

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

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

**Plaintiff,**

**No. Civ. 66-06639 WJ/WPL**

**R. LEE AAMODT *et al.***

**Subfiles No: RG-41225**

**Defendants,**

**and**

**UNITED STATES OF AMERICA  
PUEBLO DE NAMBE  
PUEBLO DE POJOAQUE  
PUEBLO DE SAN ILDEFONSO  
and PUEBLO DE TESUQUE**

**Plaintiffs-in-Intervention.**

**POJOAQUE VALLEY SCHOOL DIST. 1'S OBJECTIONS TO STATE'S PROPOSED  
CONSENT ORDER ADJUDICATING PRE-BASIN DOMESTIC WELL WATER RIGHTS**

Comes now Pojoaque Valley School Dist. 1 ("Pojoaque School"), by and through ..., and in accordance with the *Notice of Mandatory Status Conference* (Doc. No. 11092] objects as follows to the State's proposed *Consent Order Adjudicating Pre-Basin Domestic Well Water Rights* which was served on Pojoaque School by mail on November 22, 2016:

1. The proposed Consent Order does not recognize and adjudicate the entirety of Pojoaque School's rights to divert and use the public waters of the Rio Grande Underground Water Basin and the Nambe-Pojoaque-Tesuque stream system. Pojoaque School claims additional rights to divert and use such waters for all

school purposes including irrigation of recreation fields and landscaping, and asks that all its rights be adjudicated.

2. The proposed Consent Order does not recognize and adjudicate all the points of diversions from which Pojoaque School diverts its water rights, including RG-41225-S through S-6. Pojoaque School claims the right to divert its water rights in the Nambe-Pojoaque-Tesuque stream system from RG-41225, RG-41225-S through S-6.
3. No Request for Consultation Form was provided to Pojoaque School as directed by 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 (no. 641)* [Doc. 7736], ¶ II.B and C.

The post office box indicated as the mailing address for the District has not been used for over 10 years and the District has no records of having received communications from the Court or parties prior to the Order entered on November 22, 2016. Nevertheless, Pojoaque School requests consultation with the State regarding adjudication of its water rights and the proposed Consent Order.

Submitted by:

CUDDY & McCARTHY, LLP

/s/ Rebecca Dempsey

Charlotte H. Hetherington, Esq.

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**CERTIFICATE OF MAILING**

**I HEREBY CERTIFY** that on December 8, 2016, 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.

By: /s/ Rebecca Dempsey