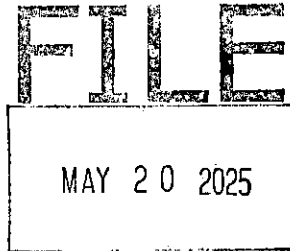


ELEVENTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO  
COUNTY OF SAN JUAN



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

DISTRICT COURT  
103 S. OLIVER

AZTEC, NEW MEXICO 87410

SAN JUAN RIVER BASIN ADJUDICATION

La Plata River Section

Court No. AF-01-									
25	78	116	121	129	140	189	201	202	203
204	205	210	214	221	230	233	239	313	314
317	321	322	323	324	332	336	341	346	368
396	488	516	520						

**GLOBAL MOTION TO CORRECT ERRONEOUS INFORMATION UNDER  
“AMOUNT OF WATER” HEADINGS IN THIRTY-FOUR CONSENT ORDERS  
IN THE LA PLATA ADJUDICATION**

STATE OF NEW MEXICO, *ex rel.* State Engineer, [State] moves the Court for an Order under Rule 1-060(B) NMRA to correct the erroneous information included under “Amount of Water” headings for various Consent Orders regarding the La Plata River Section of the San Juan River Basin that adjudicated water rights in the thirty-four above-captioned cases, and says in support thereof:

1. This Motion was made 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> [Exhibit A.]

2. This Court entered Consent Orders adjudicating the water rights in the La Plata Section of the San Juan River Basin for each of the 34 above-named cases. The relevant information regarding the Consent Orders for each of the 34 cases is included in the Appendix to this Motion. [Exhibit B]

3. Because of technical errors, some of the details included under the "Amount of Water" headings in the Consent Orders for those 34 cases were incorrectly identified or missing.

4. The Appendix below describes the specific errors in the "Amount of Water" descriptions associated with the above-captioned cases, and it provides the correct language that will resolve these errors. [Exhibit B]

5. All of the above-captioned cases should be corrected by an Order of the Court directly changing each erroneous detail under the "Amount of Water" headings to conform with the adjudicated water rights.

6. Correcting the Consent Orders will facilitate reconciliation of the La Plata Adjudication and will more accurately reflect the distribution of water within the La Plata.

7. Even though the Consent Orders listed in the Appendix were adjudicated as many as eighteen years ago (from 2007 to 2015), this Motion has been made within a reasonable time because it addresses matters that came to light toward the end of an adjudication process which, of necessity, takes several years, and because it addresses matters, some of which were brought to the State's attention by the Court's Database Manager, which affect substantive aspects of the

---

<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 Mistakes that are Shared by Multiple Consent Orders in the La Plata Adjudication.

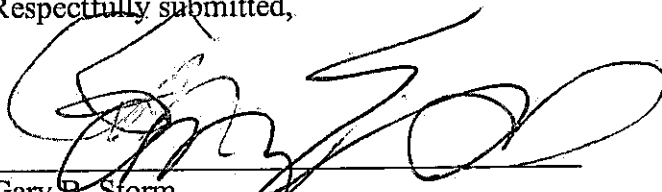
Defendants' water rights.

8. 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 this Motion.

WHEREFORE, the State respectfully requests the Court grant its Motion and order that all the Consent Orders in the above-captioned cases be corrected so that:

1. The "Amount of Water" descriptions in each subfile conforms with the adjudicated water rights, and
2. Such other relief as the Court deems appropriate.

Respectfully submitted,

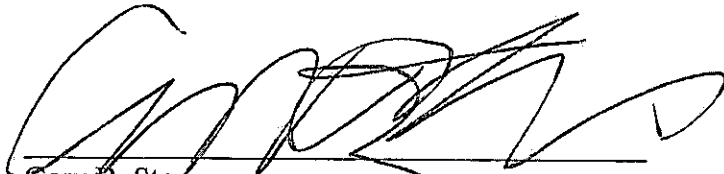


Gary B. Storm  
Special Assistant Attorney General  
Office of the State Engineer  
P. O. Box 25102  
Santa Fe, NM 87504-5102  
505/827-6150  
505/827-3887 (fax)

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

### **CERTIFICATE OF SERVICE**

I certify that on May 20, 2025, an electronic version of this document was filed by electronic mail to: sanjuanwater-grp@nmcourts.gov, and mailed through the United States Postal Service: to the persons listed below on the attached Service List.



Gary B. Storm  
Special Assistant Attorney General

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

DISTRICT COURT  
SAN JUAN COUNTY NM  
FILED

2023 FEB 28 PM 4:01

JB

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-Intervener.

D-1116-CV-75-184

Honorable James J. Wechsler  
Judge Pro Tempore

SAN JUAN RIVER BASIN  
ADJUDICATION

La Plata River Section

**ORDER ON STATE OF NEW MEXICO'S MOTION FOR APPROVAL OF AN  
EXPEDITED RULE 1-060(B) NMRA PROCEDURE FOR GLOBALLY CORRECTING  
MISTAKES THAT ARE SHARED BY MULTIPLE CONSENT ORDERS IN THE LA  
PLATA ADJUDICATION**

THIS MATTER having been reviewed by the Court on the Motion for Approval of an Expedited Rule 1-060(B) NMRA Procedure for Globally Correcting Mistakes that are Shared by Multiple Consent Orders in the La Plata Adjudication, filed by the State of New Mexico ex rel. State Engineer [State]; and the Court, being fully advised in the premises, FINDS:

1. The Court's Database Manager has undertaken a "Quality Control" review of all the Consent Orders that were entered by this Court adjudicating the water rights in the La Plata. This review has revealed mistakes in numerous filed Consent Orders.

2. In the course of adjudicating La Plata water rights, the State has identified certain mistakes in filed Consent Orders.

**EXHIBIT A**

3. This Motion concerns errors that are more appropriately addressed by Rule 1-060(B) because they may concern substantive aspects of a water right and are not necessarily merely clerical in nature.

4. Though numerous filed Consent Orders in the La Plata contain mistakes, there are comparatively few categories of such mistakes among all the Consent Orders. The various categories of these mistakes may include, but are not necessarily limited to:

- a) Discrepancies between maps and the Consent Orders to which they are attached.
- b) Incorrect Acreages for irrigated lands as well as no right lands.
- c) Missing and erroneous Amounts of Water.
- d) Incorrect ditch listed as Point of Diversion.
- e) Incorrect location for Point of Diversion of ditch.
- f) Ponds not included in Subfile Order.
- g) Incorrect or missing Priority Date.
- h) Incorrect or missing Rate of Flow.
- i) Incorrect aliquot part and location.

5. The correction of any of the above-listed errors may affect the substantive rights of the Defendants and may affect the State's administrative responsibilities.

6. Because the correction of these mistakes requires making a change in a Consent Order entered by the Court, Rule 1-060(B) is the most appropriate mechanism for affecting the necessary changes.

7. In the interest of promoting judicial efficiency, conserving the resources of the State, and shortening the time needed for completion of the adjudication of the La Plata, the State

should employ expedited procedures for globally correcting errors that are shared by multiple consent orders in La Plata Consent Orders.

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

The State shall implement the following expedited procedures for globally resolving ambiguities and achieving consistency among multiple Consent Orders in the La Plata

Adjudication:

- (a) The State and the Court shall confer regarding the date, time, and place for a hearing on the Global Motion to resolve a particular category of Consent Order ambiguity or inconsistency.
- (b) The Court shall issue a Notice of Hearing setting a hearing date, time, and place on the Global Motion. This Notice of Hearing will not be sent to the Defendants.
- (c) The State shall file a copy of the Global Motion for each subfile listed in that Motion's caption and shall serve on each original Defendant and, if applicable, on each current owner of record:

- a copy of this Order on double sided paper as an Exhibit to the Global Motion;
- the Global Motion; and
- a cover letter and Notice Form, as an Exhibit to the Global Motion, informing the Defendants of the date and time of the hearing, which the Defendants can use to notify the State and the Court of any response to the proposed change and their intent to appear at the hearing. The State shall file with the Court all of the Notice Forms that are returned by Defendants.

- (d) The Global Motion and proposed Global Order shall contain a table [Appendix] specifying the Owner whose name appears in the Consent Order at issue, their address, the

subfile number, the paragraph to be corrected within each Consent Order, the court number, the date the original Consent Order was filed, and any other information that the particular situation requires. The font of the table may be reduced to 11 or 10 points to minimize the number of pages of the Global Motion and Global Order.

(e) The State, if the Court believes it to be necessary, will publish the Global Motion, the proposed Global Order, Order on the Motion for expedited procedure, the Notice of Hearing, and the Form Notice on the Office of the State Engineer website on a page devoted to the La Plata adjudication. The State will provide further notice as the Court directs.

(f) In order to provide notice to all affected parties in accordance with due process requirements, the State shall use due diligence to determine the current owners of the water rights described in the Consent Orders that are the subject of each Global Motion. Such due diligence shall consist of:

- Obtaining available ownership information that has been updated by the Defendant and filed in the records of the Office of the State Engineer in accordance with NMSA 1978, § 72-1-2.1 (1996), and the Consent Order signed by the original Defendant, and
- Obtaining available ownership information from the San Juan County Assessor.

(g) Following the hearing, the Court shall enter a single Global Order correcting all the affected Consent Orders.


(h) The State shall serve the Global Order on each Defendant and on each identified current owner of record whose Consent Order is to be corrected and file a copy of the Global Order for each subfile listed in its caption.

(i) The Global Order shall expressly correct the original Consent Order.

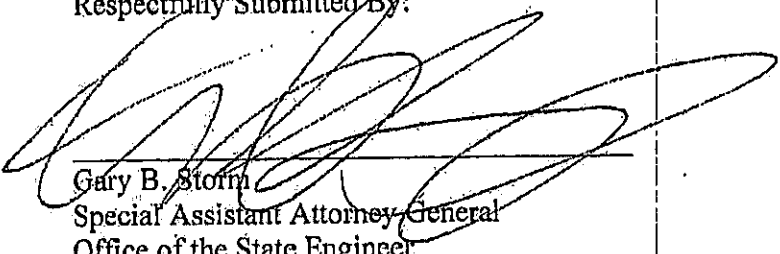


IT IS SO ORDERED.

Date: February 28, 2023

  
JAMES J. WECHSLER  
JUDGE PRO TEMPORE

Respectfully Submitted By:

  
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

## AMOUNT OF WATER

Owner & Address	Subfile No.	Date Consent Order Entered	Court No.	Heading with Error	Incorrect Amounts of Water	Change Needed: Corrected Amounts of Water
Russell A. Hill Maria Jacquez 1931 Highway 170 La Plata, NM 87418	001-0003	7/10/2008	AF-01-25	A	Amount of Water in Heading A incorrectly states: "Reserved for future determination."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 15.29 acre-feet per annum"
Joleen H. Walters Patrick M. Walters PO Box 299 La Plata, NM 87418	003-0006	2/25/2015	AF-01-78	A	The Consent Order for this subfile was the consequence of a Stipulated Order, entered April 18, 1988, in which the State and the Owners agreed and stipulated to the elements of the subfile's water rights.  The Stipulated Order incorrectly specified that the Amount of Water in Heading A should state: "Not to exceed 60.29 acre-feet per annum"	For Heading A:  Correct the Amount of Water to state: "Not to exceed 60.59 acre-feet per annum"
Andrea A. Yazzie Eugene D. Yazzie PO Box 1106 Farmington, NM 87499	003-0015A	5/27/2009	AF-01-516	B	Amount of Water missing from Heading B.	For Heading B:  Correct the Amount of Water to state: "NONE"

## EXHIBIT B

Roger Hutchinson PO Box 406, 26 NM 574 La Plata, NM 87418	003-0045	8/22/2008	AF-01-116	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum."	For Heading B:  Correct the Amount of Water to state: "NONE"
Marcia James Dwight F. James 10 County Road 1330 La Plata, NM 87418	003-0050	Amended 1/29/2009	AF-01-121	B	Amount of Water in Heading B of Amended Order incorrectly states: "Not to exceed [blank space] acre-feet per annum."	For Heading B:  Correct the Amount of Water to state: "NONE"
Tyler Eugene Truby 545 Mawanai Place #W Honolulu, HI 96818	004-0035A	6/22/2015	AF-01-520	A, B, C	Amount of Water in Heading A incorrectly states: "Not to exceed 75.69 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 75.99 acre-feet per annum"  For Heading B: Amount of Water: NONE  Add New Heading C: Amount of Water: NONE

Montoya Sheep & Cattle Co., Inc. 1592 NM 150 La Plata, NM 87418	004-0036	1/5/2009	AF-01-129	A, B, C	Amount of Water in Headings A, B, and C incorrectly state:  Heading A: "Not to exceed 75.99 acre-feet per annum"  Heading B: "Not to exceed 9.24 acre-feet per annum"  Heading C: "Not to exceed 47.38 acre-feet per annum"	Correct the Amount of Water for Headings A, B, and C to state:  For Heading A: "Not to exceed 75.74 acre-feet per annum"  For Heading B: "Not to exceed 9.21 acre-feet per annum"  For Heading C: "Not to exceed 47.22 acre-feet per annum"
Thelma Faye Nickles Lloyd L. Nickles 1394 Highway 170 La Plata, NM 87418	004-0052	7/21/2011	AF-01-488	C	Amount of Water in Heading C incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading C:  Correct the Amount of Water to state: "NONE"
Nila L. Hamblin G. Elbert Hamblin 1380 Highway 170 La Plata, NM 87418	005-0002	Original SO vacated and corrected SO entered 12/29/2009	AF-01-140	B	Amount of Water in Heading B of Corrected Order incorrectly states: "Not to Exceed 0.00 acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"
Tamie S. Cottrell Tim J. Cottrell 332 County Road 1191 La Plata, NM 87418	005-0008	5/22/2008	AF-01-189	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"

Ronald L. Sparks 7 Road 1344 La Plata, NM 87418	005-0021	5/28/2008	AF-01-201	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"
Theresa Anderson Rich Anderson PO Box 436 La Plata, NM 87418	005-0023	5/28/2008	AF-01-203	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"
Timothy Allen Black Michelle Black PO Box 414 La Plata, NM 87418	005-0024	5/28/2008	AF-01-204	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"
Michael M. Belt, Suzanne Belt PO Box 358 La Plata, NM 87418	005-0025	5/28/2008	AF-01-205	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"

Thelma Faye Nickles Lloyd L. Nickles 1394 Highway 170 La Plata, NM 87418	005-0031	10/5/2015	AF-01-210	A, B, C, D, E	<p>The original Subfile Order was a consequence of an Order of the court subsequent to litigation: Order Determining Water Rights of Thelma Faye Nickles and Lloyd L. Nickles, Subfile SJLP-005-0031</p> <p>Heading A:</p> <p>Amount of Water incorrectly states: Not to Exceed 288.30 acre-feet per annum</p> <p>Heading B:</p> <p>Amount of Water incorrectly states: Amount of Water: NONE</p>	<p>Correct the Amount of Water for Headings A, B, C, D, and E to state:</p> <p>For Heading A:</p> <p>Correct the Amount of Water to state: Not to Exceed 21.30 acre-feet per annum</p> <p>For Heading B:</p> <p>Correct the Amount of Water to state: Not to Exceed 267.00 acre-feet per annum</p> <p>For Heading C:</p> <p>Amount of Water: NONE</p> <p>For Heading D:</p> <p>Amount of Water: NONE</p> <p>Add new Heading E:</p> <p>Amount of Water: NONE</p>
Jolena R. Mills Aaron Mills 41 County Road 1401 La Plata, NM 87418	005-0039	5/28/2008	AF-01-214	B	<p>Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"</p>	<p>For Heading B:</p> <p>Correct the Amount of Water to state: "NONE"</p>

Robert W. Dinning Connie S. Dinning 7219 Driftwood Farmington, NM 87402	006-0043	10/16/2008	AF-01-221	A	Amount of Water in Heading A incorrectly states:  "Not to exceed 162.00 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 163.08 acre-feet per annum"
Jon Myers Jackie Myers PO Box 477 La Plata, NM 87418	007-0027	5/28/2008	AF-01-230	B, C	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"  Amount of Water in Heading C incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"  For Heading C:  Correct the Amount of Water to state: "NONE"
Gary W. Bees Marsha M. Bees 20955 West Lost Creek Drive Buckeye, AZ 85396	007-0033	12/29/2009	AF-01-233	A, B	Amount of Water in Heading A incorrectly states: "Not to exceed 81.24 acre-feet per annum."  Amount of Water in Heading B incorrectly states: "Not to exceed 24.48 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 105.40 acre-feet per annum."  For Heading B:  Correct the Amount of Water to state: "NONE"

Jeremy A. Kuchera Rebecca A. Kuchera 20 County Road 1636 Farmington, NM 87401	007-0044	8/22/2008	AF-01-314	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.53 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.51 acre-feet per annum"
Jeremy A. Kuchera Rebecca A. Kuchera 20 County Road 1636 Farmington, NM 87401	007-0045	8/22/2008	AF-01-317	A	Amount of Water in Heading A incorrectly states: "Not to exceed 2.75 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 2.72 acre-feet per annum"
Lynett Griffith Joe M. Brice 28 Road 1636 Farmington, NM 87401	007-0047	5/25/2007	AF-01-239	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.22 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.21 acre-feet per annum"
Douglas D. Fessenden 30 County Road 1636 Farmington, NM 87401	007-0048	8/5/2009	AF-01-313	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.53 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.51 acre-feet per annum"
Frank W. Andrews Renee Andrews 32 Road 1636 Farmington, NM 87401	007-0049	12/29/2009	AF-01-314	A	Amount of Water in Heading A incorrectly states: "Not to exceed 5.20 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 5.13 acre-feet per annum"



Caroline Hartsell Sidney L. Hartsell 27 County Road 1636 Farmington, NM 87401	007-0051	Amended 6/11/2019	AF-01-321	A	Amount of Water in Heading A of Amended Order incorrectly states: "Not to exceed 1.22 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.21 acre-feet per annum"
Ginger K. Lockerby Johnny L. Lockerby 25 County Road 1636 Farmington, NM 87401	007-0052	10/16/2008	AF-01-322	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.84 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.81 acre-feet per annum"
Teresa Perkins Glen Perkins PO Box 1091 Farmington, NM 87499	007-0053	10/16/2008	AF-01-323	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.22 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.21 acre-feet per annum"
Rebecca L. Buckley 19 County Road 1636 Farmington, NM 87401	007-0054	10/16/2008	AF-01-324	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.84 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.81 acre-feet per annum"
Fred V. Archuleta Juanita S. Archuleta PO Box 211 La Plata, NM 87418	007-0063	10/16/2008	AF-01-332	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.84 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.81 acre-feet per annum"

Kathy Waybourn Don Waybourn PO Box 326 La Plata, NM 87418	007-0067	10/16/2008	AF-01-336	A	Amount of Water in Heading A incorrectly states: "Not to exceed 19.58 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 19.33 acre-feet per annum."
Christine N. Dunlap Jim T. Dunlap 740 Highway 170 Farmington, NM 87401	008-0003	Amended 10/13/2015	AF-01-341	A	Amount of Water in Heading A of Amended Order incorrectly states: "Not to exceed 21.42 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 20.50 acre-feet per annum"
Heimo Trathnigg PO Box 1693 Farmington, NM 87499	008-0009A	10/16/2008	AF-01-346	A, B	Amount of Water in Heading A incorrectly states: "Not to exceed [blank space] acre-feet per annum"  Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading A:  Correct the Amount of Water to state: "Not to exceed 18.05 acre-feet per annum."  For Heading B:  Correct the Amount of Water to state: "NONE"
Russell Walls PO Box 3871 Farmington, NM 87499	008-0030B	10/16/2008	AF-01-368	A	Amount of Water in Heading A incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading A:  Correct the Amount of Water to state: "Not to exceed 7.34 acre-feet per annum."

Juan A. Vigil Cathy F. Vigil 5 County Road 1768 Farmington, NM 87401	008-0060	9/20/2010	AF-01-396	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"
---	----------	-----------	-----------	---	---	--

## SERVICE LIST

Russell A. Hill Maria Jacquez 1931 Highway 170 La Plata, NM 87418	Jon Myers Jackie Myers PO Box 477 La Plata, NM 87418
Joleen H. Walters Patrick M. Walters PO Box 299 La Plata, NM 87418	Gary W. Bees Marsha M. Bees 20955 West Lost Creek Drive Buckeye, AZ 85396
Andrea A. Yazzie Eugene D. Yazzie PO Box 1106 Farmington, NM 87499	Jeremy A. Kuchera Rebecca A. Kuchera 20 County Road 1636 Farmington, NM 87401
Roger Hutchinson PO Box 406, #26 Highway 574 La Plata, NM 87418	Lynett Griffith Joe M. Brice 28 Road 1636 Farmington, NM 87401
Marcia James Dwight F. James 10 County Road 1330 La Plata, NM 87418	Douglas D. Fessenden 30 County Road 1636 Farmington, NM 87401
Tyler Eugene Truby 545 Mawanai Place #W Honolulu, HI 96818	Frank W. Andrews Renee Andrews 32 Road 1636 Farmington, NM 87401
Montoya Sheep & Cattle Co., Inc. 1592 NM 150 La Plata, NM 87418	Caroline Hartsell Sidney L. Hartsell 27 County Road 1636 Farmington, NM 87401
Thelma Faye Nickles Lloyd L. Nickles 1394 Highway 170 La Plata, NM 87418	Ginger K. Lockerby Johnny L. Lockerby 25 County Road 1636 Farmington, NM 87401
Nila L. Hamblin G. Elbert Hamblin 1380 Highway 170 La Plata, NM 87418	Teresa Perkins Glen Perkins PO Box 1091 Farmington, NM 87499
Tamie S. Cottrell Tim J. Cottrell 332 County Road 1191 La Plata, NM 87418	Rebecca L. Buckley 19 County Road 1636 Farmington, NM 87401
Ronald L. Sparks 7 Road 1344 La Plata, NM 87418	Fred V. Archuleta Juanita S. Archuleta PO Box 211 La Plata, NM 87418

Theresa Anderson Rich Anderson PO Box 436 La Plata, NM 87418	Kathy Waybourn Don Waybourn PO Box 326 La Plata, NM 87418
Timothy Allen Black Michelle Black PO Box 414 La Plata, NM 87418	Christine N. Dunlap Jim T. Dunlap 740 Highway 170 Farmington, NM 87401
Michael M. Belt Suzanne Belt PO Box 358 La Plata, NM 87418	Heimo Trathnigg PO Box 1693 Farmington, NM 87499
Jolena R. Mills Aaron Mills 41 County Road 1401 La Plata, NM 87418	Russell Walls PO Box 3871 Farmington, NM 87499
Robert W. Dinning Connie S. Dinning 7219 Driftwood Farmington, NM 87402	Juan A. Vigil Cathy F. Vigil 5 County Road 1768 Farmington, NM 87401

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

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.

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

SAN JUAN RIVER BASIN  
ADJUDICATION

La Plata River Section

**CLAIMANT'S OBJECTION TO GLOBAL MOTION TO CORRECT ERRONEOUS  
INFORMATION UNDER "AMOUNT OF WATER" HEADINGS IN THIRTY-FOUR  
CONSENT ORDERS IN THE LA PLATA ADJUDICATION**

If you object to the correction of your La Plata Consent Order in the manner described in the *Global Motion to Correct Erroneous Information Under "Amount of Water" Headings in Thirty-Four Consent Orders in the La Plata Adjudication* [Global Motion], you **MUST** (1) complete and return this form to the State within the time designated below **AND** (2) attend the hearing.

**The STATE must RECEIVE this Objection by mail, fax, or hand delivery NO LATER THAN JUNE 19, 2025, at: Office of the State Engineer, Legal Services Division, P.O. Box 25102, Santa Fe, New Mexico 87504-5102.**

**A hearing will be conducted on any objections filed, following notice to the parties.**

If you object but fail to attend the hearing, the Court will enter an Order correcting your La Plata Consent Order in accordance with the *Global Motion*.

If you do not object, you do not need to attend the hearing or return this form, and the Court will enter an Order correcting your La Plata Consent Order in accordance with the *Global Motion*.

## STATEMENT OF OBJECTION AND INTENT TO PARTICIPATE IN HEARING

Full Name of Party or Parties:

\_\_\_\_\_  
\_\_\_\_\_

Mailing Address:

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-Mail: \_\_\_\_\_

If this Objection is filed by an attorney on behalf of the party, the attorney must enter an appearance as required by Rule 1-089 NMRA and attach it to this completed Objection.

I (We), \_\_\_\_\_, object to  
correcting my (our) La Plata Consent Order in accordance with the *Global Motion*.

Describe as specifically as possible the nature of your objection. Use additional pages as necessary. Attach any supporting documents with explanations as to the relevance of these documents.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_

\_\_\_\_\_

Dated: \_\_\_\_\_

You must complete this Statement of Objection and submit the original by mail, fax, or in person to the State on or before **June 19, 2025**. The State will file your Objection and a Certificate of Service with the Court.

**A hearing will be conducted on any objections filed, following notice to the parties.**

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-									
25	78	116	121	129	140	189	201	202	203
204	205	210	214	221	230	233	239	313	314
317	321	322	323	324	332	336	341	346	368
396	488	516	520						

**ORDER CORRECTING ERRONEOUS INFORMATION UNDER  
“AMOUNT OF WATER” HEADINGS IN THIRTY-FOUR CONSENT ORDERS  
IN THE LA PLATA ADJUDICATION**

THIS MATTER having been reviewed by the Court on the *Global Motion to Correct Erroneous Information Under “Amount of Water” Headings in Thirty-Four 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. The Court entered Consent Orders adjudicating the water rights in the La Plata Adjudication for each of the 34 above-named cases. The relevant information regarding the Consent Orders for each of the 34 cases is included in the Appendix to this Order.

3. Because of technical errors, some of the details included under the “Amount of Water” headings in the Consent Orders for those 34 cases were incorrectly identified or missing.

4. The Appendix below describes the specific errors in the “Amount of Water” descriptions associated with the above-captioned cases, and it provides the correct language that will resolve these errors.

5. All of the above-captioned cases should be corrected by an Order of the Court directly changing each erroneous detail under the “Amount of Water” headings to conform with the adjudicated water rights.

6. Correcting the Consent Orders will facilitate reconciliation of the La Plata Adjudication and will more accurately reflect the distribution of water within the La Plata.

7. Even though the Consent Orders listed in the Appendix were adjudicated as many as eighteen years ago (from 2007 to 2015), this Motion has been made within a reasonable time because it addresses matters that came to light toward the end of an adjudication process which, of necessity, takes several years, and because it addresses matters, some of which were brought to the State’s attention by the Court’s Database Manager, which affect substantive aspects of the Defendants’ water rights.

8. 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

---

<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 Mistakes that are Shared by Multiple Consent Orders in the La Plata Adjudication.*

filed on May 20, 2025.

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

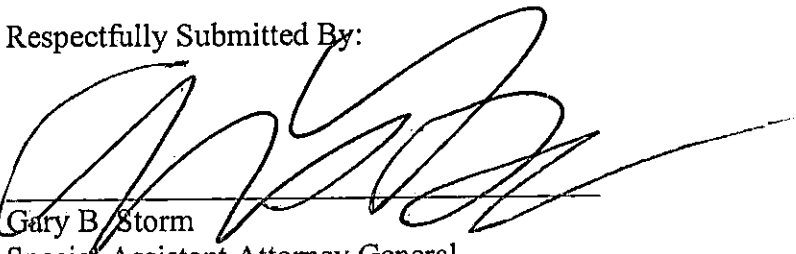
1. The State's *Global Motion to Correct Erroneous Information Under "Amount of Water" Headings in Thirty-Four Consent Orders in the La Plata Adjudication* is hereby granted.
2. The corrected language of each Consent Order in the above-captioned cases and related subfiles correctly describes the water right in question.

IT IS SO ORDERED.

---

JAMES J. WECHSLER  
JUDGE PRO TEMPORE

Respectfully Submitted By:



---

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

# AMOUNT OF WATER

Owner & Address	Subfile No.	Date Consent Order Entered	Court No.	Heading with Error	Incorrect Amounts of Water	Change Needed: Corrected Amounts of Water
Russell A. Hill Maria Jacquez 1931 Highway 170 La Plata, NM 87418	001-0003	7/10/2008	AF-01-25	A	Amount of Water in Heading A incorrectly states: "Reserved for future determination."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 15.29 acre-feet per annum"
Joleen H. Walters Patrick M. Walters PO Box 299 La Plata, NM 87418	003-0006	2/25/2015	AF-01-78	A	The Consent Order for this subfile was the consequence of a Stipulated Order, entered April 18, 1988, in which the State and the Owners agreed and stipulated to the elements of the subfile's water rights.  The Stipulated Order incorrectly specified that the Amount of Water in Heading A should state: "Not to exceed 60.29 acre-feet per annum"	For Heading A:  Correct the Amount of Water to state: "Not to exceed 60.59 acre-feet per annum"
Andrea A. Yazzie Eugene D. Yazzie PO Box 1106 Farmington, NM 87499	003-0015A	5/27/2009	AF-01-516	B	Amount of Water missing from Heading B.	For Heading B:  Correct the Amount of Water to state: "NONE"

Roger Hutchinson PO Box 406, 26 NM 574 La Plata, NM 87418	003-0045	8/22/2008	AF-01-116	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum."	For Heading B:  Correct the Amount of Water to state: "NONE"
Marcia James Dwight F. James 10 County Road 1330 La Plata, NM 87418	003-0050	Amended 1/29/2009	AF-01-121	B	Amount of Water in Heading B of Amended Order incorrectly states: "Not to exceed [blank space] acre-feet per annum."	For Heading B:  Correct the Amount of Water to state: "NONE"
Tyler Eugene Truby 545 Mawanai Place #W Honolulu, HI 96818	004-0035A	6/22/2015	AF-01-520	A, B, C	Amount of Water in Heading A incorrectly states: "Not to exceed 75.69 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 75.99 acre-feet per annum"  For Heading B: Amount of Water: NONE  Add New Heading C: Amount of Water: NONE

Montoya Sheep & Cattle Co., Inc. 1592 NM 150 La Plata, NM 87418	004-0036	1/5/2009	AF-01-129	A, B, C	Amount of Water in Headings A, B, and C incorrectly state:  Heading A: "Not to exceed 75.99 acre-feet per annum"  Heading B: "Not to exceed 9.24 acre-feet per annum"  Heading C: "Not to exceed 47.38 acre-feet per annum"	Correct the Amount of Water for Headings A, B, and C to state:  For Heading A: "Not to exceed 75.74 acre-feet per annum"  For Heading B: "Not to exceed 9.21 acre-feet per annum"  For Heading C: "Not to exceed 47.22 acre-feet per annum"
Thelma Faye Nickles Lloyd L. Nickles 1394 Highway 170 La Plata, NM 87418	004-0052	7/21/2011	AF-01-488	C	Amount of Water in Heading C incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading C:  Correct the Amount of Water to state: "NONE"
Nila L. Hamblin G. Elbert Hamblin 1380 Highway 170 La Plata, NM 87418	005-0002	Original SO vacated and corrected SO entered 12/29/2009	AF-01-140	B	Amount of Water in Heading B of Corrected Order incorrectly states: "Not to Exceed 0.00 acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"
Tamie S. Cottrell Tim J. Cottrell 332 County Road 1191 La Plata, NM 87418	005-0008	5/22/2008	AF-01-189	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"

Ronald L. Sparks 7 Road 1344 La Plata, NM 87418	005-0021	5/28/2008	AF-01-201	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"
Theresa Anderson Rich Anderson PO Box 436 La Plata, NM 87418	005-0023	5/28/2008	AF-01-203	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"
Timothy Allen Black Michelle Black PO Box 414 La Plata, NM 87418	005-0024	5/28/2008	AF-01-204	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"
Michael M. Belt Suzanne Belt PO Box 358 La Plata, NM 87418	005-0025	5/28/2008	AF-01-205	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"

Thelma Faye Nickles Lloyd L. Nickles 1394 Highway 170 La Plata, NM 87418	005-0031	10/5/2015	AF-01-210	A, B, C, D, E	<p>The original Subfile Order was a consequence of an Order of the court subsequent to litigation: Order Determining Water Rights of Thelma Faye Nickles and Lloyd L. Nickles, Subfile SJLP-005-0031</p> <p>Heading A:</p> <p>Amount of Water incorrectly states: Not to Exceed 288.30 acre-feet per annum</p> <p>Heading B:</p> <p>Amount of Water incorrectly states: Amount of Water: NONE</p>	<p>Correct the Amount of Water for Headings A, B, C, D, and E to state:</p> <p>For Heading A:</p> <p>Correct the Amount of Water to state: Not to Exceed 21.30 acre-feet per annum</p> <p>For Heading B:</p> <p>Correct the Amount of Water to state: Not to Exceed 267.00 acre-feet per annum</p> <p>For Heading C:</p> <p>Amount of Water: NONE</p> <p>For Heading D:</p> <p>Amount of Water: NONE</p> <p>Add new Heading E:</p> <p>Amount of Water: NONE</p>
Jolena R. Mills Aaron Mills 41 County Road 1401 La Plata, NM 87418	005-0039	5/28/2008	AF-01-214	B	<p>Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"</p>	<p>For Heading B:</p> <p>Correct the Amount of Water to state: "NONE"</p>

Robert W. Dinning Connie S. Dinning 7219 Driftwood Farmington, NM 87402	006-0043	10/16/2008	AF-01-221	A	Amount of Water in Heading A incorrectly states:  "Not to exceed 162.00 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 163.08 acre-feet per annum"
Jon Myers Jackie Myers PO Box 477 La Plata, NM 87418	007-0027	5/28/2008	AF-01-230	B, C	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"  Amount of Water in Heading C incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"  For Heading C:  Correct the Amount of Water to state: "NONE"
Gary W. Bees Marsha M. Bees 20955 West Lost Creek Drive Buckeye, AZ 85396	007-0033	12/29/2009	AF-01-233	A, B	Amount of Water in Heading A incorrectly states: "Not to exceed 81.24 acre-feet per annum."  Amount of Water in Heading B incorrectly states: "Not to exceed 24.48 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 105.40 acre-feet per annum."  For Heading B:  Correct the Amount of Water to state: "NONE"



Jeremy A. Kuchera Rebecca A. Kuchera 20 County Road 1636 Farmington, NM 87401	007-0044	8/22/2008	AF-01-314	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.53 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.51 acre-feet per annum"
Jeremy A. Kuchera Rebecca A. Kuchera 20 County Road 1636 Farmington, NM 87401	007-0045	8/22/2008	AF-01-317	A	Amount of Water in Heading A incorrectly states: "Not to exceed 2.75 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 2.72 acre-feet per annum"
Lynett Griffith Joe M. Brice 28 Road 1636 Farmington, NM 87401	007-0047	5/25/2007	AF-01-239	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.22 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.21 acre-feet per annum"
Douglas D. Fessenden 30 County Road 1636 Farmington, NM 87401	007-0048	8/5/2009	AF-01-313	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.53 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.51 acre-feet per annum"
Frank W. Andrews Renee Andrews 32 Road 1636 Farmington, NM 87401	007-0049	12/29/2009	AF-01-314	A	Amount of Water in Heading A incorrectly states: "Not to exceed 5.20 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 5.13 acre-feet per annum"

Caroline Hartsell Sidney L. Hartsell 27 County Road 1636 Farmington, NM 87401	007-0051	Amended 6/11/2019	AF-01-321	A	Amount of Water in Heading A of Amended Order incorrectly states: "Not to exceed 1.22 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.21 acre-feet per annum"
Ginger K. Lockerby Johnny L. Lockerby 25 County Road 1636 Farmington, NM 87401	007-0052	10/16/2008	AF-01-322	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.84 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.81 acre-feet per annum"
Teresa Perkins Glen Perkins PO Box 1091 Farmington, NM 87499	007-0053	10/16/2008	AF-01-323	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.22 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.21 acre-feet per annum"
Rebecca L. Buckley 19 County Road 1636 Farmington, NM 87401	007-0054	10/16/2008	AF-01-324	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.84 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.81 acre-feet per annum"
Fred V. Archuleta Juanita S. Archuleta PO Box 211 La Plata, NM 87418	007-0063	10/16/2008	AF-01-332	A	Amount of Water in Heading A incorrectly states: "Not to exceed 1.84 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 1.81 acre-feet per annum"

Kathy Waybourn Don Waybourn PO Box 326 La Plata, NM 87418	007-0067	10/16/2008	AF-01-336	A	Amount of Water in Heading A incorrectly states: "Not to exceed 19.58 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 19.33 acre-feet per annum."
Christine N. Dunlap Jim T. Dunlap 740 Highway 170 Farmington, NM 87401	008-0003	Amended 10/13/2015	AF-01-341	A	Amount of Water in Heading A of Amended Order incorrectly states: "Not to exceed 21.42 acre-feet per annum."	For Heading A:  Correct the Amount of Water to state: "Not to exceed 20.50 acre-feet per annum"
Heimo Trathnigg PO Box 1693 Farmington, NM 87499	008-0009A	10/16/2008	AF-01-346	A, B	Amount of Water in Heading A incorrectly states: "Not to exceed [blank space] acre-feet per annum"  Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading A:  Correct the Amount of Water to state: "Not to exceed 18.05 acre-feet per annum."  For Heading B:  Correct the Amount of Water to state: "NONE"
Russell Walls PO Box 3871 Farmington, NM 87499	008-0030B	10/16/2008	AF-01-368	A	Amount of Water in Heading A incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading A:  Correct the Amount of Water to state: "Not to exceed 7.34 acre-feet per annum."

Juan A. Vigil Cathy F. Vigil 5 County Road 1768 Farmington, NM 87401	008-0060	9/20/2010	AF-01-396	B	Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"	For Heading B:  Correct the Amount of Water to state: "NONE"
---	----------	-----------	-----------	---	---	--