

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

No. 66cv6639 WJ/WPL

Acequia Larga de Jacona  
Subfile No. 5.14  
OSE File No. RG-70318

Plaintiffs-in-Intervention.

**MOTION TO CORRECT SUBFILE ORDER TO ADD OMITTED GROUNDWATER  
POINT OF DIVERSION FOR DOMESTIC/LIVESTOCK WELL (SUBFILE NO. 5.14)**

Pursuant to Section A.2 of the July 23, 2013, *Procedural Order for Correcting Subfile Errors* (Doc. 7909), the State of New Mexico (“State”), by and through its counsel, requests the Court to enter the attached Order providing the legal description of the point of diversion (i.e., well location) for the groundwater right adjudicated for domestic and livestock use under Subfile No. 5.14. The State offers the following grounds for this motion:

1. On May 8, 1968, the Court entered an “Order” under Subfile 5.14 adjudicating a groundwater right for domestic and/or livestock use to Vicenta Gallegos (“Subfile Order”). The groundwater right and associated well were later designated by the Office of the State Engineer (“OSE”) as File No. RG-70318. The Subfile Order omitted a legal description of the location of

Well No. RG-70318, and instead described the point of diversion as “[w]ithin the Jacona Grant.”  
A copy of the Subfile Order is attached as *Exhibit 1*.

2. Accordingly, Section 5.B of the Subfile Order entered in Subfile No. 5.14 should be corrected to give the complete and accurate legal description of the point of diversion for Well No. RG-70318 as follows:

**B. Purpose – Domestic and/or Stock (underground water):**

**State Engineer File No.: RG-70318**

**Priority: 1935**

**Point of Diversion: X= 554,716 Y= 1,777,778 on the New Mexico State  
Plane Coordinate System, Central Zone, 1927 N.A.D.**

3. Except as requested by this motion, all other elements of the rights adjudicated under Subfile 5.14 should remain as stated in the Subfile Order and subsequent orders of this Court.

4. The State is serving a copy of this motion and a proposed order granting the motion on all parties or persons who, according to the records of the State, may have an ownership interest in Subfile No. 5.14. The State’s proposed order is attached as *Exhibit 2*.

WHEREFORE, the State requests that the Court enter the attached order correcting Section 5.B of the May 8, 1968 Subfile Order entered in Subfile No. 5.14 to give the complete and accurate legal description for the point of diversion of the groundwater right adjudicated for domestic and/or livestock use (Well No. RG-70318) as described in paragraph 2 above.

Electronically Filed,  
 By /s/ Brett J. Olsen  
 Brett J. Olsen  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 22, 2015, 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, and to the following person(s) by U.S. mail:

/s/ Brett Olsen  
 Brett J. Olsen

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