

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

STATE OF NEW MEXICO *ex rel.*)
State Engineer,)
))
Plaintiff,)
))
vs.)
))
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,)
))
Plaintiffs-in-Intervention.)

No. 66cv06639 WJ/WPL

Subfile No. : RG-39822
(Defendant Addison Doty)

JOINT MOTION TO ENTER SUBFILE ORDER
ADJUDICATING THE POST-1982 DOMESTIC WELL WATER RIGHT CLAIMS OF
ADDISON DOTY UNDER SUBFILE PM-39822 PURSUANT TO THE POST-1982 WELL
STIPULATION AND SETTLEMENT AGREEMENT

COME NOW Plaintiff State of New Mexico, *ex rel.* State Engineer (State) and Defendant Addison Doty, by and through his attorney Kristofer C. Knudson, Esq., and hereby jointly request the Court to approve and enter an order adjudicating the post-1982 domestic well water rights claims of Addison Doty under Subfile PM-39822 pursuant to the *Post-1982 Domestic Well Stipulation and Settlement Agreement*, in the form attached hereto as Exhibit A, and in support thereof states as follows:

1. On May 11, 1983, Robert Gutierrez was granted a permit for post-1982 domestic well number RG-39822.

2. Sometime prior to 1995, Defendant Addison Doty succeeded to ownership of domestic well number RG-39822.

3. On October 21, 1999, the Court adopted the *Post-1982 Domestic Well Stipulation and Settlement Agreement* (No. 5549) (Settlement Agreement).

4. Due to administrative error or inadvertence, the State sent notice of an opportunity to participate in the Settlement Agreement to Defendant Addison Doty's predecessor-in-interest, Robert Gutierrez.

5. Had Defendant Addison Doty received notice of the Settlement Agreement, he would have elected to enter into it.

6. Under these circumstances the State does not object to Defendant Addison Doty being granted an opportunity to participate in the Settlement Agreement.

7. Defendant Addison Doty has approved the filing of this Motion.

WHEREFORE, the State requests the Court approve and enter an order adjudicating the post-1982 domestic well water rights claims of Defendant Addison Doty under Subfile PM-39822, pursuant to the Settlement Agreement, in the form attached hereto as Exhibit A.

Respectfully submitted,

/s/ Edward C. Bagley

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on November 19, 2014, 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.