

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

Subfile Nos. 6.3, 19.16,
RG-3460

Plaintiffs-in-Intervention.

**[PROPOSED] ORDER GRANTING MOTION TO PARTIALLY VACATE SUBFILE
ORDER AND CORRECT PRIORITY DATE FOR DOMESTIC/LIVESTOCK RIGHT
(SUBFILE NOS. 6.3, 19.16, RG-3460)**

THIS MATTER is before the Court on the *Motion to Partially Vacate Subfile Order and Correct Priority Date for Domestic/Livestock Right (Subfile Nos. 6.3,19.16, RG-3460)* (Doc. _____, _____) filed by the State of New Mexico (the “State”). Having reviewed the Motion and being fully advised in the premises, the Court will grant the Motion.

IT IS ORDERED, THEREFORE, that Paragraph 5.B of the May 8, 1968 Order entered in Subfile No. 6.3 is hereby vacated to remove reference to Well No. RG-3460 and the related domestic/livestock groundwater right adjudicated for diversion from said well.

IT IS FURTHER ORDERED, that Paragraph 5.B of the March 14, 1969 Order entered in Subfile No. 19.16 is hereby corrected to describe the domestic/livestock ground water right adjudicated therein as follows:

Purpose: Non NMSA § 72-12-1 and -1.1 Domestic use and/or Livestock
(Groundwater Only)

State Engineer File No.: RG-3460

Priority: 12/31/1941

Point of Diversion: SE ¼ SE ¼ NE ¼ Sec. 12, T. 19N, R. 8E

Amount of Water: Not to exceed a diversion of 3.0 acre-feet per year from the well described above or the historic beneficial use, whichever is less.

Except as expressly corrected by this Order, all other elements of the rights adjudicated under Subfile Nos. 6.3 and 19.16 should remain as stated in the May 8, 1968 Order (Subfile No. 6.3), the March 14, 1969 Order (Subfile No. 19.16), and subsequent orders of this Court.

WILLIAM P. JOHNSON
UNITED STATES DISTRICT JUDGE