R. 1 W., of N.M.P.M.
- (d) Rio Blanco Diversion
On Rio Blanco in Archuleta County, Colorado, in NE 1/4 of SW 1/4 of Section 10, T. 34 N., R. 1 E., N.M.P.M.
- (e) Little Ose Diversion
On Little Navajo River in Archuleta County, Colorado, in NW 1/4 of NW 1/4 of Section 26, T. 33 N., R. 1 E., N.M.P.M.
- (f) Ose Diversion
On the Navajo River in Archuleta County, Colorado, in SW 1/4 of NW 1/4 of Section 9, T. 32 N., R. 2 E., N.M.P.M.

(2) The points of diversion from the Navajo Reservoir for the Navajo Indian Irrigation Project is the center of the Navajo diversion canal headworks which is described as follows: Approximately 775 feet Southeast by East of the left end of the dam axis. The Navajo Dam axis crosses the San Juan River near the center of Section 19, T. 30 N., R. 7 W., N.M.P.M.

(3) The point of diversion for the water for industrial and other purposes will be at various points below the dam on the Navajo main canal, on the shoreline of the Navajo Reservoir, on the San Juan River below the Navajo Dam, or at points on the San Juan River above the dam where such purposes can be served through exchange of water stored in Navajo Reservoir. The outlet works for storage releases from the Navajo Reservoir is located approximately at a point in Section 18, T. 30 N., R. 7 W., N.M.P.M. bearing N. 83°50' E., a distance of 1,350 feet from the SW corner of said Section 18.

Paragraph 9

Attachment "A", referred to above, shows the location of the land to be irrigated by the water applied for. Attachments "C", "D" and "E" furnish additional detail relating to the lands to be irrigated.

Paragraph 10

Provision will be made in the construction of the Navajo Dam for a power plant with a capacity of approximately 30,000 kilowatts. Locations of the penstocks and power house are shown on Attachment "B". Power produced will be marketed by the applicant.

Estimated future industrial, manufacturing, mining and like uses will total 225,000 acre-feet per annum. Water for these uses will be diverted from the San Juan River and major tributaries thereof, or will be released from Navajo Reservoir and delivered to points of use by means of the natural river channel or the Navajo Diversion Canal. Diversions upstream from the Navajo Reservoir for these uses will be made by means of exchanges for water stored in the reservoir. It is estimated that about one-half of the total water supplied to these purposes will be consumptively used.

Paragraph 11

See Attachment "E" for specific information relating to the San Juan-Chama Diversion dams.

Paragraph 12

See Attachments "C", "D" and "E" for engineering detail of the canals and conduits of the projects.

Paragraph 13

See Attachment "E" for the engineering detail of the proposed Navajo Dam, and Attachment "E" for specific information relating to San Juan-Chama Project storage facilities.

Paragraph 14

See additional data and explanation included above.

Paragraph 15

See cost estimates for the San Juan-Chama Project included in Attachment "E" and for the Navajo Indian Irrigation Project see Attachments "C" and "D". The estimated cost of constructing the Navajo Dam is \$42,372,000.00.

Paragraph 16

Subject to the availability of funds and proper authorizations of Congress, the pertinent information required by this paragraph is set out below:

<u>Project</u>	<u>Begin Construction</u>	<u>Construction Time</u>	<u>Time to Beneficially Use Water</u>
Navajo Dam and Reservoir	Immediately	5 years	Start at completion of dam.
Navajo Indian Irrigation Project	(within one year after	8 years	20 years after completion of construction.
San Juan-Chama Project	authorization.	5 years	10 years after completion of construction.
Miscellaneous Water	Will be coordinated with future area requirements.		

Attachment F

IMPORTANT -- READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

APPLICATION FOR PERMIT

Permit No 254

To appropriate the Public Surface Waters of the State of New Mexico

Book No. M-2

File No. 2848

1. Date of receipt of formal application Feb. 20, 1958
 2. Name of applicant United States of America, Department of the Interior
c/o Regional Director, Region 4, Bureau of Reclamation
 Post Office address P. O. Box 360, Salt Lake City, Utah
 State of Utah

3. If applicant is a corporation give: (a) Date and place of organization _____
 (b) Amount of capital stock, \$ _____ (c) Amount paid in, \$ _____
 (d) Names and addresses of directors _____

4. Quantity of unappropriated water applied for 23,000 acre feet;
 (a) By direct diversion See explanatory attachment No. 1 acre feet;
 (b) by storage See explanatory attachment No. 2 acre feet;
 (c) See explanatory attachment No. 2

5. Period of annual use JANUARY 1 to DECEMBER 31

6. Source of water supply: (a) Name of stream or watercourse SAN JUAN RIVER
 (b) which is a tributary of COLORADO RIVER
 (c) or is situated in Section _____ Township _____ Range _____

7. Location of point of diversion/outlet from channel-reservoir storage: See explanatory attachment No. 1 quarter F
 of the _____ quarter of Section _____ Township _____
 Range _____ N. M. P. M., at a point where the _____
 of Section _____ Township _____ Range _____
 bears _____ feet distant.

8. To be used for IRRIGATION, STOCK, DOMESTIC, INDUSTRIAL AND MISCELLANEOUS purposes.

(See note below)

9. If used for IRRIGATION AND DOMESTIC PURPOSES fill in the following:
 (a) Application is hereby made for 3.5 acre feet of water per acre for irrigation
 (and domestic) purposes; (b) if application is made for water during the non-irrigation season,
 state the need for the same: FOR STOCK, DOMESTIC, INDUSTRIAL AND MISCELLANEOUS USES.

(c) number acres to be irrigated 3,900 acres, described as follows:

Subdivision	Sec.	Twp.	Rgn.	Acres	Owner
See attachment No. 1 and drawings sheet Nos. 1 to 6 inclusive.					

By Authority of the State Engineer
 I hereby certify that the foregoing is a true and correct copy of the original which is on file in the office of the State Engineer at Santa Fe, N.M.
 Witness my hand and official seal this 17 day of June, A. D. 1958.
[Signature]
 State Engineer

1e: Detailed studies based on average climatological conditions show an average farm delivery requirement of 3.14 acre feet per acre. The 3.5 acre feet per acre applied for in this application is to allow for above average farm delivery requirement in years of above average climatological conditions.

10. If used for MANUFACTURING, MINING, POWER OR LIKE PURPOSES fill in the following:

(a) Application is hereby made for _____ second feet of water to be used for _____ purposes;
 (b) power to be generated _____ horsepower; (c) conducted by _____
 _____ (give size and description of conduit)
 _____ feet in length; (d) from a point in the _____ quarter of _____ quarter of Section _____, Township _____, Range _____, N. M. P. M., (e) to a point where the water will be returned to the stream substantially undiminished in quantity in the _____ quarter of _____ quarter of Section _____, Township _____, Range _____, whence the _____ of Section _____ Township _____, Range _____, _____ feet distant; (f) the amount of water which will be consumptively used in the above operation is: _____

11. Describe diversion dam, stating construction materials, character of foundation, dimensions, etc. Rock-fill overflow weir section 490' long with a timber cut-off wall and compacted earth fill dike on right side. Weir section designed to pass 24,000 c.f.s. Concrete sluiceway, 56 feet side. Hammond Canal headworks with 90 second-feet capacity on left end. (See drawing sheet No. 7).

12. Hydraulic properties of main canal or conduit Main Canal (name or number);
 Bottom width 10 feet; depth of water at full operating capacity 3.2 feet;
 total depth including freeboard 5.2 feet; side slopes 2 horizontal to 1 vertical;
 diameter (pipe line or circular flume) _____ feet; slope 0.3 feet per 100 feet;
 hydraulic radius 2.16 feet; coefficient of roughness (n) .025; velocity at full capacity 1.72 feet per second; capacity 90 cubic feet per second;
 length of canal 6.75 mi. at 90 c.f.s., 23.11 mi. reduced capacities _____ the location being as shown on the filing maps accompanying this application. (See drawing sheet Nos. 1 - 6).

12a. Hydraulic properties of main canal or conduit _____ (name or number)
 Bottom width _____ feet; depth of water at full operating capacity _____ feet;
 total depth including freeboard _____ feet; side slopes _____ horizontal to 1 vertical;
 diameter (pipe line or circular flume) _____ feet; slope _____ feet per 100 feet;
 hydraulic radius _____ feet; coefficient of roughness (n) _____; velocity at full capacity _____ feet per second; capacity _____ cubic feet per second;
 length of canal _____ the location being as shown on the filing maps accompanying this application.

12b. Hydraulic properties of storage dam/ Maximum height above foundation 388 feet;
 length of crest 3,600 feet; maximum width at base 2,600 feet;
 crest width 40 feet; slope of upstream face 2:1-310'; 3:1-405'; 5:1-600'
 slope of downstream face 2:1-270'; 3:1-375'; 5:1-480'; elevation at crest of dam 5,108 feet; elevation of spillway crest 6,085 feet; elevation of flow line of outlet conduit 5,930 feet; freeboard (above high water line at maximum spill) 5.6 feet; width of spillway CRIPAT 120 feet;
 discharge capacity of spillway 41,850 cubic feet per second; size and character of outlet conduit 18' 9" dia. upstream tunnel; 9' dia. downstream steel pipe - Emergency shutoff 2-72" ring follower gates - Control 2-72" dia. hollow jet valves.
 discharge capacity of outlet under full head 4,280 cubic feet per second;
 type of dam, construction material, etc. Rollled earth-fill impervious section, sand and gravel fill pervious sections, 3' thick riprap upstream face. Foundation solid rock.

Elevation or Depth Above Outlet	Area of Water Surface, Acres	Storage Capacity, Acre Feet	Remarks
6,102.4		1,941,800	Maximum water surface superstorage - 2,000,000
6,085		1,700,000	Normal water surface Conservation storage - 1,
5,890		672,000	Min. operating water surface Inactive storage - 605,000
5,930		67,000	
5,720		0	Dead storage Streambed

Drawing No. 711-D-28 (Sheet No. 8) showing area capacity curves is attached hereto.

Par. 7

(a) The outlet at Navajo Dam is located in Sec. 18, T.30N., R.7W., N. Mex. Principal Mer. at a point whence the southwest corner of Sec. 18, T.30N., R.7W. bears S. $83^{\circ} 30' W.$, 1350 ft. distant. See Drawing sheets Nos. 1 and 8.

(b) The point of diversion from the San Juan River into the Hammond Canal is at the Hammond Diversion Dam located in Sec. 8, T.29N., R.5W., N. Mex. Principal Mer., at a point whence the north quarter corner of said Sec. 8 bears N. $37^{\circ} 31' E.$, 1365 feet distant. (See Drawing sheets Nos. 2 and 7).

Par. 9.(c)

Sec.	Twp. (N)	Rge. (W)	Acres
7	29	9	56
25	29	10	280
26	29	10	151
27	29	10	110
28	29	10	200
29	29	10	345
30	29	10	242
31	29	10	9
32	29	10	65
33	29	10	49
34	29	10	12
35	29	10	94
36	29	10	52
24	29	11	3
25	29	11	178
26	29	11	55
28	29	11	105
29	29	11	116
30	29	11	18
31	29	11	376
32	29	11	101
29	29	12	6
29	29	12	62
30	29	12	121
33	29	12	34
34	29	12	109
35	29	12	210
36	29	12	307
23	29	13	8
24	29	13	56
25	29	13	165
7	28	11	80
18	28	11	2
11	28	12	6
12	28	12	137
			<u>3906</u>

Par. 14

Explanatory

This application is filed to acquire a water right in the San Juan River for the Hammond Project which was authorized to be constructed as a Federal reclamation development by the Act of April 11, 1956 (70 Stat. 105). The Hammond Project is one of the initial participating projects which were authorized, along with four units of the Colorado River Storage Project, in a program of development of the waters of the Upper Colorado River Basin. The Navajo Reservoir which will be formed by a dam on the San Juan River 16 miles upstream from the Hammond Project diversion is one of the four authorized units of the storage project.

The water applied for was reserved by Notice of Intention No. 2548, filed by the State of New Mexico, June 17, 1955, and assigned to the applicant, United States of America, Department of the Interior, September 27, 1957.

The water will be diverted from natural streamflow to the extent natural flows are available. Any deficiency in the natural flow in supplying the water sought to be appropriated will be made up by releases of water from the Navajo Reservoir. The reservoir will serve other projects and uses also and only a small part of its storage capacity will be required for the Hammond Project.

Project water will be diverted from the San Juan River at the Hammond Diversion Dam into the 28-mile long Main Canal. This canal and its laterals will convey the water to agricultural lands located in a 20-mile long strip along the south bank of the river. A drop in the Main Canal will be utilized to drive a turbine which will propel a direct connected pump to lift water to the East and West Highline Laterals.

The following maps and drawings are attached and by this reference are made a part of this application.

1. Sheet Numbers 1 through 6. Sheet Number 1, Bureau Drawing Number 343-406-190, is a map showing the location of the Hammond project with respect to other features in the San Juan Basin together with filing statements and certificate. Sheet Numbers 2 through 6, Bureau Drawing Numbers 343-406-191 through 343-406-195, show the location of the lands to be irrigated, land classes and the general location of the diversion dam, main canal, laterals and pumping plant.
2. Sheet Number 7. A drawing, Bureau Number 343-D-1, showing the engineering details of the diversion dam at the head of the Hammond project main canal.
3. Sheet Number 8. A drawing, Bureau Number 711-D-28, showing the general plan and sections of Navajo Dam.

Nothing in this application shall constitute a waiver of any rights which the United States may have in and to the waters covered by this application.

14. Additional data or explanations See Attachment No. 2.

15. Estimated costs: Main canal or conduit \$ 2,300,000
Diversions Storage Dam \$ 420,000
All other \$ 560,000
Total cost \$ 3,280,000

16. Time required to begin construction subject to appropriations by Congress
time required to complete the work Three years,
time required to fully apply water to beneficial use Two years after completion of construction

17. References: _____

I, E. O. Larson, for and on behalf of the U. S. Dept. of Interior, applicant
being first duly sworn, upon my oath, depose and say that I have read the foregoing statements and that the
same are true to the best of my knowledge and belief: United States Department of the Interior
c/o Regional Director, Reg. 4, Bureau of Reclamation, Applicant

By: /s/ E. O. Larson
Regional Director, Reg. 4, Bureau of Reclamation
Subscribed and sworn to before me this 7th day of February, 1958
/s/ J. W. Funk, Jr.
(Notary Public)

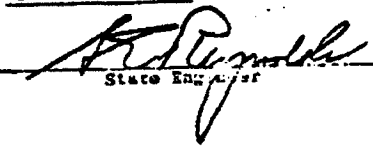
My commission expires March 1, 1958 S E A L

SEE ATTACHMENT
ENDORSEMENT OF STATE ENGINEER

Number of this filing 2848
Recorded in Book N-2 Page 2848
Notice of intention received June 17, 1958
Formal Application received February 20, 1958

It is hereby acknowledged that the attached plans for proposed works to develop
and use 23,000 acre feet of water per annum from the San Juan River and its
tributaries above Navajo Dam have been submitted in compliance with Section
73-5-31, New Mexico Statutes Annotated, 1953 Compilation.

Witness my hand and seal this 17th day of June, A. D., 1958.


State Engineer

Instructions and Explanations for Filling Out This Form

SEE MANUAL OF RULES AND REGULATIONS

This form shall be filled in by typewriter in duplicate and shall be accompanied by the proper filing fee. Maps, plans, specifications, etc., must also be submitted at the time of filing formal application.

Before filling in this form, it is suggested that applicant read the Manual of Rules and Regulations for proceedings before the State Engineer. Sections I, VII, VIII and the foreparts of Sections II and V, particularly, are pertinent.

If application is to enlarge an existing project or amend a permit, fill out application to cover only the enlarged or amended portion, then, under Section 9, give the data necessary to define or describe the original works.

Sec. 1. This section to be filled in by the State Engineer.

Sec. 2. Fill in the name and address of the applicant.

Sec. 3. If applicant is a corporation, company or firm, fill in blanks under this section. If a corporation, give date of filing certificate of incorporation with the Corporation Commission.

Sec. 4. The quantity of water to be appropriated for irrigation purposes shall be stated in acre feet delivered on the land. Applicant shall apply for no more water than can be put to reasonable beneficial use (see pp. 5, 137 and 22 of Manual). Excessive and wasteful uses do not constitute a valid water right.

The quantity to be used wholly or in part by direct diversion shall be noted in (a); that to be used wholly or in part by storage, in (b). Under (c) give any additional information necessary to properly describe or define the proposed use.

The rate of delivery of water shall not exceed the statutory limit of one cubic foot per second for each 70 acres delivered on the land, excepting in the case of flood water diversions, when a higher rate is permissible.

Sec. 5. For irrigation purposes, the period of annual use shall be limited to that period when water may be reasonably applied to beneficial use on the land (see Sec. 9).

Sec. 6. Fill in each blank in this section. Even though the source of water supply may not normally reach it, the main stream to which the supply is theoretically tributary shall be given.

Sec. 7. The point of diversion shall be tied by course and distance to some legal subdivision corner if within reasonable distance thereof, or, if on unsurveyed land, shall be tied to some permanent easily-located natural object. If located on unsurveyed lands, the point of diversion shall be described as accurately as possible by legal subdivision "as projected" from the nearest government survey.

In a direct diversion project, or in case of diversion to an off-channel reservoir, the point of diversion is the location of the canal headgates on the bank of the stream or water-course. If water is to be stored behind a dam across the source of supply, the point of diversion then becomes the location of the outlet gates from the reservoir.

Sec. 8. State all purposes for which water is to be used.

Sec. 9. Fill in this section only if water is to be used for irrigation and domestic purposes. Need must be shown for the use of any water claimed during the non-irrigation season. When necessary to clearly define the acreage to be irrigated the lands shall be described to the nearest 2% acre subdivision.

Sec. 10. Fill in this section only if water is to be used for manufacturing, mining, power or like purposes. The application shall give the maximum flow in second feet required for the above purpose. It is important to show the point of return to the stream and also the amount of water, if any, which will be consumed in the operation.

Sec. 11. This section should describe the pertinent features of the diversion dam and appurtenances.

Sec. 12 and 12a. Fill in all blanks detailing the hydraulic properties of the main canal or canals in the system.

Sec. 13. Fill in blanks detailing the hydraulic properties of the storage dam and spillway. Under "type of dam, construction material, etc." state whether dam is gravity, arch, gravity-arch, etc.; whether of concrete, earth and rock masonry, etc.; type and thickness of riprap and of cut-off or core wall. Areas and capacities should be given in the table for each 5-foot interval or less. If necessary in obtaining reasonable accuracy. Under "Remarks" indicate notations such as "Downline," "crest of spillway," "high water line," etc., applicable to the corresponding elevations.

If more space is needed, continue under Sec. 14 or use separate sheet of paper and attach securely hereto.

Sec. 14. Give any additional data necessary to describe or define the proposed works, or old works to be amended or enlarged hereby.

Sec. 15. In this section give reasonable estimates of the cost of the main canal or canals and of the storage dam or dams.

Sec. 16. Give applicant's estimates of the time necessary to start and to complete construction and to put to beneficial use.

Sec. 17. Give references of a bank and of a merchant with whom applicant does business or to whom he is well known.

Applicant must sign affidavit before a Notary Public or other proper official qualified to administer oaths.

(If additional space is necessary in filling out any part of application, use a separate sheet of paper and attach securely hereto.)

QUALITY ANCHOR-GRAPHIC CO.

1959 APR 14 10 30 AM
STATE ENGINEERING OFFICE
SALT LAKE CITY, UTAH

IMPORTANT - READ INSTRUCTIONS CAREFULLY BEFORE FILLING OUT THIS FORM

APPLICATION FOR PERMIT

To appropriate the Public Surface Waters of the State of New Mexico

Form No. M-3 File No. 2883

1. Date of receipt of formal application April 14, 1959
2. Name of applicant United States of America, Department of the Interior
c/o Regional Director, Region 4, Bureau of Reclamation
Post Office address P. O. Box 360, Salt Lake City, Utah County of Salt Lake
State of Utah
3. If applicant is a corporation give: (a) Date and place of organization _____
(b) Amount of capital stock, \$ _____ (c) Amount paid in, \$ _____
(d) Names and addresses of directors _____
4. Quantity of unappropriated water applied for 49,510 (delivered to the land) acre feet;
(a) By direct diversion _____ acre feet; (b) by storage _____ acre feet;
(c) _____
5. Period of annual use January 1 to December 31
6. Source of water supply: (a) Name of stream or watercourse Animas and La Plata Rivers
(b) which is a tributary of San Juan River, a tributary of Colorado River
(c) or is situated in Section _____ Township _____ Range _____
7. Location of point of diversion or outlet from channel-reservoir storage: _____ quarter
of the Various - See Explanatory quarter of Section _____ Township _____
Range _____ N. M. P. M., at a point whence the _____
of Section _____ Township _____ Range _____
feet distant
feet
8. To be used for irrigation, stock, domestic, industrial and miscellaneous purposes.
9. If used for IRRIGATION AND DOMESTIC PURPOSES (A) in the following:
(a) Application is hereby made for a variable rate not to exceed 3.1 acre feet of water per acre for irrigation
(and domestic) purposes; (b) if application is made for water during the non-irrigation season,
state the need for the same: For stock, domestic, industrial and miscellaneous uses.

(c) number acres to be irrigated 20,600 acres, described as follows:

Subdivision	Sec.	Twp.	Rge.	Acres	Owner
See Explanatory					

10. If used for MANUFACTURING, MINING, POWER OR LINE PURPOSES fill in the following:
 (a) Application is hereby made for _____ second feet of water to be used for _____ purposes;
 (b) power to be generated _____ horsepower; (c) conducted by _____
 _____ (give size and description of conduit)
 _____ feet in length; (d) from a point in the _____ quarter of _____ quarter of Section _____ Township _____ Range _____ N. M. P. M., (e) to a point where the water will be returned to the stream substantially undiminished in quantity in the _____ quarter of _____ quarter of Section _____ Township _____ Range _____ of Section _____ Township _____ Range _____ bears _____ feet distant; (f) the amount of water which will be consumptively used in the above operation is: _____
 11. Describe diversion dam, stating construction materials, character of foundation, dimensions, etc. _____
See Explanatory

12. Hydraulic properties of main canal or conduit See Explanatory (name or number);
 Bottom width _____ feet; depth of water at full operating capacity _____ feet;
 total depth including freeboard _____ feet; side slopes _____ horizontal to 1 vertical;
 diameter (pipe line or circular flume) _____ feet; slope _____ feet per 100 feet;
 hydraulic radius _____ feet; coefficient of roughness (n) _____; velocity at full capacity _____ feet per second; capacity _____ cubic feet per second;
 length of canal _____ the location being as shown on the filing maps accompany this application.

12a. Hydraulic properties of main canal or conduit _____ (name or number)
 Bottom width _____ feet; depth of water at full operating capacity _____ feet;
 total depth including freeboard _____ feet; side slopes _____ horizontal to 1 vertical;
 diameter (pipe line or circular flume) _____ feet; slope _____ feet per 100 feet;
 hydraulic radius _____ feet; coefficient of roughness (n) _____; velocity at full capacity _____ feet per second; capacity _____ cubic feet per second;
 length of canal _____ the location being as shown on the filing maps accompanying this application.

12. Hydraulic properties of ^{roadway} storage dam: Maximum height above foundation _____ 65 feet;
 length of crest _____ 1475 feet; maximum width at base _____ 355 feet;
 crest width _____ 30 feet; slope of upstream face _____ 3:1;
 slope of downstream face _____ 2:1; elevation at crest of dam _____ 5622 feet; elevation of flow line of outlet conduit _____ 5584 feet; freeboard (above high water line at maximum spill) _____ 6 feet; width of spillway _____ 40 feet;
 discharge capacity of spillway _____ 300 cubic feet per second; size and character of outlet conduit _____
 discharge capacity of outlet under full head _____ 220 cubic feet per second;
 type of dam, construction material, etc. rolled earth-fill with impervious earth section.

Elevation or Depth Above Outlet	Area of Water Surface, Acres	Storage Capacity, Acre Feet	Remarks
5622	615	12,600	Normal water storage - spillway crest
5620	583	11,265	
5615	490	8,585	
5610	393	6,375	
5605	318	4,600	
5600	246	3,190	
5595	195	2,085	
5590	147	1,230	
5585	104	605	Flow line - Dead Storage
5584	94	600	

14. Additional data or explanations _____

15. Estimated costs: Main canal or conduit : See Explanatory
Storage Dam : _____

Total cost _____
16. Time required to begin construction Subject to authorization and appropriation
of funds by Congress _____
Time required to complete the works Ten years
Time required to fully apply water to beneficial use Ten years after completion of construction

17. References: _____

I, _____ applicant
being first duly sworn, upon my oath, depose and say that I have read the foregoing statements and that the
same are true to the best of my knowledge and belief: United States Department of the Interior
c/o Regional Director, Reg. 4, Bureau of Reclamation
SEE ATTACHMENT
Subscribed and sworn to before me this 12th day of May, 1956, at Albuquerque, New Mexico.
James Hamilton
(Notary Public)

ENDORSEMENT OF STATE ENGINEER

Number of this filing 2883
Recorded in Book M-3 Page 2883
Notice of Intention received May 1, 1956

It is hereby acknowledged that the attached plans for proposed works
to develop and use 49,510 acre feet of water per annum from the Animas and La
Plata Rivers have been submitted in compliance with Section 75-5-31, New Mexico
Statutes Annotated, 1953 Compilation.

Witness my hand and seal this 12th day of May, A.D., 1956.

B. T. Reynolds
State Engineer

waters of the State of New Mexico and hereby approve the same subject to the foregoing provisions and conditions.
Witness my hand and seal this _____ day of _____, A. D. 19____

State Engineer

1888 11/21 # 16162

EXPLANATORY STATEMENT

General

This application is in conformity with the Upper Colorado River Basin Compact, dated October 11, 1948, approved February 2, 1949, by the State of New Mexico, and is filed to acquire a water right in the Animas and La Plata Rivers for the portion of the Animas-La Plata Project located in New Mexico. The Animas-La Plata Project is a potential participating unit of the Colorado River Storage Project authorized by the Act of April 11, 1956.

The water applied for was reserved by Notice of Intention No. 2883, filed by the State of New Mexico, May 1, 1956, and assigned to this applicant, United States of America, Department of the Interior, April 6, 1959.

The following documents are attached and by this reference made a part of this application.

1. "Attachment A" - A map showing in general the New Mexico portion of the project features, location, and irrigable lands.
2. "Attachment B" - Paragraph 9 - Description of acres to be irrigated.
3. "Attachment C" - Status report of the Animas-La Plata Project, Colorado and New Mexico, dated November 1954.

Paragraph 4

As described under Paragraph 7, water will be diverted from natural streamflows of the Animas and La Plata rivers to the extent natural flows are available. Any deficiencies in natural flow in supplying the water sought to be appropriated will be made up by storage releases from project reservoirs.

Paragraph 7

The points of diversion for the New Mexico portions of the Animas-La Plata Project are:

(1) McDermott Area - Natural river flows and storage water in Teft Reservoir will be diverted at Teft Dam site and conveyed by a system of canals and tunnels to a point on the Ring Cone Canal and the Colorado-New Mexico State line whence the Northeast Corner of Section 1, Township 32 N., Range 12 W., bears east 1,050 feet distant. Teft Dam site is located in unsurveyed territory but when surveys are made it appears the dam site would be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 38 N., Range 8 W., N.M.P.M.

(2) La Plata - New Mexico Area - The points of diversion will be at various points along the La Plata River in New Mexico. From Teft Dam site water will be transported by a system of canals and tunnels to the Hay Gulch Dam and Reservoir site in Colorado. Hay Gulch Dam site is located in Lot 4, Section 12, Lots 1 and 2, Section 11, and Lots 2 and 3, Section 30, in Township 34 N., Range 12 W., N.M.P.M. From Hay Gulch Dam, canals will convey water west to the Dry Side and east to Red Mesa to lands in Colorado. Residual inflows to the La Plata River from these areas, plus direct releases from Hay Gulch Reservoir, will be diverted in New Mexico into various existing ditches to provide a supplemental water supply for 5,540 acres of land presently being irrigated, and full service to 1,520 acres.

(3) Meadows Area - Water for the Meadows Area will be obtained in the same manner as described for the La Plata-New Mexico Area. The water will be diverted from the La Plata River into the Meadows Diversion Canal at the Meadows Diversion Dam which is located in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, Township 32 N., Range 13 W., N.M.P.M., a point whence the SE corner of Section 15, Township 32 N., Range 13 W., bears S 05° 33' E., 2,070 feet distant.

Paragraph 11

The Meadows Diversion Dam would include a concrete overflow section 240' long, and a headworks 10' wide and 60' long controlled by an 8'x10' radial gate. The wier section would be designed to pass 14,500 c.f.s. at an approximate depth of 7'. A 4' wide sluiceway with a 4' lower sill than the headworks would be controlled by a 10'x4' radial gate.

Paragraph 12

The hydraulic properties of Main Canals or conduits for the various areas are:

(1) McDermott Area - Ring Cone Canal: Bottom width 14 feet; depth of water at full operating capacity 3.4 feet; total depth including freeboard 6.1 feet; side slopes 1-1/2 horizontal to 1 vertical; slope 0.43 feet per 1000 feet; hydraulic radius 2.47 feet; coefficient of roughness (n) 0.0225; velocity at full capacity 2.47 feet per second; capacity 160 cubic feet per second with reduction in capacity at successive turnouts to the end; length of canal 6.9 miles, the location being as shown on the filing maps accompanying this application.

(2) Meadows Area - Meadow's Diversion Canal from Diversion dam to Station 101+00 (portion carrying Hillside Ditch flows); Unlined Canal - Bottom width 14 feet; depth of water at full operating capacity 4.2 feet; total depth including freeboard 6.5 feet; side slopes 1-1/2 horizontal to 1 vertical; slope 0.20 feet per 1000 feet; hydraulic radius 2.93 feet; coefficient of roughness (n) 0.0225; velocity at full capacity 1.94 feet per second; capacity 165 cubic feet per second. Earthlined Canal - Bottom width 14 feet; depth of water at full operating capacity 4.0 feet; total depth including freeboard 6.3 feet; side slopes 2 horizontal to 1 vertical; slope 0.21 feet per 1000 feet; hydraulic radius 2.76 feet; coefficient of roughness (n) 0.0225; velocity at full capacity 1.88 feet per second; capacity 165 cubic feet per second. Siphons - Diameter 5.0 feet; Slope 3.4 feet per 1000 feet; hydraulic radius 1.25 feet; coefficient of roughness (C_s) 0.37; velocity at full capacity 8.4 feet per second; capacity 165 cubic feet per second. Meadows Diversion Canal from Station 101+00 to end: - Unlined Canal - Bottom width 14 and 12 feet; depth of water at full operating capacity 4.0 and 3.6 feet; total depth including freeboard 6.3 and 5.7 feet; side slopes 1-1/2 horizontal to 1 vertical; slope 0.20 and 0.38 feet per 1000 feet; hydraulic radius 2.81 and 2.51 feet; coefficient of roughness (n) 0.0225; velocity at full capacity 1.88 and 2.39 feet per second; capacity 150 cubic feet per second. Earthlined Canal - Bottom width 14 feet; depth of water at full operating capacity 3.8 feet; total depth including freeboard 6.1 feet; side slopes 2 horizontal to 1 vertical; slope 0.21 feet per 1000 feet; hydraulic radius 2.65 feet; coefficient of roughness (n) 0.0225; velocity at full capacity 1.83 feet per second; capacity 150 cubic feet per second. Siphons - Diameter 5.0 feet; slope 2.82 feet per 1000 feet; hydraulic radius 1.25 feet; coefficient of roughness (C_s) 0.37; velocity at full capacity 7.6 feet per second; capacity 150 cubic feet per second. Bench Flume - Bottom width 6 feet; depth of water at full operating capacity 3.55 feet; total depth including freeboard 4.15 feet; rectangular cross section; slope 2.25 feet per 1000 feet; hydraulic radius 1.64 feet; coefficient of roughness (n) 0.014; velocity at full capacity 7.0 feet per second; capacity 150 cubic feet per second. The length of the Meadows Diversion Canal is 11.6 miles, the location being shown on the filing maps accompanying this application.

Paragraph 15

Estimated Costs:

Ring Cone Canal (New Mexico portion)	258,000
Meadows Diversion Canal	883,000
Meadows Diversion Dam	223,000
Meadows Dam and Reservoir	950,000
Canals from Meadows Dam	92,000

Total Cost (New Mexico portion) 2,406,000

The area to be irrigated consists of 20,600 acres located and described by legal sub-division as follows:

Section	McDermott Area		Acres
	Twp. (N)	Range (W)	
1	31	13	306
12	"	"	124
13	"	"	109
36	32	"	100
3	31	12	50
4	"	"	446
5	"	"	243
6	"	"	202
7	"	"	142
8	"	"	215
9	"	"	25
17	"	"	127
18	"	"	96
20	"	"	34
20	32	12	53
9	"	"	281
10	"	"	139
11	"	"	161
12	"	"	276
14	"	"	496
15	"	"	339
16	"	"	42
19	"	"	251
20	"	"	478
21	"	"	288
22	"	"	19
23	"	"	220
27	"	"	431
28	"	"	264
29	"	"	226
30	"	"	417
31	"	"	376
32	"	"	472
33	"	"	
Total			7450

Section	La Plata-New Mexico Area		Non-Irrigated Acres	Irrigated Acres
	Twp. (N)	Range (W)		
6	29	13	25	-
5	30	13	18	88
8	"	"	117	92
16	"	"	34	25
17	"	"	64	38
20	"	"	11	13
21	"	"	45	137
28	"	"	77	-
29	"	"	93	-
31	"	"	6	-
32	"	"	38	-
1	31	13	24	-
2	"	"	41	192
3	"	"	27	356
4	"	"	139	171
5	"	"	9	-
8	"	"	40	-
9	"	"	297	232
10	"	"	24	377
11	"	"	8	89
14	"	"	7	46
15	"	"	72	214

<u>Section</u>	<u>Twp. (N)</u>	<u>Range (W)</u>	<u>Non-Irrigated Acres</u>	<u>Irrigated Acres</u>
16	31	13	259	115
17	"	"	164	-
20	"	"	214	-
21	"	"	257	159
22	"	"	54	215
27	"	"	31	61
28	"	"	175	17
29	"	"	36	-
32	"	"	41	17
33	"	"	102	60
31	32	12	2	-
10	32	13	8	80
15	"	"	8	125
22	"	"	19	73
25	"	"	223	-
26	"	"	252	-
27	"	"	88	165
28	"	"	5	6
33	"	"	8	78
34	"	"	19	364
35	"	"	107	63
36	"	"	144	-
Total La Plata-New Mexico Area			3432	3628

<u>Section</u>	<u>Meadows Area</u>		<u>Acres</u>
	<u>Twp. (N)</u>	<u>Range (W)</u>	
2	30	14	56
3	"	"	22
5	"	"	236
6	"	"	573
7	"	"	331
8	"	"	9
18	"	"	15
1	30	15	182
2	"	"	8
11	"	"	49
12	"	"	461
13	"	"	368
14	"	"	444
15	"	"	134
21	"	"	205
22	"	"	271
23	"	"	198
24	"	"	56
28	"	"	192
33	"	"	81
34	"	"	5
18	31	13	29
13	31	14	17
24	"	"	196
25	"	"	207
26	"	"	21
27	"	"	122
28	"	"	83
29	"	"	3
31	"	"	188
32	"	"	431
33	"	"	312
34	"	"	196
35	"	"	190
36	"	"	199
Total			6,090

Attachment G

IMPORTANT—READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

3215

NOTICE OF INTENTION TO MAKE FORMAL APPLICATION FOR PERMIT

To appropriate the Natural Public Surface Waters of the State of New Mexico

Page _____ Filed in Book _____ Appl. No. 3215

1. Date of receipt of Notice of Intention August 28, 1967
 (a) Formal application to be received on or before August 28, 1970

2. Name of applicant United States of America, Department of Interior, Bureau of Reclamation
 Post Office Box 11568, Salt Lake, County of Salt Lake, State of Utah

3. If applicant is a corporation give:
 (a) Date and place of organization of corporation _____
 (b) Amount of capital stock, \$ _____ (c) Amount paid in \$ _____
 (d) Names and addresses of directors _____

4. Quantity of unappropriated water claimed (see note on back) _____ acre-feet
 (a) By direct diversion 200 sec. ft. _____ (b) by storage _____ acre-feet
 (and, or)
 (c) This water will be used to supplement storage water from Navajo Reservoir

5. Source of water supply (a) Name of stream or watercourse Natural flow of San Juan River and tributaries downstream from Navajo Reservoir, plus seepage and return flows from Federal reclamation
 (b) Which is a tributary of Colorado River projects

6. Location of point of diversion or outlet from storage (if more than one, locate each):
 _____ quarter of _____ quarter
 of section _____ Township _____ Range _____ N. M. P. M.
The water will be diverted at several points along the San Juan River below Navajo Reservoir. The exact locations are yet to be determined.

7. To be used for municipal and industrial purposes.
 IRRIGATION AND DOMESTIC USE
 (a) Number of acres to be irrigated _____
 (b) Described as follows: _____

RECEIVED
 AUG 28 11 19 1967
 DIVISION OF WATER RESOURCES
 U.S. DEPARTMENT OF THE INTERIOR

MANUFACTURING, MINING, POWER AND LIKE PURPOSES
 (a) Quantity of water _____ sec. ft., to be used for _____
 (b) Power to be generated _____ horse power (or) conducted by _____
 (give approximate size and description of conduit) _____
 feet in length from a point in the _____ quarter of _____ quarter of
 section _____ Township _____ Range _____ N. M. P. M.
 to a point where water will be returned to stream undiminished in quantity in the _____ quarter of
 section _____ Township _____ Range _____
 (locate point of return)

8. Further description of proposed project of old works to be amended or enlarged hereby:

9. References:

I, Charles S. Rippon do solemnly swear that I have read the foregoing statements and that the same are true to the best of my knowledge and belief.

Chairman, United States of America
Department of Interior, Bureau of Reclamation
by Charles S. Rippon
day of April Regional Director, A. D. 1967

Subscribed and sworn to before me this 18th
My commission expires Sept 1, 1970

[Signature]
Notary Public.

Additional statements or explanations: Nothing in this notice shall constitute a waiver of any rights which the United States may have in and to the waters covered by this notice.

INSTRUCTIONS AND EXPLANATIONS FOR FILLING THIS FORM

(See Manual of Revised Rules and Regulations, Section on General Principles of Appropriation and Article on Notice of Intention.)

This form shall be made out in duplicate and shall be accompanied by a filing fee of \$10.00. If the application is to enlarge an existing project or to amend a permit, fill out this form to cover only the enlarged or amended portion, then state under Section 8 the data necessary to define the old works.

- Section 1. This section to be filled out by the State Engineer.
 - Section 2. Fill in the name and address of the applicant.
 - Section 3. If the applicant is a corporation, company or firm, fill out blanks under section three. Give date of filing certificate of incorporation with the Corporation Commission.
 - Section 4. The quantity of water to be appropriated for irrigation purposes should be stated in acre-feet delivered on the land. The amount to be used wholly or in part by direct diversion shall be noted after (a); that to be used wholly or in part by storage after (b). Under (c) give any additional information necessary to properly state or define the use.
Important: Except in the case of flood water projects, no direct diversion to the irrigated lands may be made at a rate greater than 1 second foot for each 10 acres. In no case may a right be acquired for more water than can be beneficially used upon the irrigated area.
 - Section 5. Each blank under this section shall be filled out.
Section 6. In a direct diversion project, or in the case of diversion to an off-channel reservoir, the point of diversion is the location of the canal headgates on the bank of the stream or water-course. If water is to be stored behind a dam across the stream itself, the point of diversion then becomes the location of the outlet gates from the reservoir.
If the point of diversion lies on unsurveyed lands, it should be described as nearly as possible by legal subdivision "as projected" from the nearest accepted government survey.
 - Section 7. State all the purposes for which the water is to be used. If for "Irrigation and Domestic Use" state under (a) the total number of acres to be irrigated; under (b) the location of lands to be irrigated. If for "Manufacturing, Mining, Power, or Like Purpose", fill out the statements under that heading. If water is to be used for several purposes, fill out all blanks referring to the different purposes.
 - Section 8. Give here any additional data necessary to describe the proposed works or old works to be amended or enlarged hereby.
 - Section 9. Give references of a bank and merchant with whom applicant does business or to whom he is known.
- Chairman shall sign affidavit to above statements before a Notary Public or other proper official qualified to administer oaths.
- Note: If additional space is necessary, use a separate sheet of paper and attach securely hereto.

QUALITY PAPER-CONT. 22

Attachment H

Permit No. 3215

IMPORTANT - READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

APPLICATION FOR PERMIT

To Appropriate the Public Surface Waters of the State of New Mexico

Book No. _____ File No. 3215

1. Date of receipt of formal application December 16, 1968
2. Name of applicant United States of America, Department of the Interior, Bureau

Post Office address Box 11568, Salt Lake City County of Salt Lake
State of Utah (8111)

3. If applicant is a corporation give: (a) Date and place of organization

(b) Amount of capital stock, \$ (c) Amount paid in, \$

(d) Names and addresses of directors

4. Quantity of unappropriated water applied for _____ acre feet;

(a) By direct diversion _____ acre feet; (b) by storage _____ acre feet;

(c) This water will be used to supplement storage water from Navajo Reservoir.

5. Period of annual use January 1 to December 31

6. Source of water supply: (a) Name of stream or watercourse Natural flow of San Juan River and tributaries downstream from Navajo Reservoir, plus seepage and return flows.

(b) which is a tributary of

(c) or is situated in Section _____ Township _____ Range _____

7. Location of point of diversion or outlet from channel-reservoir storage: _____ quarter

of the _____ quarter of Section _____ Township _____

Range _____ N. M. P. M., at a point whence the

of Section _____ Township _____ Range _____

bears _____ feet distant.

8. To be used for municipal and industrial purposes.

9. If used for IRRIGATION AND DOMESTIC PURPOSES (III) in the following:

(a) Application is hereby made for _____ acre feet of water per acre for irrigation

(and domestic) purposes; (b) if application is made for water during the non-irrigation season,

state the need for the same: _____

(c) number acres to be irrigated _____ acres, described as follows:

Table with columns: Subdivision, Sec., Twp., Rge., Acres, Owner. Includes a stamp: 388 DEC 23 1968 SAN JUAN RIVER PERMIT

10. If used for MANUFACTURING, MINING, POWER OR LIKE PURPOSES fill in the following:
 (a) Application is hereby made for 500 second feet of water to be used
 for municipal and industrial purposes;
 (b) power to be generated _____ horsepower; (c) conducted by _____

(give size and description of conduit)
 _____ feet in length; (d) from a point in the _____ quarter of
 _____ quarter of Section _____ Township _____
 Range _____ N. M. P. M., (e) to a point where the water will be returned to the stream
 substantially undiminished in quantity in the _____ quarter of
 _____ quarter of Section _____ Township _____
 RANGE _____ whence the _____ of Section _____
 Township _____ Range _____ bears _____
 _____ feet distant; (f) the amount of water which will be consumptively used in the
 above operation is: _____

11. Describe diversion dam, stating construction materials, character of foundation, dimensions, etc. _____
See paragraph 14.

12. Hydraulic properties of main canal or conduit See paragraph 14. (name or number):
 Bottom width _____ feet; depth of water at full operating capacity _____ feet;
 total depth including freeboard _____ feet; side slopes _____ horizontal to 1 vertical;
 diameter (pipe line or circular flume) _____ feet; slope _____ feet per 100 feet;
 hydraulic radius _____ feet; coefficient of roughness (n) _____; velocity at
 full capacity _____ feet per second; capacity _____ cubic feet per second;
 length of canal _____ the location being as shown on the
 filing maps accompanying this application.

12a. Hydraulic properties of main canal or conduit See paragraph 14. (name or number)
 Bottom width _____ feet; depth of water at full operating capacity _____ feet;
 total depth including freeboard _____ feet; side slopes _____ horizontal to 1 vertical;
 diameter (pipe line or circular flume) _____ feet; slope _____ feet per 100 feet;
 hydraulic radius _____ feet; coefficient of roughness (n) _____; velocity at
 full capacity _____ feet per second; capacity _____ cubic feet per second;
 length of canal _____ the location being as shown on the
 filing maps accompanying this application.

12. Hydraulic properties of storage dam: Maximum height above foundation See paragraph 14. feet;
 length of crest _____ feet; maximum width at base _____ feet;
 crest width _____ feet; slope of upstream face _____;
 slope of downstream face _____; elevation at crest of dam
 _____ feet; elevation of spillway crest _____ feet; elevation of flow line
 of outlet conduit _____ feet; freeboard (above high water line at maximum spill)
 _____ feet; width of spillway _____ feet;
 discharge capacity of spillway _____ cubic feet per second; size and character of outlet
 conduit _____
 discharge capacity of outlet under full head _____ cubic feet per second;
 type of dam, construction material, etc. _____

Elevation or Depth Above Outlet	Area of Water Surface, Acres	Storage Capacity, Acres Feet	Remarks

14. Additional data or explanations The water will be diverted at several points along the San Juan River below Navajo Reservoir - the exact points of diversion, description of diversion dams, hydraulic properties of conveyance works and storage dams, and estimated costs will be furnished by supplemental applications for each use after each contractor for water has finalized his plans for the construction of his works.

15. Estimated costs: Main canal or conduit \$ See paragraph 14.
Storage Dams \$ _____
Total cost _____ \$ _____

16. Time required to begin construction See paragraph 14. _____
Time required to complete the works _____
Time required to fully apply water to beneficial use _____

17. References: _____

I, _____ applicant
being first duly sworn, upon my oath, depose and say that I have read the foregoing statements and that the same are true to the best of my knowledge and belief, United States of America, Department of the Interior, Bureau of Reclamation
By: K. G. [Signature] Applicant

Subscribed and sworn to before me this 12th day of December, 1968
[Signature]
(Notary Public)

My commission expires Sept. 1, 1968
SEE ATTACHMENT

ENDORSEMENT OF STATE ENGINEER

Number of this filing 3215
Recorded in Book (Page) 3215
Notice of Intention No. 3215 received August 25, 1967
Formal Application received December 16, 1968

It is hereby acknowledged that the attached application for the diversion and beneficial use of 500 cubic feet per second of water from the natural flow of San Juan River and its tributaries downstream from Navajo Reservoir, including seepage and return flows, has been submitted in compliance with Section 75-5-31, New Mexico Statutes Annotated, 1953 Compilation.

Witness my hand and seal this _____ day of _____, A.D. 1968.

[Signature]
State Engineer
Attachment H