

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

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

v.

No. Civ. 66-06639 WJ/WPL

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.

**ORDER GRANTING THE STATE OF NEW MEXICO'S
FIFTH MOTION TO JOIN PRE-BASIN CLAIMANTS
AS ADDITIONAL PARTIES DEFENDANT [DOC. NO. 10394]**

THIS MATTER is before the Court on Plaintiff the State of New Mexico's Fifth Motion to Join Pre-Basin Claimants As Additional Parties Defendant [Doc. No. 10394], filed October 22, 2015, and is before the Special Master pursuant to Fed. R. Civ. P. 53, the Order of Reference [Doc. No. 6336], as amended [Doc. No. 7736], and the Court's Procedural and Scheduling Order for the Adjudication of Water Rights for Domestic Wells, Including Pre-Basin Domestic Wells, Drilled or Permitted Prior to this Court's Order of January 13, 1983 (No. 641), filed August 2, 2012 [Doc. No. 7736].

No party has filed a response in opposition to the State's Motion. The Special Master finds that the motion is well taken, and will **GRANT** the motion. *See* N.M.S.A. 1978, § 72-4-17 (1965)

(all claimants, so far as they can be ascertained, with reasonable diligence, shall be made parties).

The State shall serve the defendants joined by this order as described in the Court's Procedural and Scheduling Order for the Adjudication of Water Rights for Domestic Wells, Including Pre-Basin Domestic Wells, Drilled or Permitted Prior to this Court's Order of January 13, 1983 (No. 641), filed August 2, 2012 [Doc. No. 7736] and the Special Master's Order Limiting the Consultation Period Set out in the Procedural and Scheduling Order for the Adjudication of Water Rights for Domestic Wells, Including Pre-Basin Domestic Wells, Drilled or Permitted Prior to this Court's Order of January 13, 1983 [Doc. No. 7950], filed August 23, 2013.

THE PARTIES ARE NOTIFIED THAT WITHIN 20 DAYS OF SERVICE of a copy of this order, report, or recommendations, they may file written objections with the Clerk of the Court pursuant to Federal Rule of Civil Procedure 53(f)(2). A party must file any objections with the Clerk of the Court within the twenty-day period if that party wants the District Judge to hear their objections. If no objections are filed within the twenty-day period, the District Judge may adopt the order, report or recommendations in whole.

IT IS SO ORDERED.

/s/ Pierre Levy
Pierre Levy, Special Master

December 29, 2015

CERTIFICATE OF SERVICE

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

/s/ Pierre Levy
Pierre Levy