

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

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/LFG

RIO CHAMA STREAM SYSTEM
Section 3: Canjilon Creek

Subfile No. CHCJ-002-0029

ORDER SUBSTITUTING PARTIES

THIS MATTER is before the Court on the State of New Mexico's Motion for Substitution of Parties. [Doc. 10994]. The State seeks to substitute Sabino Rivera for Defendant Sergio Rivera with respect to the water rights described in subfile CHCJ-002-0029.¹ Sabino Rivera purchased the property associated with subfile CHCJ-002-0029 and filed the appropriate Change of Ownership of a Water Right form with the Office of the State Engineer. Federal Rule of Civil Procedure 25(c) allows the new owners to be substituted in an action when an interest is transferred. No responses opposing the motion have been filed. The Court will GRANT the motion.

The Clerk of the Court shall mail copies of this Order to the following:

Sabino Rivera
1115 Ocate Rd. #102
Santa Fe, NM 87507

Sergio Rivera
16 Chalan Rd.
Santa Fe, NM 87507

¹ The first sentence of the State's motion states that it seeks an order "substituting Sergio Rivera for defendant Sabino Rivera." The final sentence of the motion states that it seeks an order "substituting Sabino Rivera for defendant Sergio Rivera." Paragraph 1 of the motion indicates that Sabino Rivera is the current owner of the irrigated lands. Counsel for the State has confirmed to the Court that the first sentence of the order is incorrect and that the State seeks to substitute Sabino Rivera for defendant Sergio Rivera.

IT IS SO ORDERED

Lorenzo F. Garcia

Lorenzo F. Garcia

United States Magistrate Judge