

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

FILED *WR*  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

2015 MAY 29 AM 11:48

CLERK-SANTA FE

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

Plaintiff,

v.

R. LEE AAMODT,  
*et al.*,  
Defendants.

and  
UNITED STATES OF AMERICA,  
PUEBLO DE NAMBE,  
PUEBLO DE POJOAQUE,  
PUEBLO DE SAN ILDEFONSO,  
and PUEBLO DE TESUQUE,  
Plaintiffs-in-Intervention

No. 66cv06639 WJ/WPL

Subfile No: PM-89224

SUBFILE ANSWER

COME(S) NOW

YIWEN JIANG  
DAVID S. ROSEN

and answers the complaint as follows

I (We) object to the description of the water right(s) described by the proposed Consent Order for the above Subfile because: (explain and attach additional pages if needed)

\_\_\_\_\_  
\_\_\_\_\_  
*See Attached*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I (We) made a good faith effort to resolve my(our) disagreement with the Consent Order proposed by the State by:(describer and attach additional pages if needed)

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

(Instructions: Each named defendant, or the defendant's attorney, must sign and date this Answer. If multiple defendants are named and you have separate addresses or telephone numbers, please attach an additional address providing address information for each defendant. If you are signing on behalf of the named defendant, you must indicate the source of your legal authority to do so and provide both your address and the address of the named defendant.)

*[Signature]*
YIWEN JIANG

*[Signature]*
DAVID S. ROSEN

ADDRESS: 58C Three Rock Road  
Santa Fe, NM 87506

ADDRESS: 58C Three Rock Road  
Santa Fe, NM 87506

Phone 215-301-3163

Phone 215-880-7131

**IMPORTANT:**  
Within 20 days of service of this Notice, April 06, 2015, you must EITHER sign and send in the last Consent Order previously sent to you by the State OR file the enclosed Subfile Answer with the United States District Court. If you fail to accept and return the Consent Order OR do not file the Subfile Answer with 20 days, any right you may have to use your domestic well will be adjudicated by default judgment in accordance with the Consent Order.

Send signed Consent Orders OR a copy of your Subfile Answer to:  
Edward C. Bagley  
Office of the State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102

Send Subfile Answers to:  
U.S. District Court  
P.O. Box 2384  
Santa Fe, NM 87504-2384

*Attachment*

1. Property is 18 acres of land. One acre-foot of water is what the state engineer permit allows under RG – 89224.
2. Property could be further developed for a guesthouse and/or studio. Decreasing the amount of water allocated to less than 1 acre foot would severely diminish the value of the property.
3. We have just spent nearly \$20,000 to repair the existing well and pump anticipating a long term return on this investment..
4. Water is needed outside the home for established vegetation and a small garden. Presumably, this would come from the domestic well.
5. We should be allowed to use reclaimed water for outside use for trees and shrubs.
6. Outside use of the well is necessary because in times of drought outside vegetation need supplemental water.
7. From an environmental standpoint - landscaping the ridge top with drought tolerant species will help prevent/minimize soil erosion and restore the area to its pre-construction indigenous condition.

*58C Three Rock Road  
Santa Fe, NM 87506*

David Rosen  
582 Three Rock Road  
Santa Fe, NM 87506

RECEIVED  
AT SANTA FE

MAY 29 2015

MATTHEW J. DYKMAN  
CLERK

U.S. District Court

PO Box 2384

Santa Fe, NM 87504-2384

