

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**STATE OF NEW MEXICO, *ex rel.*
State Engineer,**

Plaintiff,

v.

R. LEE AAMODT, *et al.*,

Defendants.

and

**UNITED STATES OF AMERICA,
PUEBLO DE NAMBE,
PUEBLO DE POJAQUE,
PUEBLO DE SAN ILDEFONSO,
and PUEBLO DE TESUQUE,**

Plaintiffs-in-Intervention

No. 66cv 6639 MV/WPL

Subfile No.: PM-78582

**ENTRY OF APPEARANCE AND UNOPPOSED MOTION TO VACATE ORDER
ADJUDICATING POST-1982 DOMESTIC WELL WATER RIGHTS**

COMES NOW Sommer, Udall, Sutin, Hardwick & Hyatt, P.A. and enters its appearance on behalf of Dianna T. MacArthur (“Movant”), and submits this unopposed motion (the “Motion”) to vacate Order Adjudicating Post-1982 Domestic Well Water Rights (Docket No. 7246). This Motion is unopposed by Barbara Brill of the Office of the State Engineer. As grounds for the Motion, Movant states as follows:

1. On December 11, 2006, the Court entered its Order to Show Cause (Docket No. 6194).
2. Just cause exists to grant this Motion because wells permitted for multiple users are not being adjudicated at this time and Movant Dianna T. MacArthur should not have been served.

3. In addition, the multi-user well at issue should be adjudicated at a later time, when the State Engineer is engaged in adjudicating multi-user wells.

WHEREFORE, Movant requests that the Court vacate its Order Adjudicating Post-1982 Domestic Well Water Rights (Docket No. 7246).

SOMMER, UDALL, SUTIN
HARDWICK & HYATT, P.A.

Electronically filed

By: /s/ Kurt A. Sommer

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and approved by:

SPECIAL ASSISTANT
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Telephonic approval on 1/24/2011

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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of January, 2011, I filed the foregoing electronically through the CM/ECF system, which caused the parties or counsel reflected on the Notice of Electronic Filing to be served by electronic means.

/s/ Kurt A. Sommer