

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,)
)
Plaintiffs-in-Intervention.)
_____)

NO. 66cv6639 WJ/WPL

Subfile: PM-73867

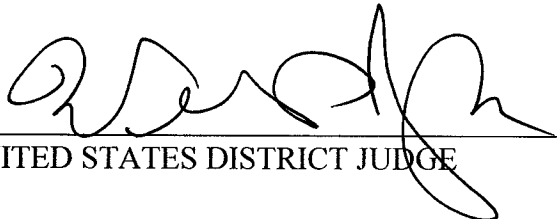
**ORDER GRANTING MOTION TO AMEND THE SEPTEMBER 26, 2012 ORDER
ADJUDICATING POST-1982 DOMESTIC WELL WATER RIGHT TO BENJAMIN R.
MATTES UNDER SUBFILE PM-73867 FROM DOMESTIC USE FOR ONE HOUSEHOLD
TO DOMESTIC USE FOR MULTIPLE HOUSEHOLDS [DOCKET NO. 11090]**

The Court, having considered Plaintiff the State of New Mexico’s (“State’s”) November 22, 2016 *Motion to Amend the September 26, 2012 Order Adjudicating Post-1982 Domestic Well Water Right to Benjamin R. Mattes Under Subfile PM-73867 from Domestic Use for One Household to Domestic Use for Multiple Households* (No. 11090), and being otherwise fully advised in the premises, the Court finds the State’s Motion is well taken, and that it should be **GRANTED.**

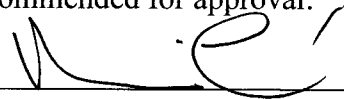
IT IS ORDERED, THEREFORE, that the September 26, 2012 *Order Granting Default Judgment* (No. 7763) to Benjamin R. Mattes under subfile PM-73867 be amended to have the

Purpose on page 2 read “Domestic Use for Multiple Households pursuant to NMSA § 72-12-1 and -1.1”; and the Amount of Water on that same page to read “Not to exceed a diversion and consumption of 0.5 acre feet per year per household, from the well described above but in no event may the aggregate use of those households served by the well exceed 3.00 acre feet per year, unless a more restrictive diversion limit applies pursuant to court order, covenant or ordinance. Well will be shared among multiple households pursuant to property covenant or agreement addressing water sharing.”

Except as expressly corrected by this Order, all other elements of the rights adjudicated under the above identified subfile shall remain as stated in their respective orders, and subsequent orders of the Court.


UNITED STATES DISTRICT JUDGE

Recommended for approval:


PIERRE LEVY
SPECIAL MASTER