

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

DISTRICT COURT  
SAN JUAN COUNTY NM  
FILED

2015 APR -6 PM 12: 22 *PR*

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

Plaintiff,

No. CV-75-184

vs.

Hon. James J. Wechsler  
Presiding Judge

THE UNITED STATES OF AMERICA, et al.

Defendants,

San Juan River Basin  
Adjudication

vs.

La Plata River Section

THE JICARILLA APACHE TRIBE and the  
NAVAJO NATION,

Defendant-Intervenors.

#### NOTICE OF CLAIM

**INSTRUCTIONS:** The purpose of this Notice of Claim ("NOC") is to provide the Court and State with information about the number and types of water rights that you ("Claimant") claim in the La Plata River Section of the San Juan River Stream System Adjudication. Complete this form only if you claim state law water rights in the La Plata River Section or if you have a permit from the Office of the State Engineer to put water to beneficial use. After completing this form, mail the original to the Court and a copy to the State at the address provided below. If you are named on a Summons but do not claim any state law water rights in the La Plata River Section, do not complete this form. Instead, complete a Disclaimer of Interest ("Disclaimer") form. The information you provide below should be based on your current belief, knowledge, and understanding. If you do not have any knowledge or belief regarding a question below, simply indicate "Unknown" and you will be given an opportunity to provide additional information at a later date. You may be required to provide the Court with proof (in the form of documents and/or sworn testimony) of the information provided below.

1. **Water Right(s) Claimant(s):** *In the space provided below, please provide the name, address, telephone number, and e-mail address for yourself (i.e., the Claimant) and each person who may have a legal interest in your water rights. (If you are married, include your spouse's information even if the water right is your separate property.) Attach additional pages if necessary.*

a. Ari Biernoff on behalf of New Mexico Department of Game and  
Claimant (person filling out this form) Fish and New Mexico Game Commission

b. See Above

Additional person(s) claiming an interest in any of the water rights identified on this form

*2*

2. Do you use surface water from the La Plata River? Yes or No (circle "yes" or "no")

If you circled "Yes":

(a) What ditch(es) do you receive water from? (Provide all name(s)):

Jackson Ditch and Pickering Ditch

(b) For what purpose do you use the water? (Circle all uses that apply).

- Irrigation
- Domestic
- Stock
- Commercial
- Industrial
- Municipal
- Other (describe) Storage; filling Jackson Lake

3. Do you have any wells? Yes or No (circle "yes" or "no")

If you answered "Yes":

(a) How many wells do you have? One

(b) For what purpose do you use the groundwater from your wells? (Circle all that apply).

- Irrigation
- Domestic
- Stock
- Commercial
- Industrial
- Municipal
- Other (describe) \_\_\_\_\_

**CERTIFICATION**

I, Ari Biernoff (print name) certify that the above information is based on my current understanding, belief, and knowledge, and that I:

(1) filed this form with the Court by mailing or hand-delivering it to

Water Rights Adjudication Clerk  
Eleventh Judicial District Court  
103 S. Oliver Drive  
Aztec, New Mexico 87410

and

- (2) served the State with a copy of the completed form by mailing a copy to:

Gary B. Storm, Special Assistant Attorney General  
Office of the State Engineer  
P.O. Box 25102  
Santa Fe, New Mexico 87504-5102

Ari Biernoff/cao  
Claimant's Signature

April 2, 2015  
Date