

**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 NAMBÉ,)
PUEBLO DE POJOAQUE,)
PUEBLO DE SAN ILDEFONSO,)
and PUEBLO DE TESUQUE,)
))
Plaintiffs-in-Intervention.)

No. 66cv6639 WJ/WPL

**RESPONSE TO STATE OF NEW MEXICO’S
MOTION FOR ENTRY OF FINAL JUDGMENT AND DECREE**

Comes now the Rio de Tesuque Association, Inc. (hereafter “the Association”) pursuant to the Court’s *Order Setting Schedule for Responses and Replies to the State of New Mexico’s Motion for Entry of Final Judgment and Decree* (Doc. 11515, June 8, 2017) and files this response to the *State of New Mexico’s Motion for Entry of Final Judgment and Decree* (Doc. 11186, *State’s Motion*). The Association supports the *State’s Motion* subject to the modification as set forth in the Association’s *Response to Joint Motion to Modify the Proposed Final Judgment and Decree and Cross Motion for Further Modification* (Doc. 11499, filed May 5, 2017, Association’s *Cross Motion*). The Association’s *Cross Motion* seeks further modification

to the modification requested by the US/Pueblos by the addition of the emphasized language set forth below:

As specified in the Settlement Agreement dated April 19, 2012, this Court incorporates by reference the Settlement Agreement and appoints the State Engineer to be the Water Master responsible for administering the water rights adjudicated to the Pueblos under this Decree. The State Engineer shall administer both the Pueblo and the Non-Pueblo water rights adjudicated by this Court ~~pursuant to the~~ **as set forth in the Settlement Agreement and** Final Decree. This Court maintains continuing jurisdiction to interpret and enforce the terms, provisions, and conditions of the Settlement Agreement dated April 19, 2012, and this Decree.

The Association's *Cross Motion* has been fully briefed and is now before the Court. The Association hereby incorporates the arguments set forth in its *Cross Motion* (Doc. 11499, May 22, 2017) and in the Association's *Reply to 1) the US/Pueblos' Response to the Rio Tesuque Association Cross Motion and 2) the State of New Mexico's Response to Cross Motion for Further Modification* (Doc. 11537, June 19, 2017).

Respectfully submitted this 19th day of June, 2017
Electronically Filed

/s/Larry C. White
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(505) 982-2863

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 19th day of June, 2017, I filed the foregoing electronically through the CM/ECF system, which caused to be served all those signed up on the CM/ECF system in this cause to be served by electronic means.

/s/Larry C. White
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