

This document provides a summary of the water right data in the original consent order for this subfile as well as any amendments and corrections to the consent order. In the event there is a discrepancy between a description of water rights set forth in this document and the specific Court order that determines that right, the specific Court order is controlling.

Subfile No.: **24.28.11-A**

Court No.: **CV-WH-03-53**

CID Assessment Number: **229-01-01-00-01**

Date of Filing of Original Consent Order: **February 08, 2005**

Defendants: **CARLA DUARTE**
TOMMY C. DUARTE JR.

A. IRRIGATED LANDS (Surface Water & Supplemental Groundwater Combined):

a. **Office of the State Engineer File No(s):** 6, 1927, C-574-A

b. **Priority:**

Supplemental Right: C-00574-A: July 22, 1954

Surface Water Right: Black River Canal: December 31, 1889, for the amount of water diverted from the Black River.

Surface Water Right: Carlsbad Irrigation District Main Canal: As set forth in Part B of this Appendix.

c. **Source:**

Shallow Groundwater.

Surface waters of the Pecos River Stream system, including surface waters of the Black River, a tributary of the Pecos River.

Surface waters of the Pecos River Stream System.

d. **Purpose of Use:**

For irrigation, and for domestic, and livestock watering uses incidental to irrigation use.

e. **Point(s) of Diversion:**

Well No.: C-00574

Location: As set forth in Part G of this Appendix.

Ditch Name: Black River Canal

Location: As set forth in Part G of this Appendix

Ditch Name: Carlsbad Irrigation District Main Canal

Location: As set forth in Part G of this Appendix

f. **Location and Amount of Irrigated Acreage:**

Section 11, Township 24S, Range 28E, N.M.P.M.

Pt. SE¼

18.40 acres

Total: 18.40 acres (Supplemental)

As shown on the attached revised Hydrographic Survey Map for Subfile No. 24.28.11-A, and the CID Section Hydrographic Survey Map Sheet No. 5 (1999-2011), included in Part F of this Appendix, representing the Court record as of the date of the filing of this Decree.

g. Amount of Water:

As set forth in Part B of this Appendix.

B. IRRIGATED LANDS (Surface Water Only):

a. **Office of the State Engineer File No(s):** 6, 1927

b. Priority:

Surface Water Right: Black River Canal: December 31, 1889, for the amount of water diverted from the Black River.

Surface Water Right: Carlsbad Irrigation District Main Canal: As set forth in Part B of this Appendix.

c. Source:

Surface waters of the Pecos River Stream system, including surface waters of the Black River, a tributary of the Pecos River.

Surface waters of the Pecos River Stream System.

d. Purpose of Use:

For irrigation, and for domestic, and livestock watering uses incidental to irrigation use.

e. Point(s) of Diversion:

Ditch Name: Black River Canal

Location: As set forth in Part G of this Appendix

Ditch Name: Carlsbad Irrigation District Main Canal

Location: As set forth in Part G of this Appendix

f. Location and Amount of Irrigated Acreage:

Section 11, Township 24S, Range 28E, N.M.P.M.

Pt. SE¼

0.80 acres

Total: 0.80 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No. 24.28.11-A, and the CID Section Hydrographic Survey Map Sheet No. 5 (1999-2011), included in Part F of this Appendix, representing the Court record as of the date of the filing of this Decree.

g. Amount of Water:

As set forth in Part B of this Appendix.

C. IRRIGATED LANDS (Surface Water Only):

a. **Office of the State Engineer File No(s):** 6

b. Priority:

Surface Water Right: Carlsbad Irrigation District Main Canal: As set forth in Part B of this Appendix.

c. Source:

Surface waters of the Pecos River Stream System.

d. Purpose of Use:

For irrigation, and for domestic, and livestock watering uses incidental to irrigation use.

e. Point(s) of Diversion:

Ditch Name: Carlsbad Irrigation District Main Canal

Location: As set forth in Part G of this Appendix

f. Location and Amount of Irrigated Acreage:

Section 11, Township 24S, Range 28E, N.M.P.M.

Pt. SE¼

0.50 acres

Total: 0.50 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No. 24.28.11-A, and the CID Section Hydrographic Survey Map Sheet No. 5 (1999-2011), included in Part F of this Appendix, representing the Court record as of the date of the filing of this Decree.

g. Amount of Water:

As set forth in Part B of this Appendix.

D. STACKED WATER RIGHTS (Surface Water Only):

a. Office of the State Engineer File No(s): 6, 1927

b. Priority:

Surface Water Right: Black River Canal: December 31, 1889, for the amount of water diverted from the Black River.

Surface Water Right: Carlsbad Irrigation District Main Canal: As set forth in Part B of this Appendix.

c. Source:

Surface waters of the Pecos River Stream system, including surface waters of the Black River, a tributary of the Pecos River.

Surface waters of the Pecos River Stream System.

d. Purpose of Use:

For irrigation, and for domestic, and livestock watering uses incidental to irrigation use.

e. Point(s) of Diversion:

Ditch Name: Black River Canal

Location: As set forth in Part G of this Appendix

Ditch Name: Carlsbad Irrigation District Main Canal

Location: As set forth in Part G of this Appendix

f. Location and Amount of Irrigated Acreage:

Section 11, Township 24S, Range 28E, N.M.P.M.

Pt. SE¼

0.30 acres

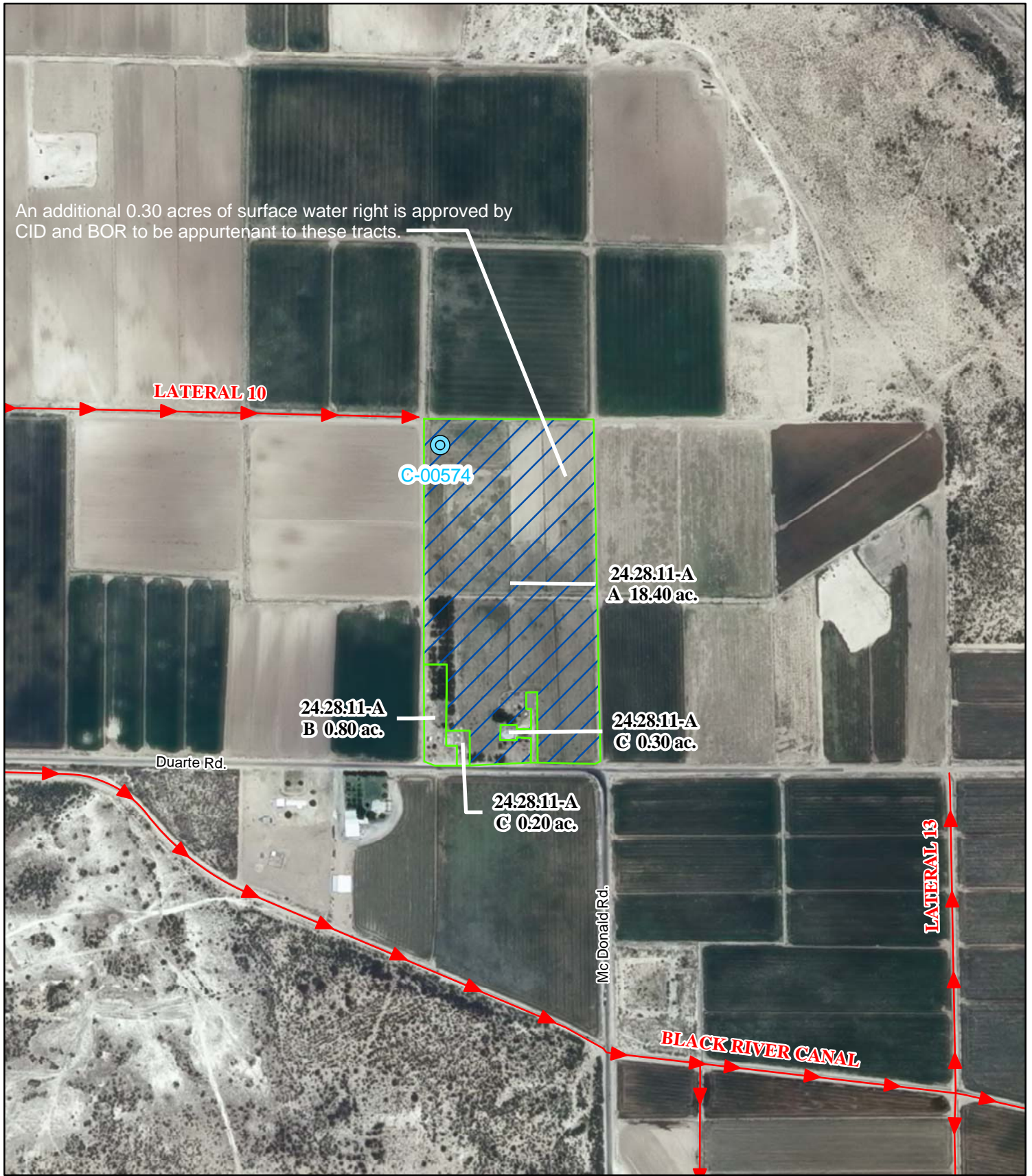
Total: 0.30 acres (Stacked)

As shown on the attached revised Hydrographic Survey Map for Subfile No. 24.28.11-A, and the CID Section Hydrographic Survey Map Sheet No. 5 (1999-2011), included in Part F of this Appendix, representing the Court record as of the date of the filing of this Decree.

g. Amount of Water:

As set forth in Part B of this Appendix.

An additional 0.30 acres of surface water right is approved by CID and BOR to be appurtenant to these tracts.



LATERAL 10

C-00574

24.28.11-A
A 18.40 ac.

24.28.11-A
B 0.80 ac.

24.28.11-A
C 0.30 ac.

Duarte Rd.

24.28.11-A
C 0.20 ac.

McDonald Rd.

LATERAL 13

BLACK RIVER CANAL

Legend

- Point of Diversion
- Canals / Ditches
- Tract Boundaries**
- Surface Water Only
- Supplemental Groundwater
- Reservoir / Pond
- No Right

2009 Digital Orthophotography
Grid Interval = 1000
Scale 1" = 500'
1:6,000

STATE OF NEW MEXICO
Office of the State Engineer
John R. D'Antonio, Jr., P.E., State Engineer

Pecos River Stream System
Carlsbad Irrigation District
Hydrographic Survey
Township 24

D.D.

Carla Duarte &
Tommy C. Duarte Jr.
Subfile 24.28.11-A
5/2/2011

PAE