

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

STATE OF NEW MEXICO, <i>ex rel.</i> STATE)	
ENGINEER,)	
)	
Plaintiff,)	
)	No. 66cv6639 WJ/WPL
v.)	
)	
R. LEE AAMODT, <i>et al.</i> ,)	
)	
Defendants.)	
	/	

INTER SE OBJECTION

The person or entity named below files this *inter se* objection to the non-Pueblo water rights described in the Addendum to the Proposed Final Judgment and Decree on Water Rights in the Nambe-Pojoaque-Tesuque Stream System ("Pojoaque Basin") for the reasons stated below.

PLEASE TYPE OR PRINT:

FULL NAME Michael Tobias and Jane Morrison Trust dated April 24, 2007

MAILING ADDRESS 1439 Bishop's Lodge Road, Santa Fe, NM 87506

E-MAIL: janegm@aol.com

YOUR OWN WATER RIGHTS IN THE POJOAQUE BASIN (OSE File No, Court Subfile Number, Well Number): OSE RG-51566, Subfile 28.3, RG-51566

NON-PUEBLO WATER RIGHT(S) TO WHICH YOU OBJECT: (Please check the box and provide requested information. Additional forms may be necessary.)

(1) non-Pueblo groundwater rights;

(2) the source of water, point of diversion and priority dates of non-Pueblo surface water rights served by Las Acequias de Chupadero from the Rio en Medio;

(3)(a) the additional sources of water for non-Pueblo surface water rights served by the Acequia Larga de Jacona: the Rio Tesuque, Barry's Spring, Dona Inez Spring, Spring "A," Spring "B," and Spring "C";

(3)(b) the additional sources of water for non-Pueblo surface water rights served by the Acequia Ancon de Jacona: Pojoaque Creek and the Rio Tesuque;

3(c) all elements of surface water rights adjudicated under Subfile Nos. 31.1, 31.2, and 31.3;

(4) a provisional water right.

SUBFILE NUMBER(S): 28.3

DEFENDANT(S)/OWNER(S) Bruce L. Newman and Gwill L. Newman

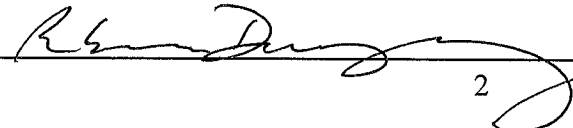
STATE THE SPECIFIC LEGAL AND FACTUAL BASIS FOR YOUR OBJECTION:

Subfile Order dated September 5, 1967 adjudicated this ground water right of 3 acre feet (af) per annum for Domestic and/or Stock to Floyd Harris. OSE Permit RG-51566, dated October 19, 1989, transferred 0.75 af of this right to RG-51566 owned by Jean C. Morrison. On November 1, 1999, Bruce and Gwill Newman acquired the remaining 2.25 af of this right by Warranty Deed from Henry D. Newby, who was also grantor of the 0.75 af transferred to Jean Morrison. The Newmans did not own 3 af of this right and should not be adjudicated that amount, but only 2.25 af. The Michael Tobias and Jane Morrison Trust should be adjudicated the right to divert 0.75 af of this right for domestic, stock and related purposes from RG-51566.

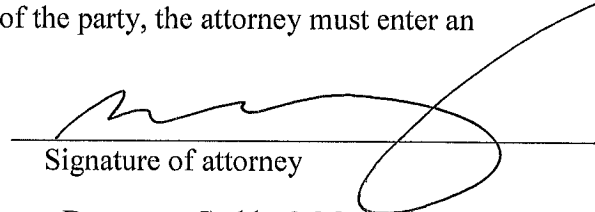
STATE HOW YOUR WATER RIGHT(S) WILL BE INJURED OR HARMED IN A LEGALLY COGNIZABLE WAY BY THE DETERMINATION OF THE WATER RIGHT(S) OBJECTED TO:

The Decree would fail to recognize Objectors' right to divert and use 0.75 af of groundwater for domestic, stock and related purposes from RG-51566 and would adjudicate Objectors' right to the Newmans.

I understand that I (or my attorney) must attend a mandatory scheduling conference to be held at a time and place to be announced. Further procedures for hearing *inter se* objections will be determined at the conference.

Signed:  Dated: 1/23/17

If this objection is filed by an attorney on behalf of the party, the attorney must enter an appearance and sign this objection:

By: 
Signature of attorney

ATTORNEY'S NAME AND ADDRESS: Rebecca Dempsey, Cuddy & McCarthy, LLP
P.O. Box 4160
Santa Fe, NM 87501-4160

TELEPHONE NUMBER: (505) 988-4476

EMAIL ADDRESS: rdempsey@cuddymccarthy.com

Attorney for: Michael Tobias and Jane Morrison Trust
Name of Party

This Objection must be received by the Court no later than **January 24, 2017** to be effective.

Attorneys must file electronically. Parties not represented by an attorney may mail or deliver an original and two copies of this document to the Clerk's Office, U.S. District Court, 333 Lomas N.W., Albuquerque, NM 87102, or 106 South Federal Place, Santa Fe, NM 87501.