

2024 AUG 13 PM 12: 25

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

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

Plaintiff,

vs.

THE UNITED STATES OF AMERICA, *et al.*,

Defendants,

vs.

THE JICARILLA APACHE TRIBE and  
THE NAVAJO NATION,

Defendant-Interveners.

D-1116-CV-75-184  
Honorable James J. Wechsler  
Judge Pro Tempore

SAN JUAN RIVER BASIN  
ADJUDICATION

La Plata River Section

Court No. AF-01-			
275		455	593

**ORDER CORRECTING MISTAKES REGARDING SOURCE OF WATER  
DESCRIPTIONS IN THREE CONSENT ORDERS IN THE LA PLATA ADJUDICATION**

THIS MATTER having been reviewed by the Court on the *Motion to Correct Mistakes Regarding Source of Water Descriptions in Three Consent Orders in The La Plata Adjudication*, filed by the State of New Mexico *ex rel.* State Engineer (State) and having been heard by the Court, and the Court, being fully advised in the premises, FINDS:

1. The State makes this Motion under the authority of the Court's Order on the State's Rule 1-060(B) Procedure Motion, entered February 28, 2023.<sup>1</sup>
2. Consent Orders were entered by this Court adjudicating the water rights in the La Plata for the above captioned subfiles.

---

<sup>1</sup> *Order on State of New Mexico's Motion for Approval of an Expedited Rule 1-060(B) NMRA Procedure for Globally Correcting Clerical Mistakes that are Shared by Multiple Consent Orders in the La Plata Adjudication.*

3. The Appendix below describes the specific errors in the source of water descriptions associated with the above-captioned cases, and it provides the correct language that will resolve these errors.

4. The above-captioned cases should be corrected by an Order of the Court directly changing each source of water description error to conform with the adjudicated water rights.

5. These corrections will not substantively affect any rights of the owners of the above-captioned subfiles, nor will the corrections impair other water users or the State's administrative responsibilities.

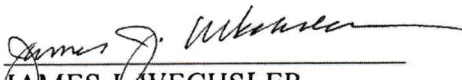
6. The original Defendants who signed the Consent Orders, and, where applicable, their current successors in interest, have been provided with an opportunity to respond to the Motion and no response has been filed.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that:

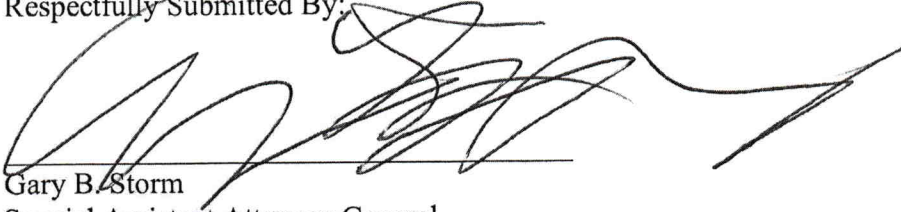
1. The State's *Motion to Correct Mistakes Regarding Source of Water Descriptions in Three Consent Orders in The La Plata Adjudication* is hereby granted.

2. In the above-captioned cases, the corrected language of each Consent Order correctly describes the water right in question.

IT IS SO ORDERED.

  
\_\_\_\_\_  
JAMES J. WECHSLER  
JUDGE PRO TEMPORE

Respectfully Submitted By:

A handwritten signature in black ink, appearing to read 'Gary B. Storm', written over a horizontal line.

Gary B. Storm  
Special Assistant Attorney General  
Office of the State Engineer  
P. O. Box 25102  
Santa Fe, NM 87504-5102  
505/827-6150  
505/827-3887 (fax)

Attorney for Plaintiff State of New Mexico,  
*ex rel.* State Engineer

## APPENDIX

### LA PLATA SUBFILE ORDERS WITH INCORRECT SOURCE OF WATER INFORMATION

Owner / Address	Subfile No.	Court No.	Date Subfile Order Entered	Subfile Order Heading with Error	Incorrect Source of Water Information	Change Needed Correction to Source of Water
Timothy Halphen Karla K. Halphen P.O. Box 392 La Plata, NM 87418	006-0022	AF-01-275	8/27/2014	A	Source of Water in Heading A incorrectly includes "CUNNINGHAM DITCH: ".	For Heading A:  Correct Source of Water by removing "CUNNINGHAM DITCH: ".
Animas Valley Properties c/o William Geier 1 Road 1799 Farmington, NM 87401	009-0003	AF-01-455	8/26/2014	A	Source of Water in Heading A incorrectly includes "JACKSON CANAL DITCH: ".	For Heading A:  Correct Source of Water by removing "JACKSON CANAL DITCH: ".
Alexandra Sandoval NM Department of Game and Fish 1 Wildlife Way Santa Fe, NM 87507	009-0017-A	AF-01-593	10/22/2015	A	Heading A, under Source, twice repeats, "Surface waters of the La Plata River, a tributary of the San Juan River".	For Heading A:  Correct Source of Water by removing duplicate "Surface waters of the La Plata River, a tributary of the San Juan River".