

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 NAMBÉ,)
PUEBLO DE POJOAQUE,)
PUEBLO DE SAN ILDEFONSO, and)
PUEBLO DE TESUQUE,)

No. 66cv6639 MV/WPL

Plaintiffs-in-Intervention.

**OBJECTION TO SETTLEMENT AGREEMENT AND PROPOSED PARTIAL FINAL
JUDGMENT AND DECREE ON THE WATER RIGHTS OF THE PUEBLOS OF
TESUQUE, POJOAQUE, NAMBÉ AND SAN ILDEFONSO,
AND INTERIM ADMINISTRATIVE ORDER**

The party named below claims water rights in the Nambé-Pojoaque-Tesuque stream system and OBJECTS to the Settlement Agreement, proposed Partial Final Judgment and Decree on the water rights of the Pueblos of Tesuque, Pojoaque, Nambé and San Ildefonso and Interim Administrative Order for the reasons stated below:

Name: Heather and Terence Nordquist
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Santa Fe NM 87506
Telephone Number: 505 470-3622

Email: heather.nordqvist@gmail.com

Water rights file number(s) (e.g. OSE File No., Court Subfile No.):
RG 39893 SD0105 Subfile 227

Well number(s) (e.g. RG-, DS-, PM-): _____

Physical address or lot description of location of well: 40 County Road 84B,
Santa Fe NM

STATE THE SPECIFIC LEGAL AND FACTUAL BASIS FOR YOUR OBJECTION:
Defendant objects to the entry of Partial Final Decree based on the assertion that the State Engineer is without legal jurisdiction to unilaterally and arbitrarily close aquifers to further development by the Domestic Well Statute. Any unappropriated groundwater is owned by the citizens of the State of New Mexico. Thus, any decision to close or declare aquifers fully appropriated so as to not allow further use of said water lies outside the jurisdiction of the Office of the State Engineer. If water is available, the State Engineer cannot deny a domestic use permit. NM Statute 72-12-1. The State Engineer has not provided data to support OSE conclusion that the basin is fully appropriated.
STATE HOW YOUR WATER RIGHTS WILL BE INJURED OR HARMED IN A LEGALLY COGNIZABLE WAY BY THE SETTLEMENT AGREEMENT AND ENTRY OF THE PROPOSED DECREE AND INTERIM ORDER:

The defendant will be denied the protections afforded domestic well owners Under New Mexico law. Section 72-12-1 of the NMAC protects the owners of domestic wells by declaring that a minimum of water used for household purposes should be immune from priority call.

This Objection must be received by the Court no later than April 7, 2014 to be effective.

Attorneys must file electronically.

Heather Nordqvist
Signature of Objecting Party

If this Objection is filed by an attorney on behalf of the party, the attorney must enter an appearance and sign this objection:

By: _____
Signature of Attorney