

FIFTH JUDICIAL DISTRICT
COUNTY OF CHAVES
STATE OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
STATE ENGINEER
and PECOS VALLEY ARTESIAN
CONSERVANCY DISTRICT,

Plaintiffs,

v.

L.T. LEWIS, *et al.*, and
THE UNITED STATES OF AMERICA

Defendants.

Nos. 20294 and 22600
Consolidated

Hon. James J. Wechsler
Judge *Pro Tempore*

Pecos River Stream System
Cow Creek Section

Case No. D-504-WS-1900001

CLAIM TO SURFACE WATER RIGHT

The claimant(s) listed below submit(s) this Claim to Surface Water Right for a water right that was not depicted or described in the 2015 Cow Creek Watershed Hydrographic Survey.

1. Claimant(s) name(s) and contact information:

Claimant 1

Eugene & Lourdes M Lujan
First and last name

274 State Route 50
Mailing address

Grizeta, N.M. 87535
Mailing address continued

ternell@greenway.net
Email address

503-793-9238
Phone number

Claimant 2

Ternell & Christina Garrett
First and last name

15204 SE River Forest Dr.
Mailing address

Milwaukie, OR 97267
Mailing address continued

ternell@greenway.net
Email address

503-793-9238
Phone number

2. Priority date: ^{1856,} 1792, 1908

3. Source of water: Cow Creek

4. Amount of water: 3.08 ac. ft./annum

5. Purpose of use: irrigation

6. Period of use: growing season

7. Place of use (including 2015 Cow Creek Watershed Hydrographic Survey map sheet(s) where claimed water right is located): Sheet 11 PRCC 21.01,

NW 1/2 of PRCC 21.02 and a 75' wide connection between

8. Place or point of diversion (ditch): PRCC 21

9. Number of irrigated acres (if purpose of use is irrigation): 21.01 → 0.94 ac. ^{21.02 → 0.20 ac.}
^{connection → 0.40 ac.}
TOTAL 1.54 ac.

Attach a copy of the deed or other proof of ownership of the land where the water is being used.

9/12 POA Eugene + Lourdes Lejian

Claimant 1 signature

7/2/25
Date

Christina R. Barnett

Claimant 2 signature

7/2/25
Date

**LIMITED POWER OF ATTORNEY
EUGENE H. AND LOURDES M. LUJAN
DESIGNATION OF AGENT**

We, Eugene H. Lujan and Lourdes M. Lujan execute and sign this Limited Power of Attorney naming Terrell Garrett of Milwaukie Oregon as our agent ("Agent")

This limited authority is effective on this 27 day of June, 2025 and expires August 30, 2025.

Our Agent's authority is limited to all of our water rights of the property we own located in San Miguel County, New Mexico, near Cow Creek. This property was as conveyed to us through a deed recorded in Book 239, Page 5742 on April 29, 2004, Instrument #29741 with the Clerk of San Miguel County, is also identified as having Tax Parcel ID R0662362 and UPC 1-704-088-465-240) and consists of approximately 12.38 acres ("Property"). The water rights have been given use #PRCC-21.01A, with a point of diversion PRC-21 Gallegos Ditch. The scope of authority given is to claim, perfect and preserve the surface water rights of the Property, including but not limited to filing a Claim to Surface Water Right in the Fifth Judicial District, County of Chaves, State of New Mexico, Case NO. D-504-WS-19000001, State of New Mexico, ex rel v. L.T. Lewis et al. and communicating with the Office of State Engineer and signing any other documents as part of the claim, perfecting and preserving the surface water rights of the Property, and entering the Property in relation to the surface water rights, such as to improve, repair, make useful and irrigate the Property.

We reserve the right to revoke or amend this Limited Power of Attorney by written instrument signed by both of us and delivered to my Agent. If this Limited Power of Attorney has been filed or recorded in the public records, then the instrument of revocation or amendment shall be filed or recorded in the same public records. My agent may resign as my agent at any time, for any or no reason, by the execution of a written resignation delivered to me or, if I am mentally incapacitated, by delivery to any person with whom I am residing or who has the care or custody of me.

This Limited Power of Attorney shall be interpreted and governed according to the laws of New Mexico, including its validity, construction, interpretation, and termination, and, in particular, the Uniform Power of Attorney Act promulgated thereunder and effective as of July 1, 2007, 1978 NMSA, §§ 46B-1-101 et Seq.

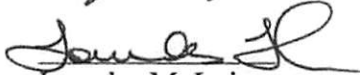
To the extent permitted by law, this Limited Power of Attorney shall not be limited to the State of New Mexico. If any part of this Limited Power of attorney shall be invalid or unenforceable under applicable law, the remaining provisions of this General Durable Power of Attorney shall remain effective.

Our Agent is authorized to make copies and images of this Limited Power of Attorney. Each copy shall have the same force and effect as the original. Any person dealing with our Agent is authorized to rely fully on such a copy showing my signature thereon.

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it has terminated or is invalid. Any person who deals with our agent shall not be responsible or required to verify, determine, or insure the proper application of funds or property.

SIGNATURE AND ACKNOWLEDGMENT


Eugene H. Lujan

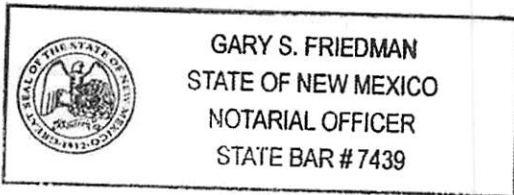

Lourdes M. Lujan

State of New Mexico
County of Santa Fe

This instrument was acknowledged before me on June 27, 2025 by Eugene H. Lujan and Lourdes M. Lujan.



Signature of Notarial Officer



~~My Commission Expires~~