

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 STATE OF AMERICA,)
 PUEBLO DE NAMBÉ,)
 PUEBLO DE POJOAQUE,)
 PUEBLO DE SAN ILDEFONSO)
 and PUEBLO DE TESUQUE,)
)
 Plaintiff-in-Intervention.)

No. 66cv06639 WJ/WPL

RG-19967

SUBFILE ANSWER

COME(S) NOW

HERMAN SIEGELAAR
CORNELIA BRYER

by and through their attorneys Scheuer & Yost (Ralph H. Scheuer), 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)

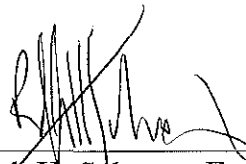
We previously submitted a Request for Consultation in this matter. The Request for Herman Siegelaar is attached hereto as Exhibit A and the Request for Cornelia Bryer is attached hereto as Exhibit B. Attached to each of those Requests for Consultation was a statement that the property has historically used substantially in excess of .7 acre-feet. That statement continues to be true, and in fact, the property beneficially consumes substantially all of its 3.0

acre-feet per annum allotment. That consumption is used for the purposes described in the exhibit to the Request for Consultation, and constitutes the rationale for declining the proposed allocation in the Consent Order.

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

Kindly see Exhibits A and B attached hereto. These indicate a good faith effort by requesting a consultation. Plaintiff's did not respond to these requests.

Respectfully submitted,

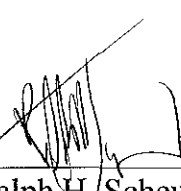


Ralph H. Scheuer, Esq.
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Cornelia Bryer
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CERTIFICATE OF SERVICE

I hereby certify that on the 2 day of December, 2016, I filed the foregoing was electronically through the CM/ECF system, which caused the parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing and I hereby certify that the foregoing was mailed by United States Mail to the following:

Edward C. Bagley
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102



Ralph H. Scheuer