

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

STATE OF NEW MEXICO, ex rel. STATE)
ENGINEER,)

Plaintiff,)

v.)

No. 66cv6639 WJ/WPL

R. LEE AAMODT, et.al.,)

Defendants,)

And)

UNITED STATES OF AMERICA,)

PUEBLO DE NAMBE,)

PUEBLO DE SAN ILDEFONSO, and)

Subfile No. DS-123

PUEBLO DE TESUQUE,)

Plaintiffs-in-Intervention)

MOTION TO CORRECT CLERICAL ERROR IN PLACE OF USE
(SUBFILE NO. DS-123)

Pursuant to Section A.1 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 correct the March 30, 1990, “Order” (“Subfile Order”) entered in Subfile No. DS-123, *Exhibit 1* hereto, to reference the correct hydrographic survey map sheet under “Location and amount of acreage” in Subparts A.1 and A.2 of the Subfile Order. The State offers the following grounds for the motion:

1. Subparts A.1 and A.2 of the Subfile Order incorrectly reference hydrographic survey map sheet 21 in the description of the place of use for the irrigation water rights under File Nos. RG-19094 and RG-1538. The correct map sheet is 29. Accordingly, “Location and amount of acreage” in Subparts A.1 and A.2 of the Subfile Order should be corrected to reference “tract 18 map sheet 29 of the Nambe-Pojoaque-Tesuque Hydrographic Survey.”

2. A copy of the State's proposed order granting the motion is attached as *Exhibit 2*. Because the motion seeks only to make a clerical correction to a map sheet reference in the Subfile Order, the State is not required to serve copies of the motion by U.S. mail on defendants of record or persons who, according to the State's records, may have an interest in the right. *Procedural Order for Correcting Subfile Errors*, Sec. A.1.e (Doc. 7909, July 23, 2013).

WHEREFORE, the State requests that the Court enter the attached order correcting the hydrographic survey map sheet reference in Subparts A.1 and A.2 of the March 30, 1990, Order in Subfile No. DS-123, to "tract 18 map sheet 29 of the Nambe-Pojoaque-Tesuque Hydrographic Survey."

Respectfully Submitted,

/s/ Brett Olsen
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 22, 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, and served the following by U.S. Mail.

/s/ Brett Olsen
Brett Olsen