DECLARATION OF RIGHT OF WAY

WHEREAS: La Bajada Community Ditch & Mutual Domestic Water Association is the duly authorized subdivision of the State of New Mexico charged with the administration of the Traditional Village of La Bajada; and

WHEREAS: Works of the LBCD&MDWA are situated throughout the Cañada de Santa Fe (Santa Fe River Canyon); and

WHEREAS: La Bajada Community Ditch & Mutual Domestic Water Association, its members, and its predecessors in right, title and interest have for more than two hundred years continuously, uninterruptedly, openly, notoriously, peaceably, and adversely used the traditional roads, paths, byways, trails, and easements throughout the Santa Fe River Canyon in order to maintain and repair their waterworks; and

WHEREAS: The General Membership of the LBCD&MDWA has unanimously resolved in June of 2013 to protect and defend La Bajada's water rights, prescriptive easements, and rights of way in the State of New Mexico;

NOW THEREFORE: La Bajada Community Ditch & Mutual Domestic Water Association hereby declares and asserts its prescriptive easement and right of way through the Santa Fe River Canyon as provided for by 43 USC 945; and PL 106-425; as documented and memorialized in the attached exhibits (Quitclaim Deed ; NM OSE 1976 Hydrographic Survey; ATSF/ La Bajada 1974 Agreement; La Bajada Declaration of 1927; United States Patent No.168, New Mexico 1908); and as described in HAER 17 and HAER 18 U.S. Library of Congress.

Alonzo Gallegos, President

Darrin Muenzberg, Commissioner

La Bajada Community Ditch & Mutual Domestic Water Association

COUNTY CLERK
GERALDINE SALAZAR
SANTA FE COUNTY NEW MEXICO

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

DECLARATION
PAGES: 25

I Hereby Certify That This Instrument Was Filed for Record On The 18TH Day Of March, 2015 at 01:22:59 PM And Was Duly Recorded as Instrument # 1759879 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy _____ County Clerk, Santa Fe, NM

RECORDED 03/18/2015

ACKNOWLEDGMENT

STATE OF NEW MEXICO)
)SS
COUNTY OF SANTA FE)

This instrument was acknowledged before me on March 18 2015 by Darrin Muenzberg.

NOTARY PUBLIC

My Commission Expires: April 27, 2015

OFFICIAL SEAL
Ken Vaughn
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 4-27-15

SFC CLERK RECORDED 03/18/2015

United States Department of the Interior

OFFICE OF THE SOLICITOR
Regional Office, Southwest Region
2400 Louisiana Blvd., N.E.
Building One, Suite 200
Albuquerque, New Mexico 87110

March 22, 2001

Mr. Alonzo Gallegos
P.O. Box 1391
Peña Blanca, NM 87041

Dear Mr. Gallegos

Please find enclosed a copy of the Santo Domingo Pueblo Claims Settlement Act you requested by telephone today.

Thank you for your attention.

Sincerely,

Grant L. Vaughn
Acting Regional Solicitor

enc.

SFC CLERK RECORDED 03/18/2015

COPY

QUITCLAIM DEED

THIS DEED is made this 21st day of August, 2006, by the **UNITED STATES OF AMERICA**, acting by and through the Forest Service, Department of Agriculture, the Grantor (hereinafter called "United States"), and the **Pueblo of Santo Domingo**, a federally recognized Indian tribe (hereinafter called "Pueblo").

I. RECITALS:

Congress has enacted Public Law 106-425, the Santo Domingo Pueblo Claims Settlement Act of 2000, ("Settlement Act") to ratify the May 2000 Santo Domingo Settlement Agreement ("Settlement Agreement") and to resolve the Pueblo's land title and trespass claims as described in the Settlement Act and the Settlement Agreement. The Pueblo has met the conditions for the conveyance of National Forest System lands covered by the Settlement Act.

NOW THEREFORE, in valuable consideration thereof, receipt of which is hereby acknowledged, and of the terms and conditions of this deed, the United States does hereby grant and quitclaim unto the Pueblo all right, title and interest to the land described on Exhibit A to this deed, which description is incorporated into and made a part of this deed.

TOGETHER WITH any and all associated and appurtenant water rights.

RESERVING in the United States an easement for administrative purposes and for access and use by the public over those portions of the existing roadways delineated as: Forest Development Road 394, as defined in that certain plat entitled "Road Easement Survey Forest Road 394" dated April 6, 2006, by Chris A. Chavez, Registered Professional Surveyor, NMPS No. 12793; recorded August 3, 2006, Sandoval County, New Mexico, in Book 3, Page 2695A; and that certain plat entitled "Road Easement Survey Tetilla Peak Access Road" dated April 6, 2006, by Chris A. Chavez, Registered Professional Surveyor, NMPS No. 12793; recorded August 3, 2006, Sandoval County, New Mexico, in Book 3, Page 2696A; which easements are assignable only to the State of New Mexico, Sandoval County, or other appropriate governmental authority.

Approved as to description, consideration and the condition of conveyance.
Robert W. Cordts

SFC CLERK RECORDED 03/18/2015

COPY

SUBJECT TO, any and all valid existing rights which may be outstanding as of the date of the Settlement Agreement, which rights are defined in the following documents:

An Easement from the United States to the New Mexico State Highway Department dated April 20, 1983, as recorded on pages 456-461 in Vol. Misc. 154, on May 18, 1983 in Sandoval County, New Mexico.

An Easement from the United States to the New Mexico State Highway Department dated June 7, 1977, as recorded on pages 506-512 in Vol. Misc. 90, on September 29, 1977 in Sandoval County, New Mexico.

A Special Use Permit for the construction, operation, and maintenance of a natural gas pipeline, issued in favor of the Gas Company of New Mexico, dated February 12, 1986.

A Deed of Right-of-Way (Easement), for the construction, maintenance and use of a 115 KV power transmission line, granted by the United States, in favor of Plains Electric Generation and Transmission Cooperative, Inc., dated September 3, 1953.

A Special Use Permit dated June 25, 1973 and Amendment dated March 16, 1987, in favor of Mountain States Telephone and Telegraph and their successors authorizing construction, operation, maintenance, and use of a phone line, portion of which is above ground and the remainder buried.

An Easement from Cipriano Lucero and Guadalupe Gonzales, in favor of the New Mexico Power Company, dated June 4, 1929, authorizing the construction, maintenance, and use of a 44 KV power transmission line, as recorded on June 4, 1929, in Book D, page 460 in Santa Fe County, New Mexico.

A Special Use Permit and Amendments dated November 15, 1987 and December 1, 1992, for the construction, maintenance, and use of a 46 KV power transmission line issued in favor of the Public Service Company of New Mexico on May 23,

SFC CLERK RECORDED 03/18/2015

COPY

1966.

A right-of-way for the maintenance and use of a water system as described in that certain unrecorded Agreement between The Atchison, Topeka and Santa Fe Railroad Company and La Bajada Community Ditch, Inc., dated May 17, 1974 and any other valid existing rights in this water system in the name of Atchison, Topeka and Santa Fe Railroad or its successors in interest.

A Special Use Permit for a 115 KV power transmission line as issued in favor of the Public Service Company of New Mexico on May 12, 1965, superceded by a Special Use permit dated November 13, 1998.

An authorized use and grazing of the property described in Exhibit A, which will expire without extension on December 31, 2006, as defined in those certain Forest Service Grazing Permits issued by the Santa Fe National Forest to: Caja del Rio La Majada Livestock Association (10-1568); Gilbert P. Borrego and Angelo E. Borrego (10-1443-1); Victor M. Gallegos (10-1424-1); Pat Gallegos (10-1422); George G. Gallegos (10-1425); Alanzo S. Gallegos (10-1423); Tony G. Gonzales (10-1573); Gilbert J. and Reynalda Gonzales (10-1572); Eliseo Lujan (10-1456); George G. and Pearl Ortiz (10-1442); Jose F. Ortiz (10-1354); Jose I. Salazar (10-325); David M. Sandoval (10-326); and Genaro Viscarra (10-1480).

IN WITNESS WHEREOF, the United States, by Harv Forsgren, Regional Forester of the Southwestern Region, USDA Forest Service, has executed this deed on the date written first above as authorized in the Settlement Act pursuant to the delegation of authority promulgated in Title 7 CFR 2.60, and 49 F.R. 34283, published August 29, 1984.

THE UNITED STATES OF AMERICA

By: Harv Forsgren

Harv Forsgren
Regional Forester, Southwestern Region
U.S. Department of Agriculture, Forest Service

SFC CLERK RECORDED 03/18/2015

Acknowledgment

State of New Mexico
County of Bernalillo, s.s.

I, Reina M Duran, a Notary Public in and for the stated jurisdiction, hereby certify and state that Harv Forsgren appeared before me in his official capacity as Regional Forester, Southwestern Region, USDA-Forest Service and, being duly authorized, he did acknowledge this instrument as his official act and deed this 21 day of August, 2006.

Reina M Duran
Notary Public

My commission expires: 2/11/08

OFFICIAL SEAL
REINA M. DURAN
NOTARY PUBLIC-State of New Mexico
My Commission Expires 2/11/08

SFC CLERK RECORDED 03/18/2015

Exhibit A
Tract A - La Majada Mesa

Township 15 North, Range 6 and 7 East, and Township 16 North, Range 6 East, NMPM, Sandoval and Santa Fe Counties, New Mexico.

A parcel of land described as follows, beginning at a monument marking the position for the 3 Mile corner on the south boundary of the Santa Cruz Spring Tract, thence S. 87^0 11' E., along the south boundary of the Santa Cruz Spring Tract, a distance of 2642.5 feet to the monumented 3.5 Mile corner, thence continuing along the south boundary of the Santa Cruz Spring Tract on the following courses and distances; S. 87^0 13' E., a distance of 2637.3 feet to the monumented 4 Mile corner, thence S. 87^0 11' E., a distance of 2640.1 feet to the monumented 4.5 Mile corner, thence S. 87^0 12' E., a distance of 2640.1 feet to the monumented 5 Mile corner, thence S. 87^0 13' E., a distance of 2640.1 feet to the monumented 5.5 Mile corner, thence S. 87^0 15' E., a distance of 1268.1 feet to a monumented point of intersection with the West boundary of the Mesita de Juana Lopez Land Grant, whence the NW corner of the Mesita de Juana Lopez Land Grant bears, (*BLM record measurement*), N. 1^0 41' W., 909.81 feet distance, thence on a new line in a southerly direction on the following described courses and distances along a line marking the west boundary of the Mesita de Juana Lopez Land Grant; S. 0^0 44' E., a distance of 733.4 feet to the monumented 36 Mile corner, thence S. 0^0 30' W., a distance of 5243.2 feet to the monumented 35 Mile corner, thence S. 0^0 35' W., a distance of 1087.1 feet to a monumented point of intersection with the north boundary of the Santo Domingo Pueblo, thence in a westerly direction on the following described courses and distances along a new line marking the north boundary of the Santo Domingo Pueblo; N. 72^0 26' W., a distance of 810.6 feet to the monumented 2.5 Mile corner, thence N. 72^0 17' W., a distance of 2665.2 feet to the monumented 3 Mile corner, thence N. 73^0 24' W., a distance of 2646.6 feet to the monumented 3.5 Mile corner, thence N. 72^0 59' W., a distance of 2656.5 feet to the monumented 4 Mile corner thence N. 73^0 04' W., a distance of 2656.3 feet to the monumented 4.5 Mile corner, thence N. 73^0 04' W., a distance of 1201.2 feet to a monumented point marked "PC-1" set by the U.S. Forest Service in 1983, thence in a north westerly direction on the following described courses and distances along a new line marking the east boundary of lands in possession of the Santo Domingo Pueblo; N. 48^0 38' W., a distance of 1601.4 feet to a point monumented with a New Mexico State Highway Right-of-way "T" rail, (*This point marks a property corner angle point as well as the location of the right-of-way easement granted by the U.S. Forest Service to the New Mexico State Highway Department for State Road 16 and United Pueblos Highway 90. This easement granted by the United States of America through the Forest Service, Department of Agriculture was recorded with Sandoval County on May 18, 1983 in Misc. Records Vol. 154, pages 456-461.*), station designation is 183+35.22, thence N. 42^0 57' W., a distance of 6727.4 feet, to a point marked with a 3/8 inch diameter iron rod, thence N. 51^0 09' W., a distance of 963.2 feet to a point marked with a 3/8 inch diameter iron rod, thence N. 43^0 33' W., a distance of 8291.2 feet to a point marked with a 3/8 inch diameter iron rod set in a fence corner, being a point of intersection with the south boundary of the Pueblo de Cochiti Grant, thence on a new line along the south boundary of the Pueblo de Cochiti Grant on a bearing of N. 89^0 22' E., a distance of 210.7 feet to a monumented point marked "AP-5, SCS", whence the 1/2 Mile corner on the south boundary of the Pueblo de Cochiti Grant bears, (*BLM record measurement*), N. 89^0 54' E., 1230.94 feet distance, thence on a new line along the west boundary of the Santa Cruz Spring Tract on the following described courses and distances; S. 44^0 01' E., a distance of 1213.6 feet to a monumented point marked, "2 M-SCS", thence S. 44^0 01' E., a distance of 4807.3 feet to a monumented point marked, "AP-4, SCS", thence a distance of 99.8 feet along the arch of a curve to the left having a radius of 5629.6 feet and a cord bearing and distance of S. 44^0 30' E., 98.5 feet, to a monumented point marked, "AP-3, SCS", thence S. 45^0 06' E., a distance of 2973.8 feet to a monumented point marked, "AP-2, SCS", thence a distance of 212.3 feet along the arch of a curve to the left having a radius of 5829.6 feet and a cord bearing and distance of S. 44^0 06' E, 212.3 feet to a monumented point marked' "AP-1, SCS", thence S. 42^0 57' E., a distance of 2481.2 feet to the monumented South West corner of the Santa Cruz Spring Tract, thence on a new line on a line following the south boundary of the Santa Cruz Spring Tract on a bearing of S. 87^0 11'57" E., a distance of 1516.65 feet to the 3 Mile corner the point and place of beginning.

All containing 1769.4 acres, more or less.

SFC CLERK RECORDED 03/18/2015

COPY

QUITCLAIM DEED

THIS DEED is made this 21st day of August, 2006, by the **UNITED STATES OF AMERICA**, acting by and through the Forest Service, Department of Agriculture, the Grantor (hereinafter called "United States"), and the **Pueblo of Santo Domingo,** a federally recognized Indian tribe (hereinafter called "Pueblo").

I. RECITALS:

Congress has enacted Public Law 106-425, the Santo Domingo Pueblo Claims Settlement Act of 2000, ("Settlement Act") to ratify the May 2000 Santo Domingo Settlement Agreement ("Settlement Agreement") and to resolve the Pueblo's land title and trespass claims as described in the Settlement Act and the Settlement Agreement. The Pueblo has met the conditions for the conveyance of National Forest System lands covered by the Settlement Act.

NOW THEREFORE, in valuable consideration thereof, receipt of which is hereby acknowledged, and of the terms and conditions of this deed, the United States does hereby grant and quitclaim unto the Pueblo all right, title and interest to the land described on Exhibit A to this deed, which description is incorporated into and made a part of this deed.

TOGETHER WITH any and all associated and appurtenant water rights.

SUBJECT TO, any and all valid existing rights which may be outstanding as of the date of the Settlement Agreement, which rights are defined in the following documents:

A Deed of Right-of-Way (Easement), for the construction, maintenance and use of a 115 KV power transmission line, granted by the United States, in favor of Plains Electric Generation and Transmission Cooperative, Inc., dated September 3, 1953.

A Special Use permit for the construction, maintenance, and use of a 345 KV power transmission line, issued in favor of the Public Service Company of New Mexico, on March 16, 1983 and superceded by a Special Use permit dated November 13, 1998.

Approved as to description, consideration and the condition of conveyance.
Robert W. Crotts

SFC CLERK RECORDED 03/18/2015

COPY

An authorized use and grazing of the property described in Exhibit A, which will expire without extension on December 31, 2006, as defined in those certain Forest Service Grazing Permits issued by the Santa Fe National Forest to: Caja del Rio La Majada Livestock Association (10-1568); Gilbert P. Borrego and Angelo E. Borrego (10-1443-1); Victor M. Gallegos (10-1424-1); Pat Gallegos (10-1422); George G. Gallegos (10-1425); Alanzo S. Gallegos (10-1423); Tony G. Gonzales (10-1573); Gilbert J. and Reynalda Gonzales (10-1572); Eliseo Lujan (10-1456); George G. and Pearl Ortiz (10-1442); Jose F. Ortiz (10-1354); Jose I. Salazar (10-325); David M. Sandoval (10-326); and Genaro Viscarra (10-1480).

IN WITNESS WHEREOF, the United States, by Harv Forsgren, Regional Forester of the Southwestern Region, USDA Forest Service, has executed this deed on the date written first above as authorized in the Settlement Act pursuant to the delegation of authority promulgated in Title 7 CFR 2.60, and 49 F.R. 34283, published August 29, 1984.

THE UNITED STATES OF AMERICA

By: Harv Forsgren

Harv Forsgren
Regional Forester, Southwestern Region
U.S. Department of Agriculture, Forest Service

SFC CLERK RECORDED 03/18/2015

COPY

Acknowledgment

State of New Mexico
County of Bernalillo, s.s.

I, Reina M Duran, a Notary Public in and for the stated jurisdiction, hereby certify and state that Harv Forsgren appeared before me in his official capacity as Regional Forester, Southwestern Region, USDA-Forest Service and, being duly authorized, he did acknowledge this instrument as his official act and deed this 21 day of August, 2006.

Reina M Duran
Notary Public

My commission expires:
2/11/08

OFFICIAL SEAL
REINA M. DURAN
NOTARY PUBLIC-State of New Mexico
My Commission Expires 2/11/08

SFC CLERK RECORDED 03/18/2015

COPY

Exhibit A
Tract B--Cañada de Santa Fe

T. 15 N., R. 7 E., NMPM, Santa Fe County, New Mexico.

A portion of the La Majada Grant lying south of the following described line, (said portion being bounded on the south by the north boundary of the Mesita de Juana Lopez Grant as depicted on the offical plat of confirmation, as surveyed by Rollin J. Reeves, U.S. Deputy Surveyor, in October, 1876, approved by the Survyeor General for New Mexico on February 28, 1877, and confirmed by Congress by the act of January 28, 1879,(20 stat. 592)).

Beginning at a point on the east boundary of the La Majada Grant, whence a brass cap marked, "T 15 N R 7 E, LM, MJL, PI, S1, 1917 ", bears S. 00° 47' 26" W., along the East boundary of the La Majada Grant, a distance of 1440.00 , thence N. 77° 00' 02" W., a distance of 59.54 feet to a point, thence S. 66° 57' 18" W., a distance of 736.73 feet to a point, thence N. 62° 26' 19" W., a distance of 640.22 feet to a point, thence S. 84° 35' 42" W., a distance of 1142.33 feet to a point, thence N. 43° 43' 11" W., a distance of 361.18 feet to a point, thence S. 64° 27' 27" W., a distance of 864.34 feet to a point, thence S. 68° 15' 58" W., a distance of 1166.64 feet to a point, thence S. 76° 34' 58" W., a distance of 3404.79 feet to a point, thence N. 79° 28' 27" W., a distance of 1445.63 feet to a point, thence S. 56° 36' 38" W., a distance of 724.88 feet to a point of closing on the north boundary of the Mesita de Juana Lopez Grant , whence the "Beginning Corner" for the Mesita de Juana Lopez Grant bears N. 59° 15' 50" W., a distance of 2300.10 feet, and whence "AP-1" of the Mesita de Juana Lopez Grant bears S. 59° 15' 50" E., a distance of 1756.98 feet.

All containing 297.3 acres, more or less.

SFC CLERK RECORDED 03/18/2015

Form 1860-9
(January 1988)

The United States of America

To all to whom these presents shall come, Greeting:

NMNM 113066

WHEREAS

The Santo Domingo Pueblo

is entitled to a Land Patent pursuant to the Santo Domingo Pueblo Claims Settlement Act of November 1. 2000 (P.L. 106-425). for the following described land:

New Mexico Principal Meridian, New Mexico.

T. 17 N., R. 4 E., (Sandoval County)

sec. 25, lots 1 to 4, inclusive, and S½S½;
sec. 26, lots 1 to 4, inclusive, and S½S½;
sec. 27, lots 1 to 4, inclusive, and S½S½;
sec. 28, lots 1 to 4, inclusive, and S½S½;
sec. 33, all;
sec. 34, all;
sec. 35, all;
sec. 36, all.

Containing 3,931.68 acres, more or less;

T. 16 N., R. 4 E., (Sandoval County)

sec. 4, lots 1 to 7, inclusive, SW¼NE¼, W½SE¼, S½NW¼, and SW¼;
sec. 5, lots 1 and 6, E½E½SW¼NE¼, SE¼NE¼, E½E½W½SE¼, and E½SE¼;
sec. 8, E½E½, and E½E½W½E½;
sec. 9, lots 5 to 9, inclusive, and W½.

Containing 1,395.37 acres, more or less.

NOW KNOW YE. that there is. therefore. granted by the UNITED STATES unto the above-named claimants the land above described: TO HAVE AND TO HOLD the said land with all the rights. privileges. immunities and appurtenances. of whatsoever nature. thereunto belonging unto the said claimants. and its successors and assigns forever. and

SFC CLERK RECORDED 03/18/2015

COPY

Patent Number 30-2006-0008

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States pursuant to the Act of August 30, 1890 (43 U.S.C. 945).

2. An easement and right-of-way over, across, and upon a strip of land 66 feet wide along the existing road as defined in Forest Service Plat entitled "Road Easement Survey, Forest Road 266, sections 27, 28, 33, and 34, T. 17 N., R. 4 E., NMPM, Sandoval County, New Mexico," dated April 6, 2006, by Chris A. Chavez, Registered Professional Surveyor, NMPS No. 12793; recorded August 3, 2006, Sandoval County, New Mexico, in Book 3, Page 2696-B. Further identified in Case File Number 5550, Santo Domingo Title Claim, for the full use as a road by the United States and its assigns, licensees, and permittees including the right of access and use for and by the people of the United States generally to lands owned, administered, or controlled by the United States.

3. An easement and right-of-way over, across, and upon a strip of land 33 feet wide along the existing road as defined in a Forest Service Plat entitled "Road Easement Survey, Forest Road 2505, sections 26, 27, and 35, T. 17 N., R. 4 E., NMPM, Sandoval County, New Mexico," dated April 6, 2006, by Chris A. Chavez, Registered Professional Surveyor, NMPS No. 12793; recorded August 3, 2006, Sandoval County, New Mexico, in Book 3, Page 2697-A. Further identified in Case File Number 5550, Santo Domingo Title Claim, for the full use as a road by the United States and its assigns, licensees, and permittees. This right-of-way is assignable only to the State of New Mexico. This reserved right-of-way shall terminate when the United States acquires sec. 2, T. 16 N., R. 4 E., in trust for Santo Domingo Pueblo, as mandated by Public Law 106-434, dated November 6, 2000, as amended.

SUBJECT TO valid existing rights-of-way and easements.

SFC CLERK RECORDED 03/18/2015

IN TESTIMONY WHEREOF, the undersigned authorized officer of The Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand in Santa Fe, New Mexico the fourteenth day of September the year of our Lord TWO-THOUSAND AND SIX and the Independence of the United States the TWO-HUNDRED AND THIRTY-ONE.

(SEAL)

By Debby Lucero

Debby Lucero
Acting Deputy State Director
Division of Minerals and Lands

Patent Number **30-2006-0008**

COPY

United States Department of Agriculture
Forest Service
Southwestern Region
517 Gold Avenue, SW
Albuquerque, NM 87102-0084
FAX (505) 842-3800
V/TTY (505) 842-3292

File Code: 5510
Date: FEB 22 1999

Shawn Gormley, Director
La Baja Community Ditch Association, Inc.
P. O. Box 1391
Pena Blanca, New Mexico 87041

Dear Mr. Gormley:

We are in receipt of your letter of February 9, 1999, requesting information concerning the proposed Santo Domingo Pueblo Title Claims Settlement. As you are aware, the United States is currently negotiating with the Pueblo to resolve long standing title claims. A portion of the proposed settlement calls for the conveyance of two parcels of land that are near your community, and they are illustrated on the attached map and identified as the La Majada Mesa Tract and the Cañada De Santa Fe Tract. You identified that the La Bajada Community had concerns about the community water system, water rights, and rights-of-way. We hope that the following information will assuage your fears and alleviate your concerns:

A) Water System:

1) The water development facilities located on the Santa Fe National Forest in Santa Fe Canyon lie north of the lands considered in the settlement proposal. If the settlement is consummated, the road, pipeline, and other ancillary facilities within the canyon will continue to be on the National Forest and un-impacted.

2) The water pipeline and other ancillary water facilities located on the parcel identified on the map as the La Majada Mesa Tract would be on the lands proposed for conveyance to the Santo Domingo Pueblo. The Santo Domingo Pueblo has agreed to recognize these as outstanding third party rights. In addition, throughout the negotiation process, it is the intention of the United States to insure that they are recognized and protected, in the event that the settlement is consummated.

B) Water Rights:

On both the La Majada Mesa Tract and the Cañada De Santa Fe Tract, no water rights, Government or private, are being considered in the settlement proposal.

SFC CLERK RECORDED 03/18/2015

Shawn Gormley, Director

C) Rights-of-Way:

1) State Highways 16 and 22 and Forest Development Road 394 cross portions of the La Majada Mesa Tract. The Pueblo has agreed to recognize these as outstanding third party rights. In addition, throughout the negotiation process, it is the intention of the United States to insure that they are recognized and protected, in the event that the settlement is consummated.

2) There are several other kinds of rights-of-way crossing both of the tracts. The Pueblo has agreed to recognize these as outstanding third party rights. In addition, throughout the negotiation process, it is the intention of the United States to insure that they are recognized and protected, in the event that the settlement is consummated.

I hope this information has been helpful and answered your questions. If not, please feel free to contact Bob Armstrong of my staff at (505) 842-3276.

Sincerely,

H. WAYNE THORNTON
Director of Lands and Minerals

cc:
Tim Vollmann--Office of the Solicitor
Santa Fe NF

SFC CLERK RECORDED 03/18/2015

SFC CLERK RECORDED 03/18/201

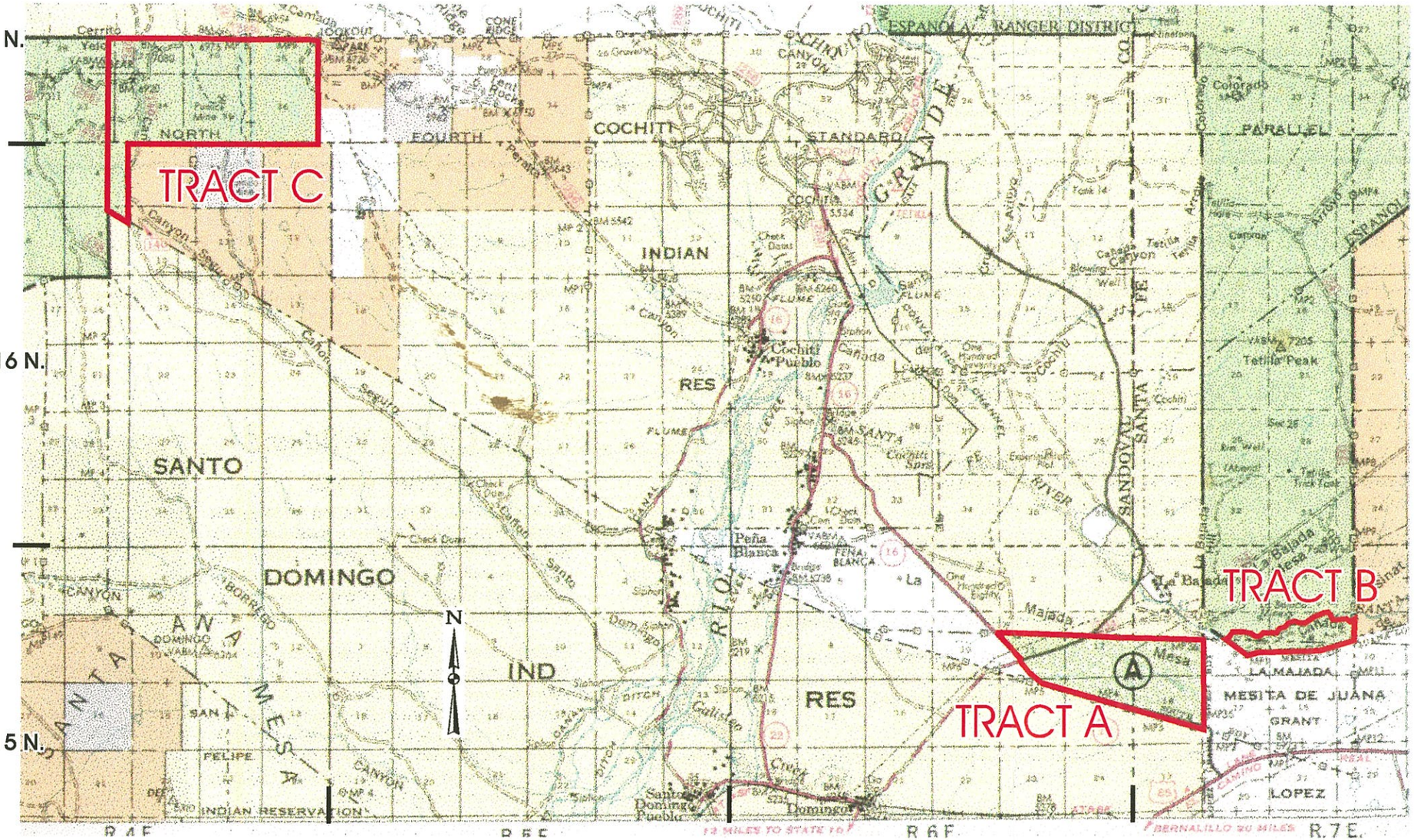
5510 TITLE CLAIMS SANTO DOMINGO PUEBLO

National Forest Lands Considered in Final Global Settlement Offer

TRACT A MAJADA MESA

TRACT B CAÑADA DE SANTA FE

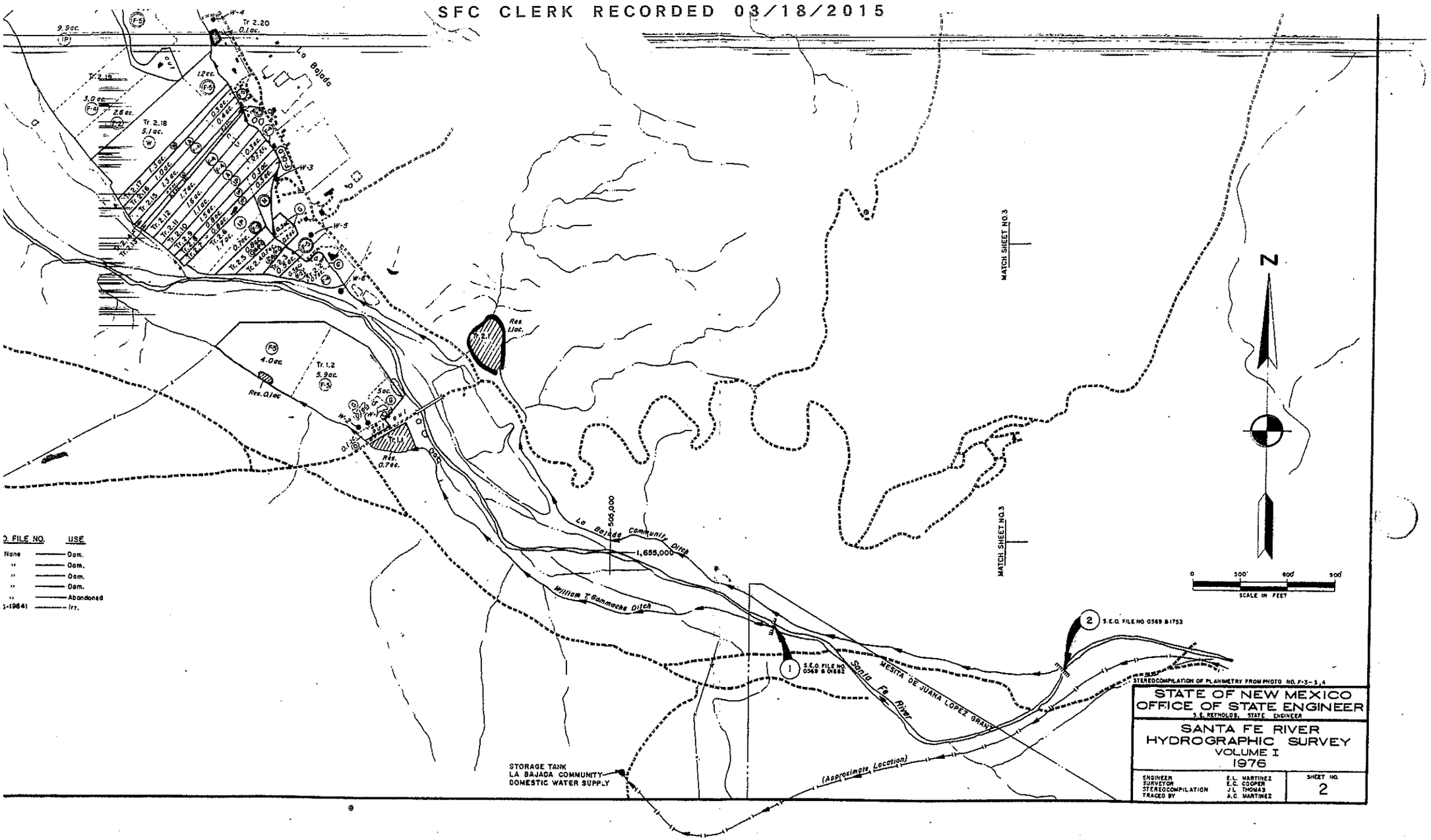
TRACT C CAÑADA DE COCHITI



Note: Green areas indicate USDA Forest Service (Santa Fe National Forest) Lands

Scale: 1:126750
(1/2 inch = 1 mile)
Nov 1998

SFC CLERK RECORDED 03/18/2015



#144828

A G R E E M E N T

THIS AGREEMENT made this 17th day of May, 1974, by and between THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, party of the first part hereinafter called "Santa Fe", and LA BAJADA COMMUNITY DITCH, INC., party of the second part hereinafter called "La Bajada", W I T N E S S E T H:

Under date of September 13, 1919, an agreement was entered into between Santa Fe and La Bajada by the terms of which agreement La Bajada recognized the right of Santa Fe to take, use and appropriate water from the Santa Fe Creek in Sandoval County, New Mexico, through the pipeline of Santa Fe therefrom and leading to the station of Domingo, said water being in the full amount necessary to meet the needs and requirements for the operation of the Santa Fe, its trains, engines and cars through said station of Domingo and for domestic uses at Domingo. Reference to said agreement dated September 13, 1919 being hereby referred to by such reference and made a part hereof.

It is now the mutual desire of the parties hereto to terminate said agreement of September 13, 1919.

IT IS NOW, THEREFORE, MUTUALLY AGREED as follows:

1. The Santa Fe hereby assigns and transfers to La Bajada any and all water rights that Santa Fe may have to take and use water from the Santa Fe Creek.

SFC CLERK RECORDED 03/18/2015

2. Santa Fe hereby transfers and conveys to La Bajada all the right, title and interest of Santa Fe in and to the pipeline running from the Santa Fe Creek to the Junction Box and from the Junction Box to La Bajada, together with all water tanks and appurtenances thereto, said pipeline being more specifically described in Exhibit A attached hereto and by reference made a part hereof.

3. Santa Fe further conveys to La Bajada all right, title and interest of Santa Fe in and to the right of way through which said pipeline runs and upon which tanks, iodinator and appurtenances are situate.

4. La Bajada hereby releases the Santa Fe from all obligations and responsibilities, if any, to maintain said water system.

IT IS MUTUALLY AGREED that said agreement of September 13, 1919 is hereby terminated and cancelled and should be of no further force or effect.

IN WITNESS WHEREOF the parties have hereto executed this Agreement this 17th day of May, 1974.

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

By _____
President

LA BAJADA COMMUNITY DITCH, INC.

By _____

_____

_____

_____ Commissioners

DESCRIPTION APPROVED
C. L. HOLMAN, AGM-ENGRG
PER _____
ASSISTANT ENGINEER

SFC CLERK RECORDED 03/18/2015

STATE OF Illinois)
) ss.
COUNTY OF Cook)

The foregoing instrument was acknowledged before me this 28th day of August, 1974, by JOHN S. REED, PRESIDENT of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a Delaware corporation, on behalf of said corporation.

NOTARY PUBLIC

My commission expires:
MAY 29, 1977

STATE OF NEW MEXICO)
) ss.
COUNTY OF ~~SANDOVAL~~ Santa Fe)

The foregoing instrument was acknowledged before me this 17th day of May, 1974, by Osmundo Lucero, Tranquilino Garcia, ~~Lawrence M. Sandoval~~, and Lawrence M. Sandoval, Commissioners of LA BAJADA COMMUNITY DITCH, INC., a non-profit corporation, on behalf of said corporation.

NOTARY PUBLIC

My commission expires:
Dec. 20, 1976

ACCEPTED AS TO FORM
Starr Thomas
VICE PRESIDENT-LAW

Albert E. Schafer

APPROVED AS TO FORM
General Attorney, New Mexico

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PQ

From source at edge Santa Fe Creek Sta 403+90 (℄ Gallery) to junction of La Bajada Line, Sta 294+78. (10892.8 ft. = 2.063 miles)

Concrete Gallery (well): - Sta. 403+90 ℄ well. 14.8' deep x 18.5' inside diameter, fenced

Pipe: - 8" CIP (Sta 403+90 to Sta 388+90)
1500 Lin. Ft.
4" PVC (Sta 388+90 to Sta 381+90)
700 Lin. Ft. New
8" CIP (Sta 381+90 to Sta 333+39)
4851 Lin. Ft.
6" CIP (Sta 333+39 to Sta 313+03.5)
(-19.2 Eq.) 2016.3 Lin. Ft.
4" CIP (Sta 313+03.5 to Sta 294+78)
1825.5 Lin. Ft.

Iodinator:
No. 185-25, In Place (Sta 296+28)

From Junction Box of La Bajada 1-½" water line with the Domingo Water Line, Station 294+78=0+00 La Bajada water line Station.

Storage Tank (Sta 2+50)
5,000 Gal. 14 gauge steel 8'8"Øx11'-6" conc. manhole and cover in place

Concrete base for storage tank, in place

Pipe: - in place
1½" Galv. placed 1963, (Sta 0+00 to Sta 31+00)
3100 LF
1½" Galv. new 1973, (Sta 31+00 to Sta 35+00)
400 LF
1½" PVC New 1973, (Sta 35+00 to Sta 60+00)
2500 LF

EXHIBIT A

DESCRIPTION APPROVED
C. L. HOLMAN, AGM-ENGRG
PER
ASSISTANT ENGINEER

SFC CLERK RECORDED 03/18/2015

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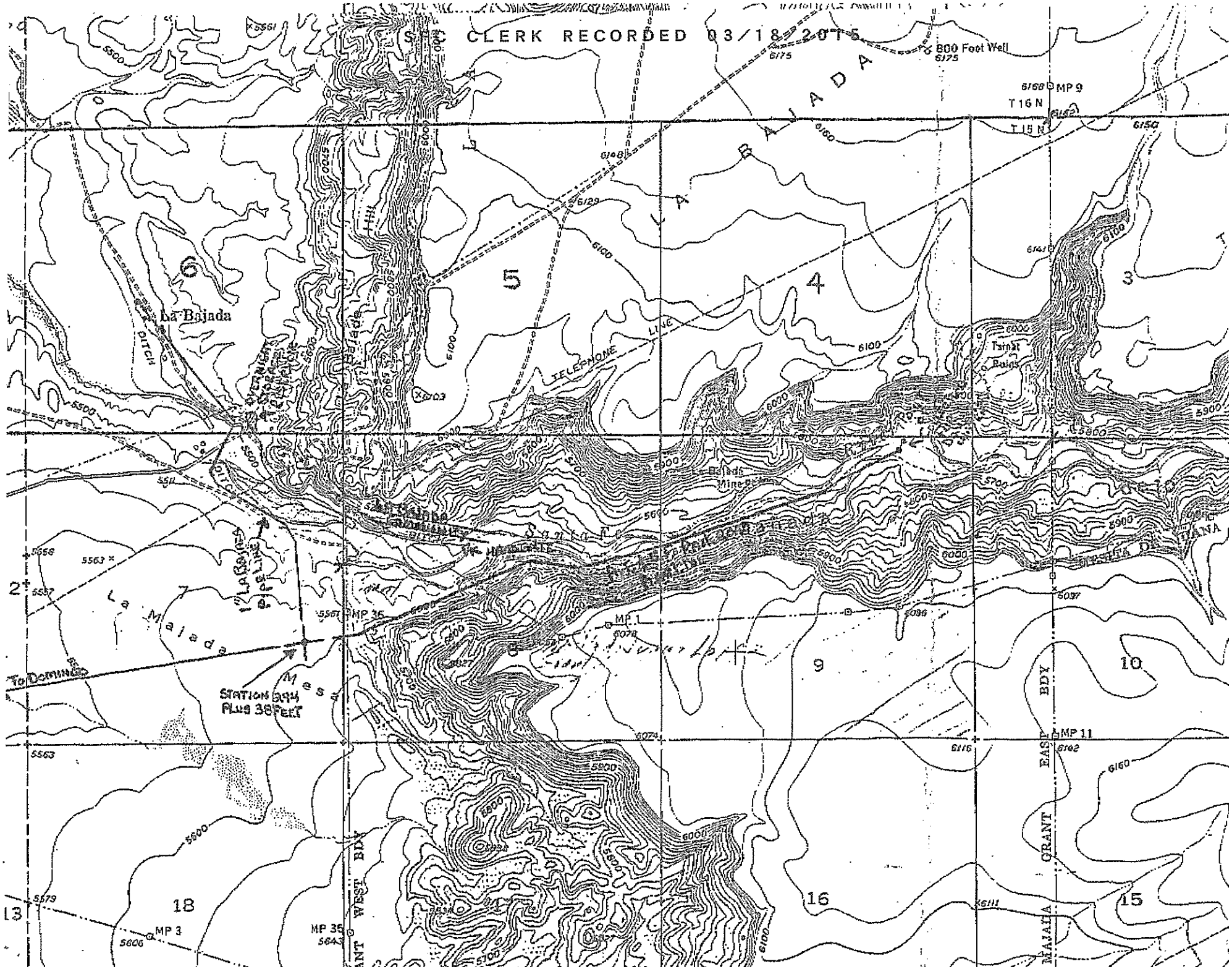

FILED

MAY 20 1927

OFFICE STATE ENGINEER,
SANTA FE, N. M.

Original
(No. 0569.)

FILED

MAY 20 1927

OFFICE STATE ENGINEER,
SANTA FE, N. M.

DECLARATION OF WATER RIGHT

BY THE LA BAJADA COMMUNITY DITCH.

The La Bajada Community Ditch, a corporation existing by virtue of the laws of the State of New Mexico, and situate in Sandoval County of said State, hereby makes declaration of its water rights and says:

That the postoffice address of the declarant and of its Commissioners is Domingo, New Mexico.

That the persons who comprise the said La Bajada Community Ditch are residents of the Village of La Bajada, in the County of Sandoval, State of New Mexico, and that said persons own severally about 300 acres of lands within the exterior boundaries of the La Majada Grant, which has been decreed to them or to their predecessors in title in court proceedings heretofore had in connection with the title and ownership of the said grant. That said lands so owned are situate in and near the said village of La Bajada, and have been owned, occupied and used by the present owners of the same and by their ancestors and predecessors in title for more than a hundred years.

That the declarant is the owner of a water right appurtenant to the said lands, amounting to approximately 600 acre feet of water annually, or during the usual irrigation season, consisting of the entire normal flow of the Santa Fe River at the point of diversion as hereinafter described. That the said point of diversion is situate at a point on the north side of the said stream, about one half mile east of the northwest corner of the Mesita de Juana Lopez Grant, in the County of Santa Fe, State of New Mexico.

That for more than a hundred years the said water has been diverted by the declarant and its predecessors in interest and title, and caused to flow in a ditch following the river bank westward to the lands above described, said ditch being about four feet wide at the bottom, and two feet deep, and there used for the irrigation of the said lands and for general domestic purposes of the people comprising the village of La Bajada.

That the declarant and its predecessors in title and interest have for more than a hundred years continuously, uninterruptedly, openly, notoriously. peaceably and adversely, appropriated the said waters as aforesaid, and applied them to beneficial use, in manner and form hereinabove set out, and that the said waters and water right have become and are appurtenant to the lands owned by the people who compose the La Bajada Community Ditch, the declarant herein.

Wherefore, this declarant, through its duly selected and authorized commissioners, gives notice to the world of its claim to and ownership of the said waters and water rights as above described, as appurtenant to the said lands which are owned by the people of the La Bajada Community Ditch

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(RECORD OF PATENTS.)

4-401-tyr.

24394

P. L. C.

The United States of America,

No. 168, New Mexico. To all to whom these presents shall come, Greeting:

No. 89.

R/A20
11/20/19
#59366

WHEREAS, In accordance with the provisions of the Act of Congress approved March 3, 1891, entitled "An Act to establish a court of private land claims and to provide for the settlement of private land claims in certain States and Territories," the claim of the heirs, assigns and legal representatives of Jacinto Pelaez and Maria Pelaez, and to Benigno Ortiz y Sandoval, Luciano Ortiz, Jose Ignacio Dimas, and Marcelino Baca has been duly established to private land grant known as La Majada Grant, situated in Townships fifteen, sixteen, and seventeen north of Ranges six and seven east of the New Mexico Meridian, in the Counties of Bernalillo and Santa Fe, New Mexico, described as follows:

On the north by a line running from east to west one league north of the spring on the said tract known as the Ojito de la Cueva de Tio Mes, on the south by the north boundary line of the land of Indian Pueblo of Santa Domingo, on the east by the Bocas de Senetu, and on the west by the Rio Grande. Said claim containing fifty-four thousand four hundred four and ten-hundredths acres, according to the plat and survey of said claim approved by the court of private land claims March 25, 1896, on file in the General Land Office:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said heirs, assigns and legal representatives of Jacinto Pelaez and Maria Pelaez, and to Benigno Ortiz y Sandoval, Luciano Ortiz, Jose Ignacio Dimas, and Marcelino Baca, and to their heirs, the lands above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature thereunto belonging, unto the said heirs, assigns and legal representatives of Jacinto Pelaez and Maria Pelaez, and to Benigno Ortiz y Sandoval, Luciano Ortiz, Jose Ignacio Dimas, and Marcelino Baca, and to their heirs and assigns forever: Provided, That this grant shall not confer any right or title to any gold silver or quicksilver mines or minerals of the same, but all such mines and minerals shall remain the property of the United States, with the right of working the same; and that the said grant is made subject to all the limitations and terms of the said Act of Congress of March 3, 1891.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

(SEAL.) GIVEN under my hand, at the City of Washington, the twenty-sixth day of October, in the year of our Lord one thousand nine hundred and eight; and of the Independence of the United States the one hundred and thirty-third.

By the President: Theodore Roosevelt

By M. L. Lomax, Secretary.

H. Sanford, Recorder of the General Land Office.

4-401

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