

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

**ORDER GRANTING UNOPPOSED MOTION TO DISMISS DEFENDANT  
CHESTER A. SMITH, JR.'S JANUARY 24, 2017 INTER SE OBJECTIONS [DOC.  
NO. 11437]**

THIS MATTER having come before the Special Master, entered pursuant to the Order of Reference [Doc. No. 6336], as amended [Doc. No. 7736]. In its Order of Reference, the Court directed the Special Master to “hear and determine all claims and contentions of the parties... relating to...the final *inter se* phase of this adjudication.” Order of Reference at 4.

On March 22, 2017 Plaintiff the State of New Mexico filed its *Unopposed Motion to Dismiss Defendants Chester A. Smith, Jr. 's Two (2) January 24, 2017 Inter Se Objections* [Doc. No. 11437]. The Court, having reviewed the motion and otherwise being fully advised in the premises, hereby: **FINDS** the motion is well taken and

**ORDERS** that the State's *Motion* is granted, and the Defendants' two (2) January 24, 2017 *Inter Se Objections* (Nos. 11294 and 11295) are dismissed with prejudice.

IT IS SO ORDERED

**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

March 27, 2017

#### **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, and to the following via United States Mail, first class postage prepaid:

Chester A. Smith, Jr.  
66 Arroyo Cuyamungue Rd.  
Santa Fe, New Mexico 87506

          /s/ Pierre Levy  
Pierre Levy