

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

STATE OF NEW MEXICO ex rel.)	
State Engineer, and UNITED STATES)	No. 68cv7488-BB-ACE
OF AMERICA,)	No. 70cv8650-BB-ACE
)	
Plaintiffs,)	Consolidated
)	
v.)	
)	
JOHN ABBOTT et al.,)	Rio Santa Cruz and
)	Rio de Truchas Stream Systems
Defendants.)	Pueblo Claims Subproceeding II

THE PUEBLO OF SANTA CLARA’S AND THE UNITED STATES OF AMERICA’S
UNOPPOSED MOTION TO EXCEED PAGE LIMITATION FOR REPLY BRIEF

The Pueblo of Santa Clara (“Santa Clara”) and the United States of America (“United States”) hereby move the Court to allow their reply brief in support of *The Pueblo of Santa Clara’s and the United States of America’s Motion to Strike the State of New Mexico’s Response to City of Española’s Motion for Summary Judgment on the Adjudication of Pueblo/United States Groundwater Claims* (Doc. 2759)(“Motion to Strike”) to exceed the page limit proscribed in D.N.M.LR-Civ. 7.5, provided the reply does not exceed thirty (30) pages in length. As grounds for the motion, Santa Clara and the United States state as follows:

1. On May 26, 2010, Santa Clara and the United States filed the Motion to Strike.
2. On June 14, 2010, three separate responses were filed in opposition to the Motion to Strike. Those responses were filed by the Truchas Acequias (Doc.2764), the City of Española (Española) (Doc. 2765), and the State of New Mexico (State) (Doc. 2766).
3. By agreement of the parties, the deadline for Santa Clara and the United States to reply has been extended until July 15, 2010. *See Notice of Extension of Time within which to File*

Reply Brief (Doc. 2771).

4. D.N.M.LR-Civ. 7.5 states that a reply brief must not exceed twelve (12) double-spaced pages.

5. Santa Clara and the United States wish to file one reply brief instead of filing three separate reply briefs addressing each of the respondents but will need more than twelve (12) pages in order to do so.

6. In accordance with D.N.M.LR-Civ. 7.1(a), the undersigned have contacted counsel for the other parties to this Subproceeding to ascertain if this motion is opposed. Counsel for the State and Española have indicated that they do not oppose this motion on the condition that the reply brief to be filed by Santa Clara and the United States does not exceed thirty (30) double-spaced pages in length and counsel for the other parties to the Subproceeding have no objections. Thus, the motion as framed is unopposed.

WHEREFORE, Santa Clara and the United States respectfully request that the Court enter an order allowing Santa Clara's and the United State's reply brief in support of its Motion to Strike to exceed the page limit set forth D.N.M. LR-Civ. 7.5, provided that the reply is not more than thirty (30) double-spaced pages in length.

Respectfully submitted,

/s/ electronically signed 07/07/10 JRA

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CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of July, 2010, I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

/s/ electronically signed 07/07/10
Jessica R. Aberly