

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  
 Chupadero Irrigation Company Ditch  
 Subfile No. 17.1

**NOTICE OF PARTIAL BRIEFING COMPLETE AND OF STIPULATED  
EXTENSION OF TIME TO RESPOND TO MOTION [DOC. 11433, 3/16/17]**

Pursuant to D.N.M.LR-Civ. 7.4(e), Las Acequias de Chupadero (“Movant”), through its counsel New Mexico Legal Aid, by David Benavides, hereby notifies the Court that briefing is complete as to the Christian Brothers Major Superiors on Movant’s *Motion to Correct Subfile Order (Subfile No. 17.1)* (Doc. 11433, March 16, 2017) (“Motion”). Movant also hereby notifies the Court pursuant to D.N.M.LR-Civ. 7.4(a) that Movant has stipulated to an extension of time until May 11, 2017 for the State of New Mexico (“State”) to file a response to Movant’s *Motion to Correct Subfile Order (Subfile No. 17.1)* (Doc. 11433, March 16, 2017).

1. Movant filed its Motion on March 16, 2017 requesting the reduction of the acreage amount under Subfile 17.1 by 0.72 acres, consisting of an irrigation pond, and the creation of a new Subfile 17.1A which would consist of the 0.72-acre irrigation pond to be adjudicated to Movant.

2. No response to the Motion was filed by the Christian Brothers Major Superiors by the applicable April 13, 2017 deadline. No position on the Motion has been stated informally to Movant by the Christian Brothers Major Superiors. The Christian Brothers Major Superiors are the claimants under Subfile 17.1.

3. On March 30, 2017, the original deadline for responding to the Motion was extended to April 13, 2017 for both the Christian Brothers Major Superiors and the State by stipulation. *Notice of Stipulated Extension of Time to Respond to Motion* (Doc. 11449, March 30, 2017).

4. Pursuant to D.N.M.LR-Civ. 7.1(b), failure to file a response in opposition to a motion by the deadline constitutes consent to grant the motion.

5. On April 13, 2017, the State contacted Movant and the deadline for the State to respond to the Motion was extended to April 27, 2017 by stipulation. *Second Notice of Stipulated Extension of Time to Respond to Motion* (Doc. 11452, April 13, 2017). This extension on its face was applicable only to the State.

6. On April 27, 2017, the State contacted Movant and the deadline for the State to respond to the Motion was extended to May 4, 2017. *Notice of Stipulated Extension of Time to Respond to Motion* (Doc. 11472, April 27, 2017). This extension on its face was applicable only to the State.

7. Pursuant to D.N.M.LR-Civ. 7.4(a) Movant hereby notifies the Court that it has stipulated to a further extension of time until May 11, 2017 for the State of New Mexico (“State”) to file a response to Movant’s *Motion to Correct Subfile Order (Subfile No. 17.1)* (Doc. 11433, March 16, 2017).

Electronically Filed,

NEW MEXICO LEGAL AID, INC.

*/s/ David Benavides*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 4, 2017, 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 and also by electronic mail where an electronic mail address is indicated below:

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*/s/ David Benavides*

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David Benavides