

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 No. PM-40836

Plaintiffs-in-Intervention.

**ORDER GRANTING UNOPPOSED MOTION TO VACATE ORDER ADJUDICATING  
POST-1982 DOMESTIC WELL WATER RIGHTS (SUBFILE NO. PM-40836, PETE A.  
MONTROYA) [DOC. NO. 11176]**

THIS MATTER is before the Court on the *Unopposed Motion to Vacate Order Adjudicating Post-1982 Domestic Well Water Rights (Subfile No. PM-40836, Pete A. Montoya)* (Doc. 11176, December 5, 2016) filed by the State of New Mexico (the “State”). The motion addresses issues within the Order of Reference [Doc. No. 6336] (Special Master to address any errors and omissions process). Having reviewed the unopposed Motion and being fully advised in the premises, the Special Master finds the motion is well taken and should be **granted**.

IT IS ORDERED, THEREFORE, that the January 5, 2011, *Order Adjudicating Post-1982 Domestic Well Water Rights* [Doc. 7255] is hereby **vacated**. The parties shall promptly

submit an appropriate signed consent order to the Special Master, who will then forward the proposed consent order to the Court.

**THE PARTIES ARE NOTIFIED THAT WITHIN 14 DAYS OF SERVICE** [Doc. No. 10791] of a copy of this order, report, or recommendation, they may file written objections with the Clerk of the Court pursuant to Federal Rule of Civil procedure 53(f)(2). A party must file any objections with the Clerk of the Court within the fourteen day period if that party wants the District Judge to hear their objections. If no objections are filed within the fourteen day period, the District Judge may adopt the order, report of recommendations in whole.

\_\_\_\_\_  
/s/ Pierre Levy  
Pierre Levy, Special Master

December 28, 2016

#### **CERTIFICATE OF SERVICE**

I hereby certify that on the date of filing I caused the foregoing to be filed electronically through the CM/ECF system which caused the parties on the electronic service list as of the time of filing, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

\_\_\_\_\_  
/s/ Pierre Levy  
Pierre Levy