

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 )	Acequia del Rio
)	
UNITED STATES OF AMERICA, )	Subfile No. 2.36
PUEBLO DE NAMBE, )	OSE File Nos. RG-56157 & RG-56157-X
PUEBLO DE POJOAQUE, )	
PUEBLO DE SAN ILDEFONSO, )	
and PUEBLO DE TESUQUE, )	

Plaintiffs-in-Intervention.

**MOTION TO CORRECT LEGAL DESCRIPTION FOR IRRIGATION  
WELLS RG-56157 AND RG-56157-X (SUBFILE NO. 2.36)**

Pursuant to Section A.2 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 enter the attached Order correcting the legal description for Well Nos. RG-56157 and RG-56157-X in its May 10, 2016 Order [Doc. 10611] entered in Subfile No. 2.36. The State offers the following grounds for this motion:

1. On May 10, 2016, the Court entered an *Order Granting Motion to Vacate Order [Docket No. 10421] and Correct Subfile Order to Add Omitted Supplemental Groundwater Irrigation Water Right (Subfile No. 2.36)* [Doc. 10611] (the “May 2016 Order”) which is attached as *Exhibit 1*. The May 2016 Order vacated an earlier order [Doc. 10421, December 23, 2015], and corrected the May 3, 1974, Subfile Order entered in Subfile 2.36 to add two wells

(RG-56157 and RG-56157-X) as points of diversion for a supplemental groundwater irrigation water right with a May 31, 1952 priority.

2. The May 2016 Order contains in error in the legal description for both wells, and should be corrected to state at page 2:

Groundwater: Well No. RG-56157 located in the SE ¼ NW ¼ Sec. 9, T. 19N, R. 8E, and Well No. RG-56157-X located in the SE ¼ NW ¼ Sec. 9, T. 19N, R. 8E.

3. Except as requested herein, all elements of the rights adjudicated under Subfile No. 2.36 should remain as stated in the May 2016 Order, the May 3, 1974 Subfile Order, and other orders of this Court.

4. The State is serving a copy of this motion and a proposed order granting the motion on all parties or persons who, according to the records of the State, may have an ownership interest in Subfile No. 2.36. The State's proposed order is attached as *Exhibit 2*.

WHEREFORE, the State requests that the Court enter the attached order correcting the legal description for Well Nos. RG-56157 and RG-56157-X in its May 2016 Order [Doc. 10611, May 10, 2016].

Electronically Filed,  
/s/ Brett Olsen  
Brett J. Olsen  
Special Assistant Attorney General  
Office of the State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
Phone: (505) 827-3866  
Attorneys for the State of New Mexico

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 24, 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 to the following person(s) by U.S. mail:

/s/ Brett Olsen  
Brett J. Olsen

CARMEN GONZALES  
481 COUNTY ROAD 84  
SANTA FE, NM 87506-2067

GRACE R. DURAN  
73 COUNTY ROAD 84B  
SANTA FE, NM 87506-7216

JONATHAN E. ATENCIO  
385 DONNA AVE  
LOS ALAMOS, NM 87544

CARRIE D. ATENCIO  
385 DONNA AVE  
LOS ALAMOS, NM 87544

RONNIE E. DURAN  
73 COUNTY ROAD 84B  
SANTA FE, NM 87506-7216

ROBERT L. DURAN  
73 COUNTY ROAD 84B  
SANTA FE, NM 87506-7216

JULIO GONZALES  
481 COUNTY ROAD 84  
SANTA FE, NM 87506-2067

ANNETTE B. DURAN  
73 COUNTY ROAD 84B  
SANTA FE, NM 87506-7216