

STATE OF NEW MEXICO
COUNTY OF CHAVES
FIFTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO, *ex rel.*
STATE ENGINEER
and PECOS VALLEY ARTESIAN
CONSERVANCY DISTRICT,

Plaintiffs,

vs.

L.T. LEWIS, *et al.* and
UNITED STATES OF AMERICA,

Defendants.

Nos. 20294 and 22600 Consolidated

Hon. James J. Wechsler
Presiding Judge

Carlsbad Irrigation District Section,
Membership Phase

Court No.: As stated in Part A(2) _____

Subfile No.: As stated in Part A(2) _____

**RULE 1-060(B)(6) NMRA MOTION REQUESTING ADJUDICATION OF OMITTED
SUPPLEMENTAL RIGHT**

Fill out one form for each subfile for which you make a claim to a right to groundwater as a supplemental supply to surface water rights (“supplemental right”). Please type or print legibly.

The undersigned claims a right to use water within the Carlsbad Irrigation District (“CID”) and files this Motion under Rule 1-060(B)(6) NMRA to reopen the Subfile Order described herein based on a claim for a supplemental right which was not recognized in the Subfile Order.

Part A: Your Information

1. Full name or names, mailing address, and telephone number with area code:

2. The subfile number and court number for the surface water right owned by you for which you claim a supplemental right. Your subfile number and court number can be found in Appendix H to the Proposed Partial Final Judgment and Decree on Surface Water Rights and Supplemental Rights in the Membership Phase of the Carlsbad Irrigation District Section of the Pecos River Stream System Adjudication. (Please also write the subfile and court numbers in the spaces provided above.)

Subfile Number: _____

Court Number: _____

Part B: Support for Defendant’s Claim to a Supplemental Right (Explain in as much detail as possible the grounds upon which you are asserting a claim for a supplemental right. Attach additional pages if necessary.):

Part C: Attachments: In support of this Claim for a Supplemental Right, the Defendant attaches hereto:

1. Title instruments as follows:

2. Other supporting documents, as follows:

Part D: Notice to Defendant and Defendant Acknowledgements:

1. **THE DEFENDANT HAS BEEN INFORMED THAT FAILURE TO SUBMIT THIS MOTION WILL FORECLOSE ANY FUTURE OPPORTUNITY TO ESTABLISH A CLAIM TO OWNERSHIP OF A SUPPLEMENTAL RIGHT IN THE CID.**

2. **YOU ARE RESPONSIBLE FOR KEEPING YOUR CONTACT INFORMATION CURRENT IF YOU WISH TO RECEIVE NOTICE REGARDING THESE PROCEEDINGS. If you change your mailing address you must file your change of address with the Court and the Office of the State Engineer.**

Part E: Filing this Motion

1. This Motion must be filed with the Court, either in person or by mail, to be received by the Court, no later than **November 19, 2012**, at the following address:

Fifth Judicial District Court
Chaves County Courthouse
400 N. Virginia Street
P.O. Box 1776
Roswell, NM 88202

2. At the same time this Motion is filed with the Court, a duplicate copy of this Motion must be served, either in person or by mail, on:

Gary Storm
Office of the State Engineer
Litigation and Adjudication Program
130 South Capitol Place
P.O. Box 25102
Santa Fe, NM 87504-5102

Respectfully submitted,

Defendant Name: _____

Signature: _____

Defendant Name: _____

Signature: _____

Defendant Name: _____

Signature: _____

Dated: _____

Defendant Address: _____

Defendant Phone: _____

**ONE PERSON WILL NEED TO SIGN AND DATE THE CERTIFICATE OF SERVICE
BELOW:**

CERTIFICATE OF SERVICE

I certify that I have caused a copy of the above to be sent to the following persons in person or by U.S. mail, postage prepaid, on _____, 2012.

Fifth Judicial District Court
Chaves County Courthouse
400 N. Virginia Street
P.O. Box 1776
Roswell, NM 88202

Gary Storm
Office of the State Engineer
Litigation and Adjudication Program
130 South Capitol Place
P.O. Box 25102
Santa Fe, NM 87504-5102

Signed: _____ Dated: _____