

ELEVENTH JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF SAN JUAN

DISTRICT COURT
SAN JUAN COUNTY NM
FILED
2009 OCT 1 AM 11 20

STATE OF NEW MEXICO, ex. rel. THE
STATE ENGINEER,

Plaintiff,

vs.

THE UNITED STATES OF AMERICA, et. al.,

Defendants,

vs.

THE JICARILLA APACHE TRIBE and the
NAVAJO NATION,
Defendant-Interveners.

No. CV 75-184
Honorable Rozier F. Sanchez
District Judge Pro Tempore

SAN JUAN RIVER STREAM
SYSTEM ADJUDICATION

La Plata River Section

Court Case Nos. AF-01-527

Subfile Nos. SJLP-004-0042B

MOTION FOR SUBSTITUTION OF PARTIES and
FOR CORRECTION OF CASE TITLE

COMES NOW the Plaintiff, State of New Mexico *ex rel.* State Engineer ("State") and pursuant to NMRA 1-25 (C) (2008) hereby moves the Court to substitute the following parties, for the grounds and reasons set forth below:

1. A transfer of interest was completed for Case No. AF-01-527, State Subfile No. SJLP-004-0042B, wherein ownership of the property was transferred from Stephanie A. Lew and Roger M. Allyn to Mike Mayo and Elaine Mayo, as reflected by that San Juan County Assessor's Record Search attached hereto as Exhibit A and incorporated herein by reference.
2. Pursuant to NMRA Rule 1-25 (C) 2008, upon motion the Court may direct the person to whom the interest is transferred to be substituted in the action.
3. The State has contacted the respective parties and they do not oppose this Motion.

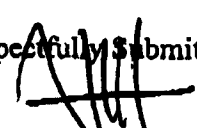
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4. The Case Title in the foregoing Court Case Number must be corrected in order to reflect the proper names of the claimants.

5. A form of Order is attached hereto for the Court's consideration.

WHEREFORE, the State respectfully requests that the Court enter an order substituting Mike Mayo and Elaine Mayo for Stephanie A. Lew and Roger M. Allyn and correcting the Case Title in Case No. AF-01-328 in order to reflect the proper names of the claimants.

Respectfully Submitted,



Todd M. Lopez
Special Assistant Attorney General
New Mexico Office of the State Engineer
P.O. Box 2246
Santa Fe, NM 87504-2246
(505) 992-0811
Attorney for Plaintiff State of New Mexico
ex rel. State Engineer

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 1 day of October, 2009, a true and correct copy of the foregoing was mailed by first class mail, postage prepaid to the following:

Mike and Elaine Mayo
PO Box 360
La Plata, NM 87418

Stephanie Lew and Roger Allyn
PO Box 269
La Plata, NM 87418



Todd M. Lopez

MOTION FOR SUBSTITUTION OF PARTIES

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San Juan County Assessor's Record Search

4-42B



San Juan County Assessor Property Display

Screen Produced on : 9/30/2009 6:11:12 PM

Tax ID #: R4000202 Type: Residential

Physical Address: 118 NM 574 , LA PLATA

Parcel Number: 2074185154417

Auto Map Parcel: Map Parcel

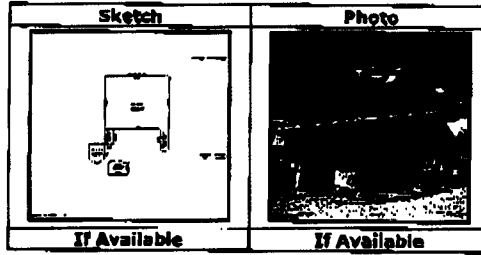
Taxing District: SOUT

Business Name: -

Mill Rate : 0.021425 Acres: 4

of Bldgs: 4

Serial Number: -
 Owner Name1: MAYO MIKE AND ELAINE
 Owner Name2: -
 Mailing Address: PO BOX 360
 City, St, & Zip: LA PLATA, NM 87418



Property Value Information		
	2008	2009
Gross Assessed	133863	141895
Net Assessed	44621	47298
Exemptions		-
Taxable Value	44621	47298
Taxes	1014.17	

Last Recorded Deed on our files:

Book: 1473 Page: 517

Doc Date: 4/7/2008

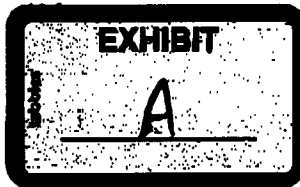
Section: 2 Township: 31 Range: 13 QTR: NE QTRQTR: NW

Subdivision: _____

Account Exemptions	
Exemption Type	Effective Year

Account Additions	
Addition Type	Effective Year
La Plata Water Fees	2009

Bldg#	Built As	Type	Year Built	SQFT	Stories
Bldg #1	Ranch 1 Story	Residential	1984	1785	1



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Court Case Nos. AF-01-527

Subfile Nos. SJLP-004-0042B

ORDER FOR SUBSTITUTION OF PARTIES and CORRECTION OF CASE TITLE

The Court having considered the Plaintiff, State of New Mexico *ex rel.* State Engineer's ("State") Motion for Substitution of Parties and Correction of Case Title;

AND THE COURT FINDING good cause whereby to substitute said parties and correct said Case Title;

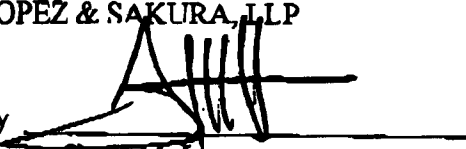
NOW, THEREFORE, IT IS ORDERED that Mike Mayo and Elaine Mayo are substituted for Stephanie A. Lew and Roger M. Allyn and the Case Title be corrected accordingly in Case No. AF-01-527.

THE HONORABLE ROZIER E. SANCHEZ
District Judge, *Pro Tempore*

APPROVED:

LOPEZ & SAKURA, LLP

By



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ORDER FOR SUBSTITUTION OF PARTIES

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