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BEFORE THE NEW MEXICO STATE ENGINEER

OFFICE OF THE
STATE ENGINEER
HEARINGS UNIT
SANTA FE, NM

IN THE MATTER OF THE APPLICATION BY
BY STRICKLING RANCH PARTNERS, LP.,
AND HERMAN GALLEGOS AS TRUSTEE
FOR THE HERMAN GALLEGOS
REVOCABLE TRUST FOR PERMIT TO
CHANGE PLACE OF USE AND POINT OF
DIVERSION OF SURFACE WATER IN THE
PECOS STREAM SYSTEM IN SAN MIGUEL
COUNTY, NEW MEXICO

Hearing No. 16-020

OSE File No: SD-01882
Into SP-05093

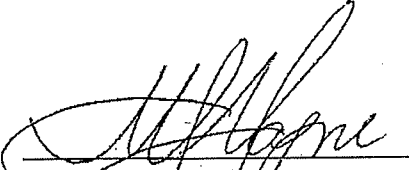
ORDER GRANTING MOTION FOR RECONSIDERATION OF ORDER DISMISSING .
PROTESTANT SAN MIGUEL COUNTY

This matter came before Maria Sanchez-Gagne, the State Engineer's designated Hearing Examiner, upon the Motion to Set Aside and Vacate the Order Approving Dismissal of San Miguel County and Their Status as a Protestor (Motion), filed on September 27, 2017. Having considered the matter, the Hearing Examiner finds that:

1. Former counsel of San Miguel County, Damian Martinez Esq., recommended in Executive Session that the County withdraw from the above-captioned matter. After the meeting, he mistakenly filed the Withdrawal.
2. There was no public hearing where the County commission voted or gave direction on the issue as to whether the governmental body should withdraw its Protestor status.
3. Formal action of a governmental body must occur in a public meeting before the legal status can be changed.
4. The Motion is well taken and should be granted.

THEREFORE, the Motion is granted, and San Miguel County is reinstated as a party to the above-captioned matter.

DONE this 3rd day of October, 2017.



Maria Sanchez-Gagne
Hearing Examiner

Exhibit A