

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

FILE
FEB 12 2026 *dr*
DISTRICT COURT
SAN JUAN COUNTY
NEW MEXICO

STATE OF NEW MEXICO,
ex rel. STATE ENGINEER,

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

Plaintiff,

SAN JUAN RIVER BASIN ADJUDICATION

vs.

La Plata River Section

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

Defendants,

vs.

THE JICARILLA APACHE TRIBE and
THE NAVAJO NATION,

Defendant-Interveners.

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, 2023.¹

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


¹ *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:

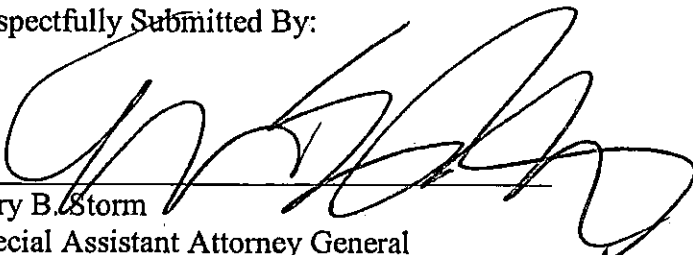
1. The State's *Global Motion to Correct Erroneous Information Under "Amount of Water" Headings in Thirty-Four Consent Orders in the La Plata Adjudication* is hereby granted.
2. The corrected language of each Consent Order in the above-captioned cases and related subfiles correctly describes the water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

IT IS SO ORDERED.



JAMES J. WECHSLER
JUDGE PRO TEMPORE

Respectfully Submitted By:



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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 5502 Country Club Dr. Farmington, NM 87401	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, 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 4635 Frasers Owl Ave Unit 102 North Las Vegas, NV 89084-4785	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 P.O. Box 353 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 2109 N. Schofield Lane 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 1596 Aztec, NM 87410-4596	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"

<p>Thelma Faye Nickles Lloyd L. Nickles 1394 Highway 170 La Plata, NM 87418</p>	<p>005-0031</p>	<p>10/5/2015</p>	<p>AF-01-210</p>	<p>A, B, C, D, E</p>	<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>
<p>Jolena R. Mills 3499 Keokuk St. Butte, MT 59701-4427</p>	<p>005-0039</p>	<p>5/28/2008</p>	<p>AF-01-214</p>	<p>B</p>	<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>

<p>Aaron Mills 55 W. Oak Dr. Bayfield, CO 81122-9785</p>	<p>005-0039</p>	<p>5/28/2008</p>	<p>AF-01-214</p>	<p>B</p>	<p>Amount of Water in Heading B incorrectly states: "Not to exceed [blank space] acre-feet per annum"</p>	<p>For Heading B: Correct the Amount of Water to state: "NONE"</p>
<p>Robert W. Dinning Connie S. Dinning 7219 Driftwood Farmington, NM 87402</p>	<p>006-0043</p>	<p>10/16/2008</p>	<p>AF-01-221</p>	<p>A</p>	<p>Amount of Water in Heading A incorrectly states: "Not to exceed 162.00 acre-feet per annum."</p>	<p>For Heading A: Correct the Amount of Water to state: "Not to exceed 163.08 acre-feet per annum"</p>
<p>Jon Myers Jackie Myers PO Box 477 La Plata, NM 87418</p>	<p>007-0027</p>	<p>5/28/2008</p>	<p>AF-01-230</p>	<p>B, C</p>	<p>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"</p>	<p>For Heading B: Correct the Amount of Water to state: "NONE" For Heading C: Correct the Amount of Water to state: "NONE"</p>

<p>Gary W. Bees Marsha M. Bees 20955 West Lost Creek Drive Buckeye, AZ 85396</p>	<p>007-0033</p>	<p>12/29/2009</p>	<p>AF-01-233</p>	<p>A, B</p>	<p>Amount of Water in Heading A incorrectly states: “Not to exceed 81.24 acre-feet per annum.”</p> <p>Amount of Water in Heading B incorrectly states: “Not to exceed 24.48 acre-feet per annum.”</p>	<p>For Heading A: Correct the Amount of Water to state: “Not to exceed 105.40 acre-feet per annum.”</p> <p>For Heading B: Correct the Amount of Water to state: “NONE”</p>
<p>Jeremy A. Kuchera Rebecca A. Kuchera P.O. Box 5858 Farmington, NM 87499</p>	<p>007-0044</p>	<p>8/22/2008</p>	<p>AF-01-314</p>	<p>A</p>	<p>Amount of Water in Heading A incorrectly states: “Not to exceed 1.53 acre-feet per annum.”</p>	<p>For Heading A: Correct the Amount of Water to state: “Not to exceed 1.51 acre-feet per annum”</p>
<p>Jeremy A. Kuchera Rebecca A. Kuchera P.O. Box 5858 Farmington, NM 87499</p>	<p>007-0045</p>	<p>8/22/2008</p>	<p>AF-01-317</p>	<p>A</p>	<p>Amount of Water in Heading A incorrectly states: “Not to exceed 2.75 acre-feet per annum.”</p>	<p>For Heading A: Correct the Amount of Water to state: “Not to exceed 2.72 acre-feet per annum”</p>
<p>Lynett Griffith Joe M. Brice 28 Road 1636 Farmington, NM 87401</p>	<p>007-0047</p>	<p>5/25/2007</p>	<p>AF-01-239</p>	<p>A</p>	<p>Amount of Water in Heading A incorrectly states: “Not to exceed 1.22 acre-feet per annum.”</p>	<p>For Heading A: Correct the Amount of Water to state: “Not to exceed 1.21 acre-feet per annum”</p>

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. Lockeby Johnny L. Lockeby 3800 La Plata Hwy Trlr 5 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 21 Road 1636 Farmington, NM 87401-9601	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 56 Road 1636 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 6415 Hawk Eye St Farmington, NM 87402	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"

<p>Heimo Trathnigg PO Box 1693 Farmington, NM 87499</p>	<p>008-0009A</p>	<p>10/16/2008</p>	<p>AF-01-346</p>	<p>A, B</p>	<p>Amount of Water in Heading A incorrectly states: “Not to exceed [blank space] acre-feet per annum”</p> <p>Amount of Water in Heading B incorrectly states: “Not to exceed [blank space] acre-feet per annum”</p>	<p>For Heading A: Correct the Amount of Water to state: “Not to exceed 18.05 acre-feet per annum.”</p> <p>For Heading B: Correct the Amount of Water to state: “NONE”</p>
<p>Russell Walls 707 Hwy 170 Farmington, NM 87401</p>	<p>008-0030B</p>	<p>10/16/2008</p>	<p>AF-01-368</p>	<p>A</p>	<p>Amount of Water in Heading A incorrectly states: “Not to exceed [blank space] acre-feet per annum”</p>	<p>For Heading A: Correct the Amount of Water to state: “Not to exceed 7.34 acre-feet per annum.”</p>
<p>Juan A. Vigil Cathy F. Vigil 5 County Road 1768 Farmington, NM 87401</p>	<p>008-0060</p>	<p>9/20/2010</p>	<p>AF-01-396</p>	<p>B</p>	<p>Amount of Water in Heading B incorrectly states: “Not to exceed [blank space] acre-feet per annum”</p>	<p>For Heading B: Correct the Amount of Water to state: “NONE”</p>